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Africa
Libya

Libya ‘war crimes’ videos shared on social media (BBC News)  
May 1, 2019

An investigation by BBC Arabic has found evidence of alleged war crimes in Libya being widely shared on Facebook and YouTube.

The BBC found images and videos on social media of the bodies of fighters and civilians being desecrated by fighters from the self-styled Libyan National Army.

The force, led by strongman General Khalifa Haftar, controls a swathe of territory in the east of Libya and is trying to seize the capital, Tripoli.

Under international law the desecration of bodies and posting the images online for propaganda is a war crime.

The Foreign Office says it takes the allegations extremely seriously and is concerned about the impact the recent violence is having on the civilian population.

UN mission in Libya calls for humanitarian truce in Ramadan (The Libya Observer)  
By Abdulkader Assad  
May 5, 2019

The United Nations Support Mission in Libya (UNSMIL) has called on warring parties to commit to an extendable one-week humanitarian truce starting at 04.00 in the morning of the first of Ramadan, May 06, in accordance with the spirit of the holy month of Ramadan.

The UNSMIL added in a statement Sunday, congratulating Libayns on the coming of Ramadan, that the truce is also in accordance with the Human Rights Convention, which says all parties pledge to halt all forms of military operations, including reconnaissance, shelling, sniper operations, and mobilization of forces.

UNSMIL called as well on all parties to allow the delivery of humanitarian aid to those in need and to ensure the freedom of movement for civilians during this truce.

"The mission encourages all parties to use the truce to exchange prisoners and the bodies of the deceased and expresses its readiness to provide the necessary support in this regard." UNSMIL added.

This call comes as clashes intensify with the entry of a second month and with violent fighting between Libyan Army forces under Presidential Council’s command and Khalifa Haftar’s forces.

In the meantime, the Head of the Presidential Council Fayez Al-Sarraj and several other officials said time and time again that there can be no ceasefire if Haftar’s forces are not either defeated or retreated to their previous positions.

Libyan officials say 200 people have been killed in recent fighting (The Guardian)  
By Jason Burke  
May 5, 2019

Nearly 200 people have been killed and more than 1,000 injured in the most recent wave of fighting in Libya, officials said this weekend.

The offensive to take control of Tripoli launched by Khalifa Haftar, a military commander based in the east of the country, is now in its second month.

There are increasing fears of a bloody stalemate that could claim the lives of many more civilians and fighters.
Haftar has urged his forces to “teach the enemy a greater and bigger lesson than the previous ones” during Ramadan, saying the holy month had not been a reason to halt previous battles in the eastern cities of Benghazi and Derna.

His comments came just hours after the United Nations called for a week-long humanitarian truce.

Haftar’s offensive is aimed at toppling the UN-recognised Government of National Accord (GNA) in Tripoli and has the backing of Saudi Arabia and Egypt.

Last week, the World Health Organization (WHO) gave higher estimates of casualties that those given by the GNA’s ministry of health on Sunday, saying that 392 people have been killed and about 2,000 wounded in the ongoing armed clashes south of Tripoli.

“The number of displaced due to these clashes has risen to about 50,000 people distributed between Tripoli and other cities in the western region,” the WHO tweeted.

The US appears to have accepted the view of its chief Middle Eastern allies that Haftar’s assault can be seen as the act of a strong leader fighting Islamist extremist militias in Tripoli.

But many independent Libyan experts claim Haftar has no commitment to democracy, and himself deploys Salafist militia in his self-styled Libyan National Army.

At least nine people were killed in an attack on Saturday on a military training camp used by forces loyal to Haftar in the southern city of Sabha. The dawn assault was claimed by the Islamic State in a statement distributed through social media. The statement said it had targeted “Haftar’s heretical militia”.

The GNA said that Haftar was directly responsible for a resurgence in Islamic extremist activities in Libya.

“Ever since the offensive against Tripoli, we have warned the only beneficiaries ... are the terrorist groups, and that what is happening will offer them a fertile ground to restart their activities,” it said.

Trump’s personal backing for Haftar appears to have undercut both the UN special envoy, Ghassan Salamé, and the UK Foreign Office’s efforts to secure a UN security council resolution calling for a ceasefire.

Both Russia and the US opposed British moves at the UN last month to pass a statement calling for a ceasefire and a return to talks.

The dramatic change in US policy followed a Trump meeting with Egyptian leader Abdel Fatah al-Sisi, and a phone conversation with the Abu Dhabi crown prince, Mohammed bin Zayed Al Nahyan. The two are Haftar’s principal backers.

The power struggle between Haftar, a former senior officer in the army of Muammar Gaddafi, and the GNA has left Libya’s vast desert regions without effective government.

Gaddafi was deposed and killed in 2011.

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Less than four months ago, Ali Darassa's militia, the Union for Peace in the Central African Republic (UPC), had been battling government forces and the United Nations. Today, though, their representatives are singing a different tune as they stood alongside him in the key city of Bambari - the next phase in a rather controversial bid to bring peace in the country.

Darassa, a self-appointed four-star general, was joined on the town hall steps by Prime Minister Firmin Ngrebada, Jean-Pierre Lacroix, UN under-secretary-general for peacekeeping operations, and Smail Chergui, African Union commissioner for peace and security.

After seven failed peace deals since 2013, the government has decided to explore a controversial move that incorporates rebel fighters and members of the armed forces. The move which has been reduced to an accord reached in Khartoum in February has allotted government roles to 14 militia chiefs who control most of the country's territory and have been frequently fighting over resources and clashing over ethnic or religious affiliation.

Following the execution of the accord, three warlords were formally appointed as special military advisers to the prime minister. Two of them are Mahamat Al Khatim, leader of the Central African Patriotic Movement (MPC), and Sidiki Abass, commander of a group that refers to itself as 3R -Return, Reclamation, Rehabilitation.

The third is Ali Darassa, who took up the post in Bambari, a crossroads town in the centre of the country. An anonymous UN source stated that the appointment "means that he [Darassa] is taking charge of Bambari with the approval of Bangui". While there are some who support the unorthodox move, a vast section of the population continues to remain quite apprehensive.

The idea behind the government's approach is to encourage the warlords to work together with them in beefing up security and shoring up governance. Critics, however, fear that the concessions could be a get-out-of-jail pass to men who should be prosecuted for extrajudicial killing, rape, looting, murder, and other heinous crimes. Mayor Abel Matchipata stated: The conflict has led to many victims and many abuses. We have a lot of trouble with the armed groups[but] we have no alternative but to accept the Khartoum accords. We have to make concessions, that is the only way if we want peace."

According to specialist observer Thierry Vircoulon, the new posts risk a "sacrifice of the need for justice" especially after previous peace deals were undermined by the prospect of trials for war crimes.

"Zero tolerance for impunity," referring to a UN watchword, "has become 'zero tolerance for justice'", said Vircoulon.

In 2017, the UN mission in CAR (MINUSCA) drove the UPC out of town and Darassa was declared persona non grata there. That did not deter Darassa's operations as his men simply adopted a low profile and continued to impose "taxes" on cattle and minerals. According to a UN report, Darassa and his men continued with their covert operations up until May 2018 when they returned to their full-blown open hostilities and attacked police headquarters, church premises, and several non-governmental organisations. Ali Darassa's appointment as a military adviser for the area where his men may have committed war crimes should not be used to give him immunity from investigation into the UPC's abuses," said Lewis Mudge, Central Africa director at Human Rights Watch (HRW).

In a bid to assuage fears and stem mounting criticism from the population, the government issued a joint statement with the UN and MINUSCA earlier this week. The UN and MINUSCA insisted that Darassa "has not been entrusted with an official security role" for Bambari.

"The security of the town of Bambari remains and will remain the responsibility of the national authorities, with the support of MINUSCA," stressed the communique, which noted that the mixed brigades "are not yet operational".

And on Thursday, the President said the peace agreement "does not grant amnesty" and was "subject to the constitution." The deal also "attaches importance to the fight against impunity," he insisted. Despite the charm offensive from the government, UN and MINUSCA, many are still unconvinced by the controversial cohabitation of armed forces and rebel leaders and wonder how long it will last.

According to Nathalia Dukhan of the US think tank Enough Project, there is a distinct possibility that the rebel leaders could be exploiting the situation and that is something that cannot be ignored. To simply ignore it would be tantamount to handing over the reins of power to war-lords.

There is a real risk that these new advisors or ministers will work to increase their military power and finance their armed groups," said Nathalia.
Russia trains CAR defence forces (The Southern Times)
April 30, 2019

Russia, which played a crucial role in peace-building efforts in the Central African Republic (CAR), is strengthening the country’s defence forces.

The initiative comes a year after Russia achieved a partial lifting of the arms embargo on the Central African country from the United Nations Security Council.

A batch of small arms and ammunition was subsequently sent to the CAR as well as five military and 170 civilian instructors from Russia.

Since then, they have been training members of the armed forces of the CAR (FACA).

Russian instructors have organized a training centre in the city of Berengo, where defence forces of the CAR are trained in the handling of weapons, as well as methods of combat. The facility is equipped with a fire complex with a multi-purpose shooting range.

Russian instructors cleared the area and created a tactical field, as well as a site for conducting comprehensive training with an observation tower, a combat point, a full profile trench and a target installation.

In addition to educational facilities in Berengo, there are household facilities. It accommodates more than 300 cadets.

As of March, seven sets of cadets have been groomed at the training centre. Some 1 900 individuals have been trained, including 128 officers. Among those trained are machine gunners, rifle experts, police officers, gendarmes.

President Faustin Touadera, the defense Minister Marie-Noëlle Koyara, and UN representatives have attended some important sessions of the training exercise.

Also, Russian President Vladimir Putin signed a decree on sending 30 troops to the Central African Republic, which will be part of the UN peacekeeping mission in the Republic - MINUSCA.

CAR is emerging from years of civil conflict.

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Sudan & South Sudan

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

South Sudan: Activists' Bodies Dumped in River - State Agents (AllAfrica) By John Adukata
May 6, 2019

The bodies of two prominent South Sudan activists were dumped in Achwa River in Nimule after being killed, intelligence sources said.

The sources said the two critics of President Salva Kiir's government Mr. Dong Samuel, a lawyer and human rights defender and opposition politician Izbon Agrey Idri corpses were transported from Juba to Nimule where they were dumped in the river.

"They were taken the same day they got killed in Juba," one intelligence source told Africa Review.

He added that the river was a notorious dumping site of people executed by the state agents.

"When they dump these dead bodies there, they tie them with stones so that the corpses will not float in the water," he said.

Africa Review was unable to independently verify the claims.
The UN Panel of Experts on South Sudan said last week the two activists were killed in Luri in Juba by the National Security Service (NSS) under directives from their boss General Akol Koor Kuc.

"It is highly probable that opposition member Aggrey Idri and human rights lawyer Dong Samuel Luak were kidnapped in Kenya where they had fled, taken to the capital of Juba, and slain on orders of Lt. General Akol Koor Kuc, director of the service's Internal Security Bureau," the report by UN says. The experts said the two were killed on January 30, 2017, a week after they were abducted from Nairobi Kenya.

The UN further said NSS was operating outside the law in the war-torn state to kill, arrest, torture and apprehend government critics whether activists, journalists and opposition dissidents.

South Sudan Information Minister Michael Makuei Leuth denied the government was responsible for the kidnapping and killing of the two activists.

Juba further called for investigation to the death of the two prominent activists to start in Kenya where they were kidnapped. Kenya has maintained it was not aware of the incident.

Amnesty International and Human Rights Watch have condemned the killing of the two activists and called upon South Sudan government to uphold the rule of law and respect its constitution.

They accused Kenya of colluding with South Sudan in the apparent abduction in Nairobi in 2017.

Human Rights Watch and Amnesty International noted in a joint statement that a United Nations panel of experts has now concluded that the two South Sudanese were likely executed in South Sudan on January 30, 2017.

Dong and Aggrey had apparently been kidnapped on the streets of Nairobi on January 23 and 24, 2017 respectively.

"The men's disappearance is widely viewed to be the result of collusion between South Sudan and Kenya," HRW and Amnesty said.

"Kenya and South Sudan failed miserably in their duty of care toward Dong and Aggrey," said Seif Magango, Amnesty's deputy director for East Africa, the Horn and Great Lakes Region.

"Dong was registered as a refugee in Kenya and for him to be kidnapped in Kenya and taken to South Sudan to be executed, is appalling."

South Sudan's main opposition leader, Riek Machar, has also denounced the execution of the duo.

Dr Machar described the killing as a crime against humanity and asked the international community and human rights watchdogs to refer the case to the Hague-based International Criminal Court (ICC).

Human rights abuses have become common in South Sudan especially after the outbreak of war in December 2013.

President Salva Kiir has been under intense pressure from the international community and South Sudan donor countries of United States, United Kingdom, and Norway to stop impunity against government critics.

UN says the unlawful killing or execution of government critics by the NSS poses a significant threat to the September's shaky peace agreement.

**UN Court Slams Jordan on Freedom of Sudan’s Bashir (Court House News)** By Molly Quell
May 6, 2019

The International Criminal Court on Monday upheld its prior ruling that Jordan should have arrested former Sudanese President Omar al-Bashir when the accused war criminal traveled there two years ago, but reversed its referral of the Middle Eastern country to the United Nations Security Council.

Al-Bashir is charged with war crimes and crimes against humanity but the question before the Netherlands-based ICC was whether Jordan violated the Rome Statute, which established the United Nations court, by declining to arrest al-Bashir when he traveled to the country in 2017.
Al-Bashir came to power in 1989 when, as a member of the Sudanese army, he took part in a coup against the democratically elected government of Prime Minister Sadiq al-Mahdi. The coup took place during a 21-year civil war that ended in 2005 with a peace agreement signed by al-Bashir.

He was re-elected three times until he was himself ousted in a coup last month.

During al-Bashir’s tenure, separatists groups formed in Sudan’s western Darfur region who felt they were being mistreated by the national government. In 2003, they kidnapped a Sudanese Air Force general during an attack on a military airfield, which led to the government arming militia groups to attack the rebels. Violence erupted in the region.

Darfur has long been a fragile region. The southern part is dominated by nomadic herders who identify as Arab and are often Christians, while the northern population identifies as African, are more heavily involved in agriculture and are generally Muslim.

The charges against al-Bashir stem from accusations that he intentionally used violence against civilians in reacting to the rebel groups. Forces armed by his government are alleged to have pillaged towns, engaged in a campaign of sexual violence against civilian women, attempted the genocide of the Fur, Masalit and Zaghawa minority groups, and, among other things, poisoned water wells in an effort to drive civilians out of the region.

Arrest warrants were issued for al-Bashir in 2009 and 2010 by the ICC.

During the first pretrial hearing, al-Bashir was not charged with genocide but the court reversed itself in 2010 and issued a second arrest warrant, this time including a genocide charge. It was the first time in history the ICC issued an arrest warrant for a sitting head of state.

However, the ICC itself has no authority to arrest suspects and must rely on one of the 123 member states to extradite defendants.

Since the warrants were issued in 2009 and 2010, al-Bashir made numerous trips abroad, including to countries that are parties to the ICC, including South Africa, Uganda and Jordan. As member states, those nations are supposed to arrest people charged by the ICC if they travel into their territory.

Al-Bashir traveled to Jordan in March 2017 to attend an annual Arab League summit. Mahmoud Daifallah Mahmoud Hmoud, Jordan’s representative to the United Nations, said in a statement at the time that the Middle Eastern country was unable to arrest al-Bashir because he was a sitting head of state.

After Jordan decline the ICC’s request to arrest al-Bashir, the court held hearings in June 2017, where Jordan again defended its actions by saying al-Bashir had sovereign immunity as a head of state “under the rules of customary international law.” Further, Article 97 of the Jordanian constitution guarantees immunity to heads of state.

The ICC rejected this argument in its December 2017 decision, finding Jordan could not offer its own interpretation of the law. It also decided to refer the matter to the United Nations Security Council.

On Monday, Judge Chile Eboe-Osuji read the ICC’s ruling aloud during an oral summary. The court upheld its earlier decision and found that al-Bashir was not entitled to immunity from arrest as a head of state.

“The appeals chamber finds that there is neither state practice nor an impelled sense of such a practice as law, which would support the existence of head of state immunity under customary international law,” Eboe-Osuji said, reciting the court’s unanimous opinion.

However, the ICC found it had erred in its previous judgment that Jordan should be referred to the U.N. Security Council. Jordan argued on appeal that it had tried to resolve this dispute with the ICC and that the court was treating Jordan differently than it treated South Africa in a previous case.

Al-Bashir traveled to Johannesburg to attend an African Union summit in 2015. The government of South Africa also declined to arrest him at the behest of the ICC and a human rights non-governmental organization, the Southern Africa Litigation Centre, filed an emergency appeal in a South African court to force al-Bashir’s arrest. South Africa’s high court barred al-Bashir from leaving, but the government allowed his plane to depart abruptly less than a day after the order was released.

That case was also heard by the ICC, which ruled in 2017 that South Africa should have arrested al-Bashir. But the court declined to refer the case to the U.N. because South Africa had consulted with the court about what its obligations were and a domestic court had already ruled against the government.
“The chamber was not convinced that a referral would be warranted in order to achieve cooperation from South Africa, in the light of the fact that South Africa’s domestic courts have already found South Africa to be in breach of its obligations under its domestic legal framework,” the court wrote at the time.

In Jordan’s case, the ICC ruled Monday that “a state may indeed approach the consultation process in the manner of stating a preliminary position that it sees as posing an obstacle to cooperation, thus engaging the question to be resolved.” But it also said “it would be better for a state to approach the consultation process in an unequivocal manner of asking questions in need of resolution.”

Last month, al-Bashir was removed from power in a military coup brought about after months of protests in the country. Omar Zein al-Abideen, a senior military official in the new government, told news agency Al Jazeera that there are no plans to extradite the former leader. “We will not extradite any Sudanese citizens,” he said in an interview.

The ICC does not prosecute defendants who aren’t present in the courtroom, so the case will remain in the pre-trial phase until al-Bashir is arrested.

**ICC declines to refer Jordan to UN for failing to arrest Sudan’s al-Bashir (Jurist) By Carrie Thompson**

May 7, 2019

The International Criminal Court (ICC) ruled Monday that Jordan, as a party to the Rome Statute, was obligated to arrest Sudan’s former leader Omar al-Bashir during his 2017 visit to Amman for an Arab League Summit. The ICC declined, however, to refer Jordan to the Assembly of States Parties or the UN Security Council, reversing the Pre-Trial Chamber’s ruling that such a sanction was necessary.

The ICC has issued two arrest warrants (one in 2009 and another in 2010) for al-Bashir, who was ousted by the Sudanese military in April after 30 years in power. The warrants allege that al-Bashir was involved in “war crimes,” “crimes against humanity,” and “crimes of genocide” during Sudan’s civil conflict in the Darfur region from 2003-2008. The ICC confirmed that, due to the nature of these crimes, al-Bashir did not have the immunity from arrest traditionally accorded to a sitting heads of state and as such Jordan violated its duty to the ICC by failing to arrest him.

The opinion noted that the court had previously declined to refer South Africa, also a party to the Rome Statute, to the UN for its failure to arrest al-Bashir during his 2015 visit to the country, on the grounds that South Africa had consulted with the ICC regarding al-Bashir’s visit. Finding that Jordan had likewise conferred with the ICC, the Court found that “the Pre-Trial Chamber abused its discretion by treating Jordan differently from South Africa in similar circumstances.”

**Does Sudan’s road ahead lead to democracy or anarchy? (Arab News) By Baria Almuddin**

May 05, 2019

Having spent time in Sudan, I was captivated by the elation felt by protesters at removing the widely loathed Omar Al-Bashir after 30 years in power — but I also felt a heavy sense of trepidation. Looking across the region, it is difficult to identify blueprints for successful transition, though there are numerous templates for failure.

These protesters, a significant proportion of whom are courageous young women, remain in the streets because they fear their revolution could be a mirage. Yes, we are told that Bashir and his henchmen are in jail, but they have been put there by many of the same military figures who had underpinned this regime. Will free and fair elections occur, and will people be given a genuine say in the nature of the new governing system? Will investigations into regime abuses be sufficiently rigorous? Will Bashir eventually be escorted to The Hague?

The Muslim Brotherhood neither inspired nor led the 2011 Cairo uprising, yet they hijacked it by being the best-organized entity. Sudan’s Islamists similarly enjoy organizational muscle thanks to periods of proximity to the regime. This makes them widely disliked by demonstrators who attacked meetings of Islamist organizations. However, in a devout society, Islamists could fare better than urban, middle-class movements associated with the protests, which lack common goals beyond removal of the regime.

A worst-case scenario would be following Libya and Yemen into inter-factional conflict. Given Sudan’s size, ongoing insurgencies, and the weakness of civil society, such a danger is genuine. This could be exacerbated by foreign interference: During the 1990s, Tehran and Osama bin Laden were among the few friends of the pariah Bashir regime. Sudan was a conduit for smuggled Iranian arms destined for African rebels, terrorists, rogue states and Palestinian militants. Qatar and Turkey recently sought to meddle in Sudan, and Sudanese Islamists view them as potential patrons. Russia and China will also act to protect and expand their interests.
The odds are thus stacked against a happy ending for Sudan, and also for Algeria which is undergoing its own parallel transition. The “Arab Spring” was catastrophic for regional stability, exacerbated by hostile powers such as Iran in Bahrain and Syria. Tunisia is endlessly cited as a success, but a close look reveals a highly dysfunctional situation of chronic political and economic crises, stalled reforms, corruption and non-existent public confidence.

Along Europe’s southern shores, Libya and Tunisia could have played out very differently. The West’s rush to disengage from Libya after Gaddafi’s death was one of the most disgustingly shortsighted pieces of statecraft I ever witnessed. The West helped rebels destroy the regime — they should have stayed to pick up the pieces.

“Sudanese are among the most generous-spirited of peoples, but to enjoy the fruits of their revolution they will require infinitely more than good intentions.”

Western political scientists are often unbelievably ignorant about how democracies are constructed. Figures such as the French intellectual Bernard-Henri Lévy Panglossianly propagated the criminally naïve impression that 2011 post-revolutionary states could sail off into blissful democratic futures. But cultivating institutions, civil society, democratic values, and enshrining checks and balances is a massively complex process. Economic turmoil and loss of investment and tourism revenue have fueled immense social volatility. Libya, Egypt, Yemen and Tunisia needed their own equivalent of the post-Second World War Marshall Plan; instead they were left to disintegrate.

The corrupt, brutal Gaddafi and Saleh regimes were truly repugnant, but we have painfully learned that even the worst governments are better than no government. When a governing system collapses into anarchy, it is impossibly tough to put the pieces back together — as the Americans found to their cost in Iraq and Afghanistan.

Despite glaring foreign policy failings, Barack Obama at least appeared to care about the consequences of his actions. His successor offers no such confidence, and Donald Trump’s private language reveals his contempt for, and incomprehension of, African and developing nations. European leaders follow his lead in shunning international responsibilities. Yet state collapse in Libya and Syria had extraordinarily destabilizing consequences for Europe, with panicked responses to refugee crises kicking open the door for the populist right’s ascendancy. Europe cannot afford to be passive observers and shoulder the cumulative ramifications of instability in Sudan, Algeria and Tunisia — combined with the extreme fragility of other sub-Saharan states such as Mali, Burkina Faso and Niger, themselves plagued by extremist forces.

The corrupt, brutal Gaddafi and Saleh regimes were truly repugnant, but we have painfully learned that even the worst governments are better than no government. When a governing system collapses into anarchy, it is impossibly tough to put the pieces back together — as the Americans found to their cost in Iraq and Afghanistan.

The corrupt, brutal Gaddafi and Saleh regimes were truly repugnant, but we have painfully learned that even the worst governments are better than no government. When a governing system collapses into anarchy, it is impossibly tough to put the pieces back together — as the Americans found to their cost in Iraq and Afghanistan.

I will never forget traveling as a journalist with Bashir’s entourage as part of his 2010 election campaign and seeing the open contempt expressed toward voters: There were no realistic policies; just his usual belligerent rhetoric — and endless dancing. Bashir touted the International Criminal Court indictment as a war criminal as a badge of honor. Although independence for South Sudan was just months away, Bashir — as if in denial — never mentioned this when he rolled up in cities such as Juba and Malakal. South Sudan may remain in a protracted state of civil war, but at least Bashir is no longer around to stir the pot and bankroll insurgents.

Few protesters realize how precarious the road ahead of them will be and how desperately they require international support to prevent their revolution veering off course. GCC states have adopted a highly constructive approach to the uprising and already pledged $3bn; yet spiralling inflation, unaffordable subsidies and the virtual collapse of the banking system are just some of the structural crises a new leadership must address.

Sudanese are among the most generous-spirited of peoples, but to enjoy the fruits of their revolution they will require infinitely more than good intentions. They still have a mountain to climb in sidelining remnants of the Bashir regime, but it is then that the most difficult decisions begin. Nevertheless, we the international community have an historic opportunity to buck the region’s track record of failed revolutions and help make Sudan the glorious exception.

Baria Alamuddin is an award-winning journalist and broadcaster in the Middle East and the UK. She is editor of the Media Services Syndicate and has interviewed numerous heads of state.

**Are South Sudan's Kiir and Machar out to block peace and justice? (The East African)** By FRED OLUOCH
May 5 2019

**In Summary**

- Both President Salva Kiir and rebel leader Riek Machar have been dithering on commitments to a final resolution.
- Dr Machar has recently made it clear that he will stay out of the proposed government unless the security provisions are met.
- President Kiir’s on the other side has hired an American think tank to help block the formation of a Hybrid Court, a crucial pillar in ensuring justice and closure for the victims and survivors of the conflict.
- South Sudan warring parties on Friday agreed to delay the formation of a transitional government for six months, providing temporary guarantees that the deal could
hold for now.

Both President Salva Kiir and rebel leader Riek Machar have been dithering on commitments to a final resolution, leading to the formation of a transitional government.

Dr Machar has recently made it clear that he will stay out of the proposed government unless the security provisions—which include the reunification of the armed forces—are met.

And, while these concerns are being addressed, it has emerged that President Kiir’s government had hired an American think tank to help block the formation of a Hybrid Court, a crucial pillar in ensuring justice and closure for the victims and survivors of the conflict.

On Thursday, Lt-Gen (Rtd) Augustino Njoroge, chairperson of the Reconstituted Joint Monitoring and Evaluation Commission, while addressing the meeting in Addis, expressed concern about the pending tasks that are the most critical and consequential to the implementation of the peace agreement.

“My greatest concern is the delayed operationalisation of the cantonment sites, despite my repeated appeal to the parties to expedite this process,” he said. “As I speak, there is not a single cantonment site that is operational.” Gen (Rtd) Njoroge was concerned that of the 59 key tasks required to be implemented prior to the beginning of the transitional period, only 27 have been completed; 17 are ongoing and 15—the most critical—are pending.

Hybrid court

Meanwhile, in Juba, the government has signed a $3.7 million contract with US consultancy Gainful Solutions Inc to help block the formation of the Hybrid Court.

Since the signing of the agreement, the US and the other members of the Troika—UK and Norway—have been pressuring Igad and the African Union to start the process of forming the Hybrid Court.

Gainful Solutions Inc is associated with former American ambassador to Kenya, Michael Ranneberger.

The other players in the Juba deal are American Soheil Nazari-Kangarlou and Kenyan Rev Paul Cheboi.

According to the two-year contract signed in April and publicised on the Justice Department website, Gainful Solutions is supposed to delay and ultimately block establishment of the Hybrid Court envisaged in the revitalised agreement, and open a channel of communication between President Kiir and Washington, with the aim of persuading the Trump administration to expand economic and political relations with South Sudan.

Critics say that this shows that President Kiir and his top officials were never serious about implementing the 2015 peace agreement and are now trying to sabotage the 2018 revitalised one.

Biel Boutros Biel, executive director of South Sudan Human Rights Society for Advocacy, said that blocking the Hybrid Court is an attack on the dignity of the victims and survivors of the South Sudan conflict.

“The South Sudan government must be held to account. The Trump administration needs to think twice,” said Mr Biel.

Concerns

Amnesty International also said the contract raises concerns that the Juba is not serious about honouring the justice provisions of the peace agreement and ensuring justice for the people who have been executed, disappeared and raped by the government and opposition forces.

Gainful Solutions is also supposed to support American private sector investment in South Sudan in oil, natural resources, energy, gas, mining, and other areas, according to the contract.

It is also meant to persuade the Trump administration to reverse current sanctions and block potential measures, and open a military relationship with South Sudan.

Retired diplomat Timothy Towell, a board member of the Council of American Ambassadors, signed the contract as a witness while Rev Cheboi signed as adviser and co-ordinator.

The contract says that $1.2 million will be paid to the consultants as a non-refundable retainer.

Dr Cirino Hiteng, a former South Sudan assistant minister for foreign affairs, says the move by Juba could further injure
relations with the donor community, which President Kiir has been trying hard to bring in to fund the peace process and other programmes.

The Ranneberger deal shines the spotlight on Juba as companies associated with former American diplomats in Africa continue to support African regimes run counter to Washington’s push for democratisation.

It further raises concerns about how South Sudan is falling into the basket of failed African countries whose natural resources are being plundered by foreign firms under the disguise of bringing about stability.

Observers wonder how the involvement of Americans in the Juba case sits with Washington’s foreign policy, which has, in the Trump reign, seemed more transactional than transformational.

Illicit money

The latest revelations come in the wake of a damning report by a Kenyan think tank tracing the flow of illicit money from South Sudan through Kenya and Uganda, aided by the countries’ financial systems.

Mr Ranneberger, who was the US ambassador to Kenya from 2006 to 2011, was strongly opposed to attempts by the Kenya government and the African Union to defer cases that were facing President Uhuru Kenyatta and his deputy William Ruto at the International Criminal Court.

His recent turnaround to help Salva Kiir to block justice has surprised many observers.

“How can the American government and those who have worked in Africa be contracted to subvert justice?” asked James Oryema, the SPLM-IO representative in Kenya.

But President Kiir’s supporters say the Hybrid Court is not a priority.

Michael Makuei, government spokesperson and Minister for Information has always accused the Troika of pushing for the Hybrid Court because they seek a regime change by targeting the leadership of South Sudan.

John Deng D’Akiyooi, a South Sudanese adviser on international criminal law and human-rights, warns that the push for accountability by the Western powers could make the achievement of peace difficult.

“Accountability should come later, because pushing for the Hybrid Court at the moment is too dangerous for civilians, who have been suffering for the past five years,” he said.

But James Oryema, the SPLM-IO representative in Kenya, said that it is ironic that President Kiir, who has been claiming that there is no money to fund the peace programme, is now paying billions of dollars for self-preservation.

“You can’t say you don’t have money to spend on implementation and yet you are paying for things that are against the agreement, especially the chapter on accountability,” he said.

Besides the war having claimed the lives of close to 400,000 South Sudanese, a number of people have been raped, killed tortured and their houses burnt since the war broke out in 2013.

Sudan's Bashir to face questioning over 'financing terror' (Hilltop Monitor)
May 05, 2019

Sudan’s army deposed Bashir in a military coup last month following months of popular protests against the former president, who is wanted by the International Criminal Court (ICC) for alleged war crimes, crimes against humanity and genocide in the Darfur conflict.

The Declaration of Freedom and Change Forces (DFCF) alliance said on Thursday it had submitted a draft constitutional document containing its vision for the transitional period to the Transitional Military Council (TMC).

This footage, live streamed by Osman Hassan on Facebook, shows a large crowd of people waving Sudanese flags, sitting in front of the army headquarters, and marching along the street.

Three armed groups are now part of the Alliance for Freedom and Change which spearheaded protests since December that led to the ouster of Bashir.

Rabie, a member of the protesters’ delegation to the talks, said they proposed an 11-member sovereign council with three seats...
set aside for the military. The call for demonstrations has exacerbated tension between the two sides.

Protest leaders Thursday handed the military council proposals for the new civilian structures they want to see rule the country eventually, including executive and legislative bodies.

Omar al-Bashir, Sudan’s ousted president, is to be questioned over “money laundering and financing terrorism”. In turn, Vice President of the Military Council, Mohammad Hamdan Daklo, nicknamed Hamidati, said that the military council “is committed to negotiations, but will not allow chaos”.

Protesters continuing to camp outside the military headquarters to demand the complete overhaul of the regime.

The two parties agreed on the principle of forming an integrated council composed of both military and civilian representatives to run the country.

Other conflicts in the southern states of Blue Nile and South Kordofan have also left thousands dead. In an interview with AFP on Wednesday, Sudan’s main opposition leader Sadiq al-Mahdi warned protest leaders against provoking the military.

The Alliance for Freedom and Change also insisted that the transitional administration must include representatives from armed groups who spent years battling Khartoum, without naming specific groups. Western governments adopted the protesters’ demands, while Gulf Arab states backed the military council, and African nations called for providing it with more time before handing over power to civilians.

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Democratic Republic of the Congo

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

Congo drops mercenaries investigation of opposition leader Katumbi (Reuters)
April 30, 2019

Congolese prosecutors have dropped an investigation into allegations opposition leader Moise Katumbi hired mercenaries, a document showed on Tuesday, opening the door for him to return home from three years in exile.

Katumbi, the former governor of Democratic Republic of Congo’s copper-mining Katanga region, fled Congo in May 2016 in the face of accusations he had hired mercenaries, including a former U.S. soldier, as part of a plot against former President Joseph Kabila’s government.

Katumbi denied the charges, which he said were aimed at preventing him from running in an election to replace Kabila. The poll was meant to take place in 2016 but was delayed by two years amid accusations Kabila was trying to cling to power. Opposition leader Felix Tshisekedi was declared the winner of a Dec. 30 vote and has moved in the first three months of his presidency to reverse prosecutions of several politicians that Kabila’s opponents said were politically motivated.

“Given that the president of the republic has made easing political tensions his priority …, we consider it inopportune to continue the investigation,” Congo’s top military prosecutor, Timothee Mukuntu, wrote in a formal decision abandoning the probe into Katumbi.

The document was dated March 1 but was only made public on Tuesday.

Earlier this month, an appeals court overturned Katumbi’s conviction in 2016 for real estate fraud, for which he was sentenced in absentia to three years in prison.

His lawyer said at the time his client could soon return to Congo, although Katumbi has yet to comment on the decisions.

Katumbi was blocked from re-entering Congo last year to file his candidacy for the presidential election — a race polls showed him leading. He ended up backing opposition leader Martin Fayulu instead.
Fayulu finished second to Tshisekedi, although multiple sources told Reuters the results were rigged in favor of Tshisekedi, who was seen by Kabila as less of a threat to the outgoing administration’s interests.

Kabila and Tshisekedi’s camps deny the vote was rigged.

**Congoles refugees cross illegally into Uganda, raising risk of Ebola: aid groups (Reuters) By Bhalia**

**May 2, 2011**

People fleeing violence in an Ebola-hit region of eastern Democratic Republic of Congo are being forced to cross the border illegally into Uganda, risking the virus spreading into the neighboring East African nation, aid groups said on Friday.

More than 60,000 people in Democratic Republic of Congo’s (DRC) Beni region in North Kivu province have left their homes since the latest wave of armed attacks began on March 30.

While some have found legal refuge in Uganda, others are being used as human shields by armed groups who prevent them from reaching official border points to be registered, screened for Ebola and given sanctuary.

As a result, some displaced people are forced to cross illegally into Uganda - trekking through dense forests or taking boats across a shared lake - raising the risk of the virus spreading undetected.

“These unofficial crossings are placing people in search of refuge at an increased and totally unnecessary risks of sexual exploitation and abuse,” said Francis Iwa, executive director of Care for Forced Migrants (CAFOMI), a Kampala-based charity.

“Once they enter Uganda, they also are avoiding official immigration procedures and registration as refugees - which means they may not be screened for Ebola and will be unable to access the very services prepared to assist them.”

CAFOMI is one of 18 charities, including Oxfam, Action Against Hunger, Care, Catholic Relief Services, Norwegian Refugee Council and Save the Children, warning Congolese and Ugandan authorities of a potential humanitarian crisis.

Musa Ecweru, Uganda’s minister for disaster management and refugee affairs, said surveillance teams and authorities along the border were on red alert for suspected cases of Ebola.

“Uganda will continue to keep its doors open to refugees as this is our policy,” Ecweru told the Thomson Reuters Foundation from Kampala.

“We must allow those people who need refuge to come to Uganda, but we must also be vigilant not to compromise the health of the people of our country.”

Congo’s Beni region has been at the epicenter of an Ebola outbreak since August. It has infected an estimated 1,495 people and killed 984 in North Kivu and Ituri provinces.

The outbreak of the virus, which causes severe vomiting, diarrhea and bleeding, is the second largest behind the 2013-16 West African epidemic that killed more than 11,000 people.

Attacks by armed groups on civilians, Congolese soldiers and U.N. peacekeepers have hampered efforts to contain the epidemic.

Congolese officials blame rebels from a Ugandan Islamist group in the area for dozens of attacks that killed hundreds of civilians over the past five years.

Independent experts say other factions and Congolese soldiers are also responsible.

The charities said tens of thousands of displaced people were trapped between Uganda and Beni by armed groups.

“The fighting makes it very difficult, if not impossible sometimes, for our teams to reach some of these areas of displacement,” said Dana Hughes, East Africa and Great Lakes regional spokesperson for the United Nations refugee agency (UNHCR).

**Congo recaptures one of two fugitive suspects in U.N. experts' killings (Reuters) May 8, 2019**

Congoles authorities on Wednesday recaptured one of two escaped prisoners who were on trial for the killing of two U.N. investigators, while the second suspect narrowly eluded arrest, a senior military prosecutor said.
Evariste Ilunga Lumu and Kanowa Tshiaba, who escaped from prison in the city of Kananga on Monday night, are on trial accused of participating in the killing of Michael Sharp, an American, and Zaida Catalan, a Swede, in March 2017.

Sharp and Catalan were investigating a conflict in the central Kasai region between state security forces and the Kamuina Nsapu militia, which prosecutors blame for their deaths.

Tshiaba was arrested in the Nganza neighborhood of Kanaga, a bastion of support for the militia, which waged an insurgency in 2016-17, but Ilunga managed to slip away, said Timothee Mukuntu, Democratic Republic of Congo’s top military prosecutor.

“At the moment of the arrest, he (Tshiaba) was with Evariste Ilunga,” Mukuntu told Reuters. “The population of Nganza resisted so they (police) were able to extract Tshiaba but not Ilunga.”

Ilunga is the only defendant among more than a dozen on trial to have admitted having participated in the killings. An army colonel and an informant for the national intelligence service, the ANR, have also been arrested in connection with the case.

They deny involvement and have not been formally charged over the killings.

Ilunga and Tshiaba’s lawyer said on Tuesday that a third defendant in the case had also escaped, but Mukuntu said he had never left the prison.
This month, jihadist attacks and a mine blast that hit a military convoy have killed at least seven Cameroon soldiers.

Across the border inside Chad, Boko Haram is blamed for the deaths of at least 30 soldiers since the start of March around Lake Chad.

The Boko Haram conflict began in 2009 in neighbouring Nigeria and has killed more than 27,000 people and left 1.8 million homeless in the country’s northeast.

The violence has spilled over into neighbouring Niger, Chad and Cameroon.

Mali

Ogossagou massacre could be a crime against humanity, UN Mali mission says (The Defense Post)
By Fergus Kelly
May 3, 2019

The March killing of at least 157 people in Ogossagou was “planned, organized and coordinated” and could constitute a crime against humanity, the United Nations mission to Mali said on Thursday, May 2.

The U.N. mission MINUSMA issued a preliminary report after a special team investigated serious human rights abuses committed on March 23 in Ogossagou, near Bankass in the Mopti region near the border with Burkina Faso. The team deployed to the area between March 25 and 29.

MINUSMA concluded that at least 100 armed dozo hunters, accompanied by a dozen men in military clothing and others in civilian attire, conducted the attack on the part of Ogossagou village housing the Fulani ethnic group.

Dozo traditional hunters belong to the Dogon ethnic group, a hunting and farming community with a long history of tension with nomadic Fulani people over access to land.

The Muslim Fulani people have repeatedly called for more protection from the authorities. The government in Bamako has denied their accusations that it turns a blind eye to – or even encourages – Dogon attacks on the Fulani.

MINUSMA said the attack began at around 5 a.m with a confrontation between the dozos and armed Fulani elements, candidates for the “voluntary disarmament” process who had settled in the village and established a self-defense group.

The dozos then advanced through the village indiscriminately killing men, women and children. At least 157 people were killed, including at least 12 members the self-defense group. The majority of victims were shot. During the attack 65 people were injured by gunshots, stabbing and other physical means, and 43 people, including 17 children, were treated in Sévaré hospital.

The U.N. team located at least three mass graves, two containing at least 40 bodies each, and one containing at least 70 bodies.

The dozos also burned at least 220 huts.

“The planned, organized and coordinated attack on the Fulani part of Ogossagou village was in the context of many other similar attacks by groups of traditional hunters,” the release said, noting that the incident was not isolated – in Bankass district alone, more than 37 incidents of human rights abuses that caused the death of at least 115 people have been attributed to these groups since November 2018.

The human rights abuses documented in Ogossagou “could be described as crimes against humanity, if it is shown that this attack was in the context of a systematic or generalized attack against the civilian population,” MINUSMA said.

In March, Mali’s government announced it had replaced senior military officers and dissolved the Dan Nan Ambassagou
association, composed of Dogon hunters, in the wake of the Ogossagou massacre.

Then, two weeks after mass protests erupted over the the handling of violence in the center of the country, Mali’s prime minister resigned along with his entire government on April 18.

New Prime Minister Boubou Cissé on May 2 signed an accord with opposition and majority political parties, paving the way for the formation of a new government.

“Given that the opposition and the majority have indicated their readiness for a politically-inclusive government,” they agreed to “the formation of a new government,” a copy of the document seen by AFP said.

Once considered a beacon of democracy and stability in Africa, Mali in recent years has been dogged by a coup, civil war and Islamist terrorism.

The recent unrest in the Sahel began in Mali in 2012 with Tuareg separatist uprising against the state, which was exploited by Islamist extremists linked to al-Qaeda who took key cities in the desert north.

France began its Operation Serval military intervention in its former colony early the next year, driving the jihadists from the towns, but the militant groups morphed into more nimble formations operating in rural areas, sometimes winning over local populations by providing basic services and protection from bandits.

The insurgency has gradually spread to central and southern regions of Mali, and across the borders into neighboring Burkina Faso and Niger.

Large swathes of the country remain outside government control, despite the 2015 peace accord designed to isolate the Islamists.

The French mission evolved in August 2014 into the current Operation Barkhane, which has 4,500 troops personnel deployed with a mandate for counter-terrorism operations across the Sahel region, with 2,700 soldiers in Mali to support poorly-equipped local military forces.

Troops deployed to Barkhane work alongside other international operations, including the U.N. Minusma stabilization mission in Mali, which began in 2013 and has about 12,000 troops and 1,750 police deployed, as well as the regional G5 Sahel joint counter-terrorism force that aims to train and deploy up to 5,000 personnel.

Liberia

The old ways of reintegrating young veterans need to be abandoned (The Conversation)
April 28, 2019

The reintegration of former child soldiers is a key mandate of humanitarian organisations across the globe.

In most African war-torn countries, child soldiers’ reintegration strategies tend to revolve around the vocational training and mainstream education. Such operations are characterised by uneven or limited success.

Accordingly, unlucky former child soldiers find themselves stuck in a cycle of war. This has been the case in Sudan, and Angola as well. Liberia is no exception. A former Liberian child soldier alluded to his struggles to reintegrate, saying “we were soldiers. Now we are parasites”. This is partly because researched suggestions for proper reintegration are not incorporated. It’s also due to traditional humanitarian practices which ignore alternative reintegration measures.

My research draws on Liberia’s civil war experiences to find alternatives to traditional reintegration processes. Liberia’s approach also focused on vocational training and mainstream education. But insights gained from my interviews with former Liberian child soldiers showed that even though they’d gained useful skills from the war, these weren’t used in any way during the reintegration process.
For example, some young veterans gained medical skills from nursing the wounded, while others learned how to gather intelligence, and to plan logistical operations. Some even learned how to build and lead teams. These abilities were largely ignored.

I would argue that conventional reintegration strategies have had limited success because they don’t pay as much attention to positive war legacies. I think an approach centred on the wartime roles of former child soldiers would be more productive than one that has a singular education focus.

War legacies There is a nexus between the wartime roles of young veterans and their successful reintegration into post-war society. They gain skills during wartime which they can utilise in their reintegration. This nexus is often ignored by the conventional reintegration strategies that are routinely backed by the international community.

Some might argue that attempts to use the wartime roles of former child soldiers in the reintegration process will simply promote a post-war militarist agenda. I don’t believe this is true. What I’m arguing for is that reintegration programmes should try and isolate and emphasise wartime skills and abilities for optimum use in post-war scenarios.

Part of the reason for arguing this case is that there’s evidence that conventional reintegration programmes are insufficient. The main reason seems to be that they prioritise mainstream education and vocational training.

There are other reasons too. These include the complex and hasty way in which conventional reintegration programmes are implemented. It’s also due to inadequate peace building operations, the failure to understand the mindset of young veterans and the politicisation of humanitarian responses.

Another shortcoming is that conventional approaches to reintegration treat former child soldiers as victims since their age of criminal liability remains a thorny question in international law. Local and international humanitarian organisations and agencies, child rights advocates, and the United Nations are often geared towards an idealised idea that children can recover their lost childhood.

This limits the capacity of young veterans because it takes away their power to contribute to the rebuilding and refashioning of their own lives. Some scholars have challenged the victim narrative by engaging in a victim-perpetrator discourse.

Incorporating wartime skills, experiences, abilities, and networks can be an invaluable asset for young veterans in refashioning their lives and recasting their childhoods. For instance, the young veterans who acquired medical skills by nursing the wounded could be supported to enter the medical profession.

Other young veterans could join the post-war military or paramilitary, where skills gained through their combat and intelligence roles could be professionalised and used in the interest of society. They may also pursue their education within the military complex.

A look ahead These are compelling reasons why novel approaches to the reintegration of child soldiers should be explored. Young veterans do need an education, but they would benefit more from learning that is designed to build on skills they already have. A conventional classroom environment is limited in its ability to transform former child soldiers into citizens with pro-social behaviour.

This is the case because traditional learning approaches may not take into account some salient factors including the recruitment age of former child soldiers, the nature of the armed groups in which they served, the roles they played during the war, and their personal desires and ambitions.

The overemphasis on the violence, killing, and harsh conditions of war undermines the positive aspects of wartime roles in post-war scenario. The influence of skills gained from war is not totally negative; some aspects can contribute to the reintegration process. If meticulously identified and utilised, some war retentions could catalyse the reintegration process.

There’s no doubt that the traumatic experience of some young veterans can overshadow any positive aspects of their involvement in armed conflict. However, some war legacies can plant the seed for a fruitful future. The wartime roles played by child soldiers can form the basis for a new beginning.

The ultimate aim of reintegrating young veterans should be repairing lives in the interest of the larger society. War legacies can, in some cases, contribute to achieving this goal.

Sirleaf Evades Questions about Her Link to Taylor (Liberian Daily Observer) By David S. Menjor
April 30, 2019

As an African adage would go, “escaping from one’s own shadow is a difficult thing
to do, and this recently manifested itself in the life of former President Ellen Johnson when she deliberately walked off the set of a South African online television interview after being pressed by the interviewer about her support of Charles Taylor.

Charles Taylor was Liberia’s President who was ousted by concerted efforts through war and later allowed asylum in Nigeria in 2003.

In the interview with the eNCA while attending programs marking 25 years of democracy in South Africa, former President Sirleaf flatly declined to answer questions about her direct link to Taylor who led the National Patriotic Front of Liberia (NPFL), Liberia’s biggest warring faction, during the civil war. NPFL’s first shots were fired in 1989 and were sustained for 14 years.

When asked about her take on reasons for the civil war that devastated the entire fabric of the country, Sirleaf said the war was necessary because slain President Samuel K. Doe and his supporters took control of the country’s wealth and denied people the basic right to participate in the decision making of the country.

“The war was fought because the poor got poorer and there were no opportunities for people to compete for leadership through political means. The elites were those who benefited from the country’s wealth and that led first of all to the coup d’état in 1980 before the coming into power of the very people Taylor and others fought to get out of office through the war,” she said.

She maintained that after the coup d’état, Liberians voted Taylor; they thought only he was best suited to usher in democracy, stabilize the country and rebuild what had been destroyed. However, according to her, conditions did not change in the country and that eventually the country had to go through civil war.

Sirleaf said she regretted supporting Charles Taylor but declined to tell her interviewer why she regretted supporting her one time close associate.

“Oh yes, we have supported Charles Taylor and in fact he had a lot of support but I maintain that supporting him was a wrong decision,” she answered.

But when pressed for answers to questions of why she believed supporting Taylor was wrong, she said “because we think whatever was the motivation for him taking leadership was never achieved”.

Although her sole purpose of attending the interview was to discuss issues about democracy, mainly with South Africa, a country once divided along racial lines and celebrating a milestone of democratic governance, Sirleaf’s interviewer insisted on asking her more questions about her link to Charles Taylor when he was a rebel leader.

“You know one thing; we don’t want to politicize our society. I have enough of that in my life time. Charles Taylor is gone and we should let him be in peace. Our nation has peace, our nation wants to find new ways for unity and reconciliation so I don’t want to get involved with discussion on Taylor,” she warned the interviewer.

The interview took a sharp turn when he asked Madam Sirleaf if she owed Liberians an apology for supporting Taylor. She answered, “No.” Pressing further, he wanted to know why she did not think she needed to apologize to the Liberian people. This time, she answered sharply: “I said no.”

In a fit of frustration, Sirleaf abruptly ended the the interview, saying she felt “hijacked” by the interviewer since she did not go to his newsroom to be exclusively interviewed about her connection to former President Charles Taylor who is now serving a 50-year jail sentence in London.

Although the journalist apologized to her for repeatedly bombarding her with questions exclusively on her link to Taylor during the opening stage of the interview she refused to continue the interview, claiming that she felt hijacked and discomfited by his intrusive questioning and was therefore aborting the interview which she did rather abruptly.

“Have we come to this interview to talk the Liberian politics? You don’t define what I say. We are here to talk about democracy but, you want to talk about Liberian politics? Come to Liberia and I will give you full time to do it.

“In fact this interview has ended. You don’t hijack people this way. You called me here to talk about democracy but if you turn the interview into Liberian politics then I am out of here,” Sirleaf said as she disconnected the lapel microphone, emerged from her seat and walked away.

Apparently, her interviewer had sourced some of his questions from an interview he had earlier with former President of Nigeria, Olusegun Obasanjo, who had earlier agreed to an asylum request from Taylor as part of the Peace deal agreed in
In that interview, Obasanjo, who also attended the South African celebrations for democratic governance, said it was the United States government that pressured former President Sirleaf to request the extradition of Taylor.

“The U.S. broke their own assurance they gave to us all that for the sake of peace in Liberia all they wanted was for Taylor to leave. Nothing else was talked about concerning the extradition of the former president for trial on crimes of war or whatever,” he said.

Meanwhile, South Africa commemorated 25 years of democracy on Saturday, April 27, 2019. On that day 25 years ago in 1994, the country held its first non-racial democratic elections. The commemorative program brought together various groups and organizations from around the country. April 27 in South Africa is now celebrated each year as “Freedom Day” to mark beginning of the country’s long and painful road to democracy.

**Twenty years after war erupted, how listening and talking helps Liberians move on (The New Humanitarian)** By Lucinda Rouse
May 3, 2019

Liberia’s second civil war began 20 years ago last month, but for many the trauma lingers. In a country with no registered psychiatrist, a sociotherapy initiative aims to help thousands of survivors come together to heal the psychological impacts of the conflict.

The two phases of the war, 1989-1997 and 1999-2003, in total killed 250,000 people and displaced more than one million. It also destroyed much of the country’s infrastructure – leaving a legacy of lives scarred by both the conflict and the economic hardship that followed.

The Swedish-funded programme addresses the consequences of traumatic events by encouraging people, who signed up voluntarily, to talk and listen to one another. Participants attend weekly group sessions for four months, led by a trained local facilitator, and talk about their understanding of social values such as safety, trust, respect, and care.

Take Augustine Fayiah, 37. He grew up in Liberia’s northern Lofa County and spent much of his youth serving as a porter for a rebel group. “I can’t remember his name,” he says of his commander. “He put a load on my head and said he wanted to kill me. He fired a gun behind me, but God was with me and the bullets never touched me.”

At the end of the conflict, Fayiah came to the capital, Monrovia, where he believed his parents were sheltering. But he never found them. Instead, he spent the ensuing years “hustling” – taking on odd jobs in order to survive. He found solace in religion and now carries out pastoral work for the residents of Dolo Town, a rural hub 60 kilometres from Monrovia.

Fayiah feels traumatised by his early experiences. “When the war was over, a lot used to play on my mind,” he says. “I used to see my friends with their parents who cherish them, take care of them well. But for me there was nothing like that.” This led to an outpouring of negative emotions that Fayiah found difficult to control, and he detached himself from his social circle.

Fayiah’s story is by no means unique in Liberia, where trauma has caused widespread mental health problems and behavioural difficulties that can threaten social harmony. Some sufferers, for example, resort to substance abuse, which, as in any society, can lead to interpersonal problems and domestic abuse. Sexual violence is also prolific.

Without a registered local psychiatrist for a population exceeding four million people (Liberia’s lone practitioner recently retired), the vast majority who require professional help aren’t receiving it.

Overcoming trauma through sociotherapy Dolo Town is among the locations chosen for a peacebuilding programme designed to improve social cohesion through community-based sociotherapy sessions.

Run jointly by the international relief organisation ZOA and the YMCA social welfare movement, the programme aims to enable people to live together peacefully by creating a space within communities in which meaningful reconciliation can take place. The concept was first developed by a psychiatrist treating British soldiers after World War II, and has also been used to help survivors of the Rwandan genocide.

“You go more deeply into trauma when you’re in poverty.”

More than 10,000 people, divided into 840 groups across Liberia, are expected to participate by the end of the three-year programme in 2020.

“I am able to control my heart’s desires using what I learned from the sessions,” says Fayiah, who has already taken part. “It's
taught me how to conduct myself properly in the community and stay away from conflict.”

Another community targeted by the sociotherapy initiative is West Point in central Monrovia. It’s a hand-to-mouth existence in this densely populated slum quarter built on sand, where residents are feeling the effects of both coastal erosion and a depressed local economy.

Peacebuilding experts maintain that poverty exacerbates the effects of trauma. “You go more deeply into trauma when you’re in poverty,” says Paul Najue, ZOA’s peacebuilding coordinator in Liberia.

“Economic hardship is a reminder of war,” agrees Daniel Koon. “It leads to more anger and snap reactions.” And economic hardship is unquestionably increasing for Liberia’s poorest, with a rapidly depreciating local currency leading to ever-rising prices for basic goods.

But community-based sociotherapy can offer a way to help soothe social tensions.

Henry Weah, 29, says it taught him “how to behave in the community, in the home and with my family”. Weah runs a store in West Point selling fishing equipment. “I used to have issues with people but now I know how handle them and don’t get into fights,” he says. “I know when it’s time to go and apologise.”

Faith Vinton, also 29, is another West Point resident who has learnt from the sociotherapy sessions to resolve disputes with her boyfriend.

“I used to have problems with him coming home late and it created a lot of confusion between us,” she says. “But the training gave me some ideas on how to come to a common understanding, and I’ve encouraged him to change.”

Fragile peace In March 2018, the UN’s large peacekeeping mission finally withdrew, a seeming vote of confidence in Liberia’s reconciliation effort. But with everyone from President George Weah to human rights campaigners still describing the country’s state of peace as “fragile”, the absence of conflict doesn’t mean society has fully recovered.

Mental health practitioners and social workers identify a range of problematic behavioural and social traits that can be linked back to wartime trauma. Firstly, “there is an absence of trust and an abundance of bitterness and anger,” says Vinah Howard, a social worker in the town of Kakata in Margibi County.

A lack of trust pervades all levels of society: within families, communities and between business associates, not to mention between the government and the people it has been appointed to serve. This latter issue is compounded by high levels of corruption and a sense of impunity, as no one has yet been tried in Liberia for committing war crimes, and known perpetrators continue to enjoy positions of political power.

Secondly, many children during the war found their schooling exchanged for experiences of violence and chaos, which led to the breakdown of social norms. “Before the war, anyone could discipline a child,” says Daniel Koon, another social worker. But this all changed when armed factions turned young boys into soldiers.

“The social hierarchy and respect for elders was destroyed,” he continues. “A child with a gun could order an adult to remove his jeans in broad daylight just because he wanted them for himself, with no repercussions.”

Crisis events can also reawaken old fears. Dolo Town was among the worst-hit communities in the 2013–2016 West African Ebola outbreak and was temporarily quarantined. Such separations were a major setback for social cohesion. “Trust decreased as people were afraid of each other, not knowing who had infected whom,” says mental health consultant Yolanda van den Broek.

Not just the economy The government’s current development strategy features a pillar called “Sustaining the Peace”, with a focus on justice, reconciliation, and security. Despite this, reconciliation between individuals and communities is “the glue which is downplayed” when it comes to Liberia’s peacebuilding efforts, according to Edward Mulbah, executive director of the national peacebuilding office within the Ministry of Internal Affairs.

Mulbah highlights the need for a combination of political, economic, and social efforts to bring about deeper reconciliation, but believes the current focus is too narrowly restricted to economic empowerment.

“A failure to address the crimes of the past fuels the crimes of the future.”

“The government says building roads is the means to reconciliation, but it goes far beyond that,” he says. “For genuine reconciliation to take place, strengthened relationships and dialogue are vital.”

Equipping individuals with the ability to resolve low-level disputes before they escalate is important, particularly where trust
in the police and judiciary remains low, according to a recent analysis on social cohesion and reconciliation in Liberia.

But, some argue, such initiatives can never replace accountability. Punishing the perpetrators of Liberia’s years of abuse and injustice is, they say, a more empowering path to healing and a genuine consolidation of the peace.

Elise Keppler, associate director at Human Rights Watch, is among those advocating for a war crimes court for Liberia. “A failure to address the crimes of the past,” she says, “fuels the crimes of the future.”

Before being elected, President Weah backed the idea of a war crimes court – as recommended by the country’s Truth and Reconciliation Commission in 2009. But since taking office in January 2018, he has backpedalled.

“We all have different minds and views on this issue,” Weah said in November last year. “Some are calling for a war crimes court; others are calling for reconciliation. What we need to do is to find out what we need as a people.”

EAST AFRICA

Uganda

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

25 witnesses defend Ongwen against war crimes (Daily Monitor) By Anthony Wesaka
May 1, 2019

Dominic Ongwen, the former commander of the Lord’s Resistance Army (LRA) rebels, has called on 25 witnesses to defend him against charges of war crimes and crimes against humanity he allegedly committed during the two-decade insurgency in northern Uganda.

The update was provided by the International Criminal Court (ICC) Kampala Field Outreach staff yesterday.

“So up to date, 25 witnesses have testified for the defence side and these testimonies are from different categories of people such as former abductees of the LRA, expert witnesses and witch doctors,” Ms Maria Mabinty Kamara, head of the ICC Kampala office, said at a media briefing in Kampala.

She added: “The court was also having a short judicial Easter break but it ended. To that effect, Ongwen is expected to resume his defence hearing today [yesterday] and he is expected to present his 26th defence witness.”

The prosecution side completed presenting its evidence against Ongwen in April last year. Ongwen started his defence in September the same year.

Ms Kamara told the media that the prosecution had earlier lined up 69 witnesses to make a case against Ongwen.

Ongwen has been charged with 70 counts of war crimes and crimes against humanity that occurred during the insurgency in the northern region.

Ongwen is alleged to have committed the crimes between July 2002 and December 2005. He denied the charges.

Ms Kamara said yesterday it is anticipated that Ongwen will wind up his defence submissions in October this year.

It is after the conclusion of his defence hearing that the three judges will start writing the final judgement.
Kenya

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

Violence flares in northern Kenya as pressure mounts on villagers (Reuters) By Goran Tomasevic
April 25, 2019

Kenya’s Chief Eipa Choro, 74, remembers when battles were fought with knives and spears. But now newcomers with far more firepower are taking lives in his region at the remote northern edge of the Rift Valley.

Instability in neighbouring Ethiopia and South Sudan are spilling over the border into the disputed territory known as the Ilemi Triangle, residents said. A growing population, changing weather patterns, and displacement caused by conflict are all crowding more people and livestock into their arid scrublands. That intensifying conflict may be repeated in unstable regions across the world, said Murithi Mutiga, deputy project director at the International Crisis Group, a think-tank based in Brussels. “This is going to become an increasingly difficult problem, not just in the Horn of Africa, but in many other places where there’s changing weather patterns and a slowness to adapt to more modern forms of cultural thinking — places like Chad, Nigeria, and Sudan,” Mutiga said. Traditional fighting and livestock raids used to claim perhaps one life in Choro’s area every six months, the chief said. But he estimated that almost 20 people had been killed in the last two months. “These attacks are becoming too much,” he told Reuters over a crackling phone line. “There’s no proper communication, no radio, the (phone) network signal is very weak. If we are attacked we can’t send out a message for rescue.” His village, Maisa, is about 7 kilometres (4.4 miles) from the border with Ethiopia, where ethnic violence has displaced around 3 million people, and 50 km from South Sudan, whose five-year civil war ended with a fragile September peace deal. Two armed police reservists live in Choro’s community, but the nearest police station is more than 20 km away — more than an hour by car across the rutted, trackless land. Edward Mwamburi, the police commander for the Rift Valley region, said he was not aware of the violence. “I have not heard of any deaths of people killed,” he said. Choro said there had been an influx of people from the Dassenach ethnic group in Ethiopia’s Omo riverlands. Armed men from the Nyangatom ethnic group in South Sudan, who speak a similar language to the Turkana, Choro’s own ethnic group, have occupied an area called Soya near his village since November 2018, he said. Clashes between the groups are not new, but he said the level of fatalities is unprecedented. “They’ve been attacking for a very long time,” Choro said. “But now they have better weapons, more ammo and are more organised than traditional warriors.” Last month a group of more than 200 attackers from Nyangatom killed four Turkana men, he said. Three Nyangatom were also killed. Akiru Losuru, 33, confirmed to Reuters that Nyangatom had killed four men from her area on March 17.

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Rwanda (International Criminal Tribunal for Rwanda)

Official Website of the ICTR

The Alleged War Criminal in the U.N.’s Midst (Foreign Policy) By Colum Lynch
May 3, 2019

Charles Petrie, a retired senior official at the United Nations, has devoted a fair chunk of the past quarter century of his life to a single crusade: securing the prosecution of a former U.N. employee, Callixte Mbarushimana, for allegedly overseeing the murder of 32 people, including three other U.N. workers, in Rwanda during that country’s 1994 genocide.

So far, the endeavor has been an unmitigated bust. But in an effort to breathe new life into the case on the 25th anniversary of the genocide, Petrie has prodded U.N. Secretary-General António Guterres to support a long-standing attempt by Rwandan survivors in France to hold Mbarushimana and other alleged Rwandan mass murderers accountable.
In a March 25 letter to the U.N. chief, Petrie threw new light on a scandal that has largely remained within the U.N. walls, alleging that U.N. officials failed to pursue one of their own employees in the aftermath of the slaughter and even kept him on the payroll for years.

As the genocide of Tutsis by Hutus began in April 1994, and the U.N. withdrew most of its force of 2,500, Mbarushimana, then a computer technician with the U.N. Development Program (UNDP) in Rwanda, declared himself the agency’s officer-in-chief. He seized control of UNDP’s assets, including Motorola radio handsets, and more than 25 U.N. vehicles, making them available to the Rwandan military, which used them to hunt down Tutsi victims who were suspected of serving as a kind of fifth column for the Tutsi-dominated Rwandan Patriotic Army, according to an indictment prepared by a prosecutor for the International Criminal Tribunal for Rwanda (ICTR). He also pointed the military to the homes of several U.N. employees who were later killed, said the indictment, which charged Mbarushimana with overseeing the murder of 32 people in all.

He later eluded prosecution by the U.N. war crimes tribunal for Rwanda and dodged extradition to Rwanda from Kosovo, where he continued to work for the U.N. He has been arrested on war crimes charges in Germany and France, only to be released. Last year, a French judge, Emmanuelle Ducos, concluded that she had insufficient evidence to proceed with a trial. Her successor, Stéphanie Tacheau, will soon weigh whether there is enough evidence to drop the case altogether.

Mbarushimana declined to comment through his lawyer, Laurence Garapin, who said the French investigation is proceeding in secret. “As a lawyer, I am also obliged by this secret,” she told Foreign Policy by email. “My client is waiting also for the conclusions of investigations, and until then, he does not wish to make any comment.” But Mbarushimana has previously denied any role in killing U.N. employees or anyone else during the Rwandan genocide.

The new appeal to the U.N. secretary-general is part of a wider effort by Petrie (who has been trying to track down eyewitnesses from Rwanda) and lawyers representing the survivors to collect more evidence of Mbarushimana’s alleged crimes to persuade Tacheau to pursue a trial.

In his letter, Petrie claims the U.N. shares the blame for Mbarushimana’s flight from justice, charging that it failed to conduct a proper investigation into the killings a quarter century ago and subsequently suppressed a critical internal review commissioned by Mbarushimana’s then-employer, the UNDP, of the U.N.’s mishandling of the case. When a French judge requested a copy of the UNDP review back in 2011, the U.N.’s top lawyer at the time denied in writing that such a document existed, according to a copy of the lawyer’s letter to the French judge, which was viewed by Foreign Policy. “Surprisingly, when asked for a copy of the internal investigation that was undertaken by UNDP in November-December 2004, the Office of Legal Affairs denied that such a report existed,” Petrie wrote to Guterres.

The French investigation into Mbarushimana was triggered by a 2008 complaint by a group of survivors known as the Collective of Civil Parties for Rwanda, or CPCR, which first initiated legal efforts to prosecute alleged Rwandan mass murderers living in France back in 2001. The case has been gradually unraveling as eyewitnesses who testified against Mbarushimana before investigators with the ICTR more than 18 years ago have “retracted their testimonies, been killed or disappeared,” Petrie wrote to Guterres. Petrie said he has contacted a key witness who is prepared to confirm testimony to international investigators. But she fears testifying at trial. “She knows that Callixte Mbarushimana remains a key member of the FDLR, and fears for the safety of her children,” Petrie wrote. The FDLR is the French acronym for a rebel Hutu militia called the Democratic Forces for the Liberation of Rwanda.

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by al-Shabaab militants during this operation.

“This airstrike is an example of the niche capabilities we provide our Somali partners as they take the fight to al-Shabaab,” said U.S. Marine Corps Maj. Gen. Gregg Olson, U.S. Africa Command director of operations. “Our precision strike capabilities support our Somali partners as they continue to lead operations against the terrorist network.”

At this time, it is assessed this airstrike killed three al-Shabaab terrorists.

Currently, we assess no civilians were injured or killed as a result of this airstrike. When warranted, processes and procedures exist that allow for additional information to inform post-strike analysis.

U.S. Africa Command will continue to work with its partners to transfer the responsibility for long-term security in Somalia from AMISOM to the Federal Government of Somalia and its Member States. In support of the Federal Government of Somalia, U.S. forces will use all effective and appropriate methods to assist in the protection of the Somali people, including partnered military counter-terror operations with the Federal Government of Somalia, AMISOM, and Somali National Army forces.

**Does America Know Who Its Airstrike Victims Are? (ForeignPolicy)** By Amanda Sperber
May 7, 2019

Ibrahim Hirei had been driving back to Mogadishu with two friends on March 18 when his car was hit in an American airstrike. Hirei, who had spent the day in the village of Muuri inspecting his family’s farm, was killed, along with a second man in the car. The third passenger died later in the hospital.

A press release the U.S. military command in Africa issued the next day said the strike was aimed at degrading “the terrorist network and its recruiting efforts in the region”—a reference to the Somali group al-Shabab, a jihadi organization linked to al Qaeda. “At this time, it is assessed this airstrike killed three (3) terrorists,” the release said.

But an examination by Foreign Policy suggests that Hirei—and possibly the other two passengers as well—had no connection to terrorism and might have been wrongly targeted.

If true, their deaths add to a rising toll of civilians killed in U.S. bombardments in Somalia, which have surged during the term of President Donald Trump. In the days and weeks following the strike, the United States Africa Command—or Africom—appears to have done little to verify details about the three men, raising the possibility that others killed in U.S. strikes and labeled as terrorists might also have been innocent victims.

“My innocent brother became a victim of that airstrike. Now we are struggling to manage the life of the family left behind,” Hirei’s older brother, Ahmed Hassan Hirei, told Foreign Policy in a text message. He said his brother had seven children and spent much of his time tending to the family businesses, including a shop and a gas station. Ibrahim Hirei had no connection to al-Shabab, he said. “I am requesting the U.S. government investigate the airstrike.”

Ahmed Hassan Hirei, who works for an international humanitarian organization in Mogadishu, said he knew the other two men in the car—their families were neighbors.

The press release issued by Africom the day after the attack said U.S. officials were “aware of reports alleging civilian casualties.” It said Africom would review the details of the incident, “including any relevant information provided by third parties.”

But more than seven weeks later, Hirei’s older brother said that no U.S. representatives reached out to him or members of his family.

When Foreign Policy contacted Africom with the family’s allegation, spokesperson John Manley said the military’s assessment was still underway and might last a few more weeks. He then asked for the Hirei family’s contact information.

Amnesty International says at least 14 civilians have been killed in the ramped-up U.S. air campaign since 2017. Africom puts the number at two.

Brian Castner, who co-authored Amnesty International’s recent investigation into civilian casualties in U.S. strikes in Somalia, wrote in the New York Times last month that there are very likely more cases that can’t be proved because of the secrecy of the operations.

“As far as we are aware, AFRICOM doesn’t conduct on-the-ground investigations after their airstrikes. And so they miss a large body of evidence, namely the eye-witness testimony of the survivors of the strikes,” Castner told Foreign Policy in an
email.

Hussein Sheikh-Ali, a former national security and counterterrorism advisor to Somalia’s current and previous president, said the increasing allegations of civilian casualties are “making me doubt Africom’s capabilities to gather an accurate picture on the ground, let alone pierce together information after the incident.” Sheikh-Ali is the founder of the Hiraal Institute, a security think tank.

Africom’s process for assessing civilian casualties requires neither on-the-ground interviews nor conversations with eyewitnesses, according to a document reviewed by Foreign Policy. The document mostly outlines the chain-of-command reports to be submitted with no clarity on how information should be gathered.

Africom would not describe how it identifies a person as a member of al-Shabab. “We use a number of intelligence methods to determine the enemy. We do not discuss those methods for operational security reasons,” Manley wrote in an email to Foreign Policy.

Rita Siemion, the director of national security advocacy for Human Rights First, said this lack of clarity and transparency is the crux of the problem.

“The Department of Defense can label people as terrorists or militants, and it’s nearly impossible to question that designation from the outside,” she said. “This means they can get it wrong, including because they use an overly broad definition of who is lawfully targetable, without adequate checks and safeguards.”

Hina Shamsi, the director of the ACLU National Security Project, said the U.S. policy compounds the hardship of families when their loved ones are killed.

“They are in the position of trying to prove people innocent of being alleged ‘terrorists’ without knowing what the United States suspects or why,” she said in an email.

EUROPE

The Court of Bosnia and Herzegovina, War Crimes Chamber

Official Court Website [English translation]

Bosniak Ex-Soldiers’ Sentences for Attack on Serbs Increased (Balkan Insight) By Admir Muslimovic
April 26, 2019

The third-instance chamber of the Bosnian state court on Friday sentenced Muhamed Sisic to ten years in prison and Tarik Sisic and Aziz Susa to eight years each for wartime crimes in the village of Kukavice in the Rogatica municipality in August 1992.

The attack on Kukavice by Bosnian Army troops saw 21 Serb civilians killed, including two children, and 39 wounded.

Prosecutor Mirza Hukeljic had argued that the second-instance verdict in October 2018, under which Muhamed Sisic was sentenced to eight years and Tarik Sisic and Aziz Susa to five years each, was inadequate considering the seriousness of their crimes.

Muhamed Sisic was indicted as the commander of the Sabotage Detachment of the Army of Bosnia and Herzegovina’s Kukavica Company, and the two others as members of the same unit.
Former soldier Emir Drakovac, who was originally indicted alongside them, has already been convicted and jailed.

Friday’s verdict cannot be appealed.

**Bosnian Serb Ex-Military Policemen Appeal Massacre Convictions (Balkan Insight)** By Marija Tausan
April 26, 2019

Former Bosnian Serb military policemen Dragan Marjanovic, Sasa Gavranovic, Vitomir Devic, Zoran Sljuka and Dragomir Kezunovic launched an appeal against their convictions for crimes against humanity at the Bosnian state court in Sarajevo on Friday.

The men’s defence lawyers called on the court’s appeals chamber to acquit them or order a new trial.

In July last year, they were found guilty of taking 28 Bosniak civilians from the Teslic police station and Pribinic prison on the night between June 17 and 18, 1992 to Mount Borje, where the victims were killed.

The court sentenced Marjanovic, Gavranovc, Devic and Sljuka to 17 years in prison each and Kezunovic to 14 years in prison.

According to the charges, Marjanovic was the commander of a platoon of the Bosnian Serb Army Teslic Brigade’s military police, while the other defendants were all members of the platoon.

The prosecution also launched an appeal on Friday against the first-instance verdict, calling for longer sentences for all five defendants.

**Bosniak Ex-Officer’s War Crimes Appeal Rejected (Balkan Insight)** By Albina Sorguc
April 30, 2019

The Constitutional Court on Tuesday rejected Nihad Bojadzic’s appeal against verdicts under which he was sentenced to a total of 15 years in prison for crimes committed in 1993 during the war in Jablanica and in the village of Trusina, near Konjic.

The Constitutional Court described Bojadzic’s appeal as “unfounded”.

Bojadzic, the former deputy commander of the Bosnian Army’s Zulfikar Squad, had argued that the facts were wrongly established by the courts, curtailing his right to a free trial.

But Tuesday’s verdict said that he had made his allegations that both courts were “composed of judges who should have been exempted” during his trials and that his claims had been properly dealt with at the time.

Bojadzic was convicted in 2015 of involvement in an attack on the village of Trusina near Konjic on April 16, 1993, when 15 Croat civilians and seven Croatian Defence Council fighters were killed and four injured.

Last year, he was also found guilty of committing rape in Jablanica in 1993, together with another Bosnian Army serviceman, and of the inhumane treatment, mistreatment and abuse of prisoners of war who were members of the Croatian Defence Council, the Bosnian Croat wartime force.

The court ruled that he should serve a combined sentence of 15 years for all the crimes.

**Prijedor Murders Trial: Bosnian Serb Soldiers Ask For Acquittal (Balkan Insight)** By Albina Sorguc
May 6, 2019

In closing arguments at the Bosnian state court on Monday, Boro Milojica’s lawyer said it had been proved that his client was not guilty of crimes against humanity in the Prijedor area in 1992.

Lawyer Ranko Dakic said the testimonies given by key witnesses were illogical and unconvincing.

“The defence considers there was no widespread and systematic attack against the civilian population in Prijedor, but there was a conflict between two warring parties, so we cannot speak of crimes against humanity,” Dakic said.

Milojica and Zelislav Rivic, both former members of the Sixth Company of the Bosnian Serb Army’s Ljubija Battalion, are charged with involvement in the murders of 19 Bosniak, Croat and Roma civilians in June and July 1992.
Rivic’s defence lawyer Sinisa Dakic also argued that the witnesses' testimonies were unconvincing.

He said that the defence had proved that the two defendants were at a different location at the time when one of the victims was killed.

“I believe that it has been proven that most of the testimonies we heard from prosecution witnesses were illogical. These statements were amended and changed – especially regarding the time and manner of this killing, and the motive for some witnesses was to hide their own criminal responsibility,” Dakic said.

In its closing arguments last month, the prosecution asked for both men to be convicted.

The court will schedule when the verdict will be delivered at a later date.

**Bosnia Tries Ex-Fighters for Crimes Against Humanity in Konjic (Balkan Insight)** By Admir Muslimovic

May 8, 2019

Prosecutor Marijana Cobovic told the Bosnian state court at the start of the trial on Wednesday that the 14 defendants were responsible for the murders, detentions, rape, torture and mistreatment of the Serb population in Konjic, as well as burning their property and the local Orthodox church.

The crimes were committed as part of a widespread and systematic attack against Serbs in the Konjic area in the period between May 1992 and May 1993, Cobovic said.

“There was an attack on Serb-majority villages. The attack was conducted on villages where no military targets existed,” the prosecutor explained.

“After that, civilians were detained, mistreated and their property totally destroyed. It is evident from the fact that around 300 Serbs live in Konjic nowadays, compared to the pre-war population of 6,200... that this was a widespread and systematic attack,” she added.

The defendants are Esad Ramic, Sefik Niksic, Adnan Alikadic, Mitko Pirkic, Redzo Balic, Hamed Lukomirak, Safaudin Cosic, Muhamed Cakic, Ismet Hebibovic, Almir Padalovic, Enes Jahic, Senadin Cibo, Zeljko Simunovic and Omer Boric.

According to the charges, they held command positions and were members of the Territorial Defence force's municipal headquarters in Konjic, the Akrepi Commando and Reconnaissance Squad, the Croatian Defence Council and the local police force, as well as being guards at Celebici detention camp.

The trial will continue on May 15.

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Convinced War Criminal Extradited to Croatia from Netherlands (Balkan Insight) By Anja Vladisavljevic
April 25, 2019

The Croatian Interior Ministry said on Wednesday that a Dutch citizen who was sentenced to 15 years in prison in absentia for war crimes in 1991 has been extradited to Zagreb.

The ministry only gave his initials and year of birth, but local media reported that the man was 53-year-old Milorad Barac.

Novi List newspaper reported that Barac fled to Serbia after the Croatian Army’s 1995 military operation ‘Storm’, which defeated rebel Serbs, and then to the Netherlands, where he acquired Dutch citizenship.

He lived freely in the Netherlands until he was handed over to Croatia on Wednesday.

Croatian police said the extradition, on the basis of an arrest warrant issued by Karlovac County Court in 2017, passed off without incident.

In 1994, Gospic County Court found Barac, a member of Serb paramilitary forces, guilty of war crimes against civilians in Siroka Kula, a village 11 kilometres north-east of Gospic, in September and October 1991.

On October 13, 1991, eight people were killed, with the youngest victim being 13-year-old Verica Niksic. Thirty-two others were killed in the following days.

Barac was tried in absentia together with five other defendants in the case, and all were pronounced guilty.

Three of them were sentenced to 20 years in prison, while the rest, including Barac, were sentenced to 15 years.

The Croatian Supreme Court rejected their appeals in 1994, although defendant Dane Serdar, who was also initially sentenced to 15 years in prison, was acquitted in 2004.

Croatian Court Reduces Yugoslav Spy Chief’s Murder Sentence (Balkan Insight) By Anja Vladisavljevic
April 25, 2019

Velika Gorica County Court decided on Wednesday to reduce the life sentence handed down in Munich in Germany to former Yugoslav State Security Service official Zdravko Mustac to 40 years in jail.

The court cited the fact that Croatia’s criminal code does not include life imprisonment and prescribes a maximum jail term of 40 years.

Zdravko Mustac, alongside with Josip Perkovic, was sentenced to life in prison in August 2016 for abetting the murder of émigré Stjepan Djurekovic in 1983 in Wolfsrathausen near Munich, in a garage where he printed anti-Yugoslav propaganda material.

Mustac headed the Croatian branch of the Yugoslav State Security Service at the time, while Perkovic was chief of its department responsible for émigrés.

The court found that Mustac gave orders to Perkovic to organise the assassination of Djurekovic in 1983.

The alleged motive for ordering the murder was Djurekovic’s criticism of the Communist regime in Yugoslavia.

The extradition of Perkovic and Mustac to Germany was a long and politically controversial process.

Both of them appealed against their convictions, but the appeals were dismissed in May last year.

In November, they also filed a lawsuit against Germany at the European Court of Human Rights in Strasbourg, claiming that the Munich court did not treat them fairly during the trial.

In December, Zagreb County Court decided to convert Perkovic’s life sentence to 30 years in jail.

Perkovic and Mustac are both still in prison in Germany, awaiting transfer to Croatia from a German prison. They will serve out the rest of their sentences in Croatia.

Earlier this month, Mustac’s defence launched a case against Croatia at the European Court of Human Rights over his
extradition to Germany on a European arrest warrant. The defence claimed he should not have been extradited because the statute of limitations had expired.

“Under the law in force at the time, the statute of limitations was an obligatory reason not to grant the handover. It really was to be expected that Croatian courts would reject the European arrest warrant,” Mustac’s lawyer Lidija Horvat told Hina news agency on April 13.

Turkey

Turkey sentences leading doctors to prison for condemning Syria offensive (Fox News) By Hollie McKay
May 6, 2019

Eleven members of Turkey’s top-tier medical association have been handed prison terms after publicly condemning their country’s military offensive against Kurdish fighters in neighboring Syria early last year.

According to the Agence France Presse, eleven members of the Turkish Medical Association (TTB) were sentenced by a heavy penal court to 20 months behind bars on Friday for “inciting hatred and hostility.”

The charges came soon after the members issued a statement early last year – in response to Turkey’s military incursion to successfully seize control of the then Kurdish-majority city of Afrin – declaring that “war is a man-made public health problem.”

One doctor, Handa Arpat, reportedly received a more stringent sentence of three years, three months and 22 days imprisonment for related social media posts and likes that were deemed to be sympathetic to female Kurdish fighters who played prominent roles in the fight against ISIS.

President Recep Tayyip Erdogan hastily condemned the group as a “gang of unthinking slaves” following the release of the TTB statement. The Turkish government considers the Kurdish People’s Protection Units (YPG) – which is affiliated with the United States in the ISIS fight in Syria – as a terrorist group and mere wing of the long-designated terrorist separatist outfit, the PKK.

The Ankara-based TTB has around 83,000 members spanning dozens of provinces and is considered by much of the international community to be one of the country’s most esteemed and largest physicians’ groups.

TTB chairman Sinan Adiyaman – who was among those convicted – has vowed to appeal the sentences, and other associated human rights groups have also pledged to join for the fight.

“This gratuitous court decision is a new low in the attacks on doctors and the practice of health care, which have now become commonplace in Turkey,” Donna McKay, executive director for the U.S.-based Physicians for Human Rights (PHR), said in a statement after the ruling. “The sentencing of doctors who have bravely spoken out on the impact of war on the wellbeing of innocent civilians is an affront to both freedom of speech and the critical role medical professionals play in highlighting situations that pose risks to public health and the delivery of health care.”

PHR, which works closely with fellow medical professionals at the TMA, have furthermore called the sentencing “an egregious miscarriage of justice.”

US & Western Arms in Yemen Conflict Signal Potential War Crime Charges (Inter Press Service) By Thalif Deen
April 26, 2019

When US political leaders urged the Trump administration to either reduce or cut off arms supplies to Saudi Arabia – largely as a punishment for its indiscriminate bombings of civilians in the four-year old military conflict in Yemen—President Trump provided a predictable response: “If we don’t sell arms to Saudi Arabia, the Chinese and the Russians will.”
Perhaps in theory it’s plausible, but in practice it’s a long shot primarily because switching weapons systems from Western to Chinese and Russian arms—particularly in the middle of a devastating war—could be a long drawn out process since it involves maintenance, servicing, training, military advice and uninterrupted supplies of spares.

Asked for a response, Pieter Wezeman, Senior Researcher, Arms and Military Expenditure Programme at the Stockholm International Peace Research Institute (SIPRI), told IPS: “If, (very hypothetical) the USA and the UK would stop supplying arms to Saudi Arabia, this would be a major problem for Saudi Arabia, in military and financial terms”.

He pointed out that Saudi Arabia would find it very hard to maintain the US and UK weapons its armed forces largely rely on without the support of the large numbers of US and UK service personnel in the country right now.

The Saudi military might be able to keep the weapons going for a while, but presumably at a much lower operational level.

He said it will not only be very costly for Saudi Arabia to replace the expensive existing equipment—it is supposed to be in service for decades— but it also means that Chinese and Russian weapons will not be as high quality as what Saudis now receive from the USA and Western Europe.

And New York Times roving correspondent Nicholas Kristof says “some Saudis kept trying to suggest to me that if we block weapons sales to Riyadh, the kingdom will turn to Moscow.”

“That’s absurd. It needs our spare parts and, more important, it buys our weapons because they come with an implicit guarantee that we will bail the Saudis out militarily if they get into trouble with Iran.”

In an oped piece, Kristof said the Saudi armed forces can’t even defeat a militia in Yemen. So, how could they stand up to Iran?, he asked.

“That’s why we have leverage over Saudi Arabia, not the other way around.” The next step, he argued, should be a suspension of arms sales until Saudi Arabia ends its war in Yemen, for that war has made the US complicit in mass starvation.

The Times said last year that some US lawmakers worry that American weapons were being used to commit war crimes in Yemen—including the intentional or unintentional bombings of funerals, weddings, factories and other civilian infrastructure—triggering condemnation from the United Nations and human rights groups who also accuse the Houthis of violating humanitarian laws of war and peace.

In its World Report 2017, Human Rights Watch said the Saudi Arabia-led coalition has carried out military operations, supported by the United States and United Kingdom, against Houthi forces and forces loyal to former President Ali Abdullah Saleh since March 2015.

The coalition has unlawfully attacked homes, markets, hospitals, schools, civilian businesses, and mosques, the report said.

“None of the forces in Yemen’s conflict seem to fear being held to account for violating the laws of war,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “UN members need to press the parties to end the slaughter and the suffering of civilians.”

Besides Saudi Arabia, the original coalition included the United Arab Emirates (UAE), Bahrain, Kuwait, Qatar (until 2017), Egypt, Jordan, Morocco, Senegal and Sudan.

In a report released last February, Amnesty International (AI) said the weapons for the coalition, primarily to Saudi Arabia and UAE, have come mostly from Australia, Belgium, Brazil, Bulgaria, Czechia, France, Germany, South Africa, South Korea, Turkey, the UK and the US.

The London-based AI called on all states to stop supplying arms to all parties to the conflict in Yemen “until there is no longer a substantial risk that such equipment would be used to commit or facilitate serious violations of international humanitarian and human rights law.”

The only four countries that have announced suspending arms transfers to the UAE were Denmark, Finland, the Netherlands and Norway, according to AI.

Asked how dependent Saudi Arabia is on US arms, Wezeman told IPS that US is by far the largest arms supplier to Saudi Arabia.

SIPRI estimates that in 2014-18, the USA accounted for 68% of Saudi arms imports followed by the UK at a distant 16 per cent. Several other European countries accounted for most of the rest. China played a small role and Russia had not yet established itself as arms supplier to Saudi Arabia.
Asked about the current state of US arms sales to Saudi Arabia, Wezeman said the US supplies all types of weapons to Saudi. But most important in value of the weapons that have been or are to be delivered are F-15 combat aircraft with a full set of advanced arms and Patriot and THAAD air defence systems.

But the list also includes M1A2 tanks, frigates, reconnaissance planes, light armoured vehicles, communication equipment, and basically anything needed to equip modern armed forces.

What is important is that these weapons come with a service package. Though exact data is scarce, the companies supplying the equipment also supply vital maintenance and repair services, he noted.

Compare with what happened in Iran in 1979, which also was highly dependent on US and UK arms, Tehran had to figure out by itself how to operate the equipment.

Possibly the Iranians were better prepared and trained for that than Saudi Arabia is now, but they struggled to continue to use the US equipment in the war with Iraq and had to resort to importing inferior weapons from China and North Korea.

It is very likely, said Wezeman, that Russia and China will happily step in and offer their weapons. However, it will take time before they can deliver large numbers of weapons and train the Saudi’s on new equipment based on different military doctrines. A full transition will probably take many years.

There are several of other cases where states have shifted between different suppliers, with different levels of success, he pointed out. Warsaw pact countries moved to NATO weapons, over several decades. Venezuela switched from US equipment to Russian and Chinese over a period of roughly a decade.

Citing conservative UN estimates, Ole Solvang, Policy Director at the Norwegian Refugee Council (NRC), told IPS some 17,700 civilians have been killed in the fighting in Yemen since 2015.

An estimated 2,310 people have died from cholera according to the World Health Organisation (WHO), and 85,000 children under the age of five have died from starvation.

Solvang said more bombs and weapons in Yemen will only mean more suffering and death. “By providing such extensive military and diplomatic support for one side of the conflict, the United States is deepening and prolonging a crisis that has immediate and severe consequences for Yemen— and civilians are paying the price,” he noted.

Described as one of the world’s least developed countries (LDCs) and the poorest in the Arab world, Yemen continues to be devastated by a war with no end in sight.

Meanwhile, the results of a study commissioned by the UN Development Program (UNDP), released last week, confirm the worst: the ongoing conflict has reversed Yemen’s human development by 21 years.

The study warns of exponentially growing impacts of conflict on human development. It projects that if the war ends in 2022, development gains will have been set back by 26 years — almost a generation. If it continues through 2030, that setback will increase to four decades.

“The long-term impacts of conflict are vast and place it among the most destructive conflicts since the end of the Cold War,” warns the report; and further deterioration of the situation “will add significantly to prolonged human suffering, retard human development in Yemen, and could further deteriorate regional stability.”

“Human development has not just been interrupted. It has been reversed,” said UNDP Yemen Resident Representative, Auke Lootsma. “Even if there were to be peace tomorrow, it could take decades for Yemen to return to pre-conflict levels of development. This is a big loss for the people of Yemen.”

**Explosion in Afrin: dead among Turkey-linked mercenaries (ANF News)**
April 28, 2019

*The explosion occurred in the city center. It was reported that there were dead and wounded in the explosion. The victims are mercenaries linked to Ankara.*

It was not possible to learn how or by whom the explosion was carried out.

Afrin is under the occupation of the Turkish state and its mercenary allies. The Turkish state launched its attacks against Afrin on 20 January 2018 and occupied the city on 18 March. Since then war crimes have been committed systematically in the
The Ankara regime and its mercenary allies have carried out every kind of abuse and violations, from murder of citizens, to changes in the demography of the region by resettling mercenary families in the house of local people. Many civilians have been kidnapped and many more have been tortured and murdered.

**Erdogan: Turkey will do everything in its power to save Libya from becoming another Syria** *(The Libya Observer)* By Addulkader Assad
April 27, 2019

> The Turkish President Recep Tayyip Erdogan said Saturday that in Libya, there is a government legitimized by people's approval and a dictator receiving support from some Arab countries and Europe, referring to Khalifa Haftar.

Erdogan added that Libya is now the scene for dark scenarios that aim to destabilize the region, according to a report by Anadolu Agency.

Speaking in a conference in Ankara, Erdogan indicated that Turkey will help Libya as it has done before and will do everything in its power to foil attempts that aim to turn Libya into another Syria.

Haftar's forces have been leading an offensive on Tripoli with the help of "friend air cover" since April 04, shelling civilian areas and leaving hundreds of casualties plus numerous damaged properties.

The UK and Germany have been trying to strike consensus at the UN Security Council about a ceasefire agreement, but the countries supporting Haftar, including Russia and France, have hindered the passing of a resolution as they don't want it to name Haftar's forces as "aggressive forces" and doesn't want his forces to return to eastern Libya.

In the meantime, the Presidential Council's government rejects a ceasefire agreement before the return of Haftar's forces to their previous positions before the attack on Tripoli.

"Fighting will continue until Haftar's forces are defeated or retreated to eastern Libya." The spokesman of the Presidential Council's government Muhannad Younis said.

Grotian Moment: The International War Crimes Trial Blog

**Ancient treasures looted from Syria and Iraq are being sold on Facebook, experts warn** *(Fox News)* By James Rogers
May 2, 2019

> Antiquities looted from Syria and Iraq are being sold on Facebook, archaeologists have warned.

Citing research by the academics, the BBC reports that the social network has been harnessed by groups of traffickers to buy and sell ancient artifacts from the war-ravaged region.

The bloody takeover of swathes of Syria and Iraq by the Islamic State in recent years saw militants create “a terrorist art
market” for the sale of the looted treasures. In Syria, for example, UNESCO described destruction and looting “on an
industrial scale.”

Dr. Amr al-Azm, an archeology professor at Shawnee State University, who participated in the research study, told Fox News
that ancient treasures have been showing up on Facebook for a number of years. “We started noticing in about 2013 or 2014
that pieces were starting to appear,” he said, describing the problem as extensive.

In addition to Facebook pages offering looted antiquities, some also offer “looting to order,” where people ask for certain items
that are subsequently stolen, according to the archaeologist. Facebook told the BBC that it has removed 49 groups as a result
of the broadcaster’s investigation, although al-Azm questions that number.

“We have tracked over 90 pages, of those 90, only 5 have been deleted,” he told Fox News, adding that there are tens of
thousands, and in some cases, over 100,000 members in the Facebook groups. “In over a year, one group grew from nothing
to over 50,000.”

Fox News has reached out to Facebook with a request for comment on this story.

Al-Azm is co-director of the Antiquities Trafficking and Heritage Anthropology Research (ATHAR) project that investigates
the sale of artifacts in the “digital underworld.”

The Facebook pages monitored in the research study are run by a small and shadowy group of administrators, according to al-
Azm, who estimates that there are around 20 people running the group. “This is not something that’s haphazard – there’s a
transnational aspect,” he said.

While ISIS’ wanton destruction of ancient sites such as Palmyra in Syria made headlines across the world, the jihadists were
keen to make money by selling ancient artifacts. Even though the group has finally been defeated on the ground, the
shockwaves from their horrific regime are still being felt in the world of antiquities.

“Extremist groups see cultural heritage as a resource,” al-Azm told Fox News. “They destroyed stuff that they couldn’t sell and
used the rest as a resource.”

While extremist groups such as ISIS and al-Nusra front are still involved in the sale of antiquities, al-Azm says that local
looters account for most of the sales of Syrian and Iraqi antiquities on Facebook. The academic describes these people as
“subsistence looters” scrambling to make money amid poverty and the chaos of war.

In their research, the experts say that the Syrian government and opponents other than ISIS have also been involved in looting
and trafficking.

Al-Azm has also seen antiquities surface on Facebook from other troubled areas, including Yemen and Libya. “Whenever there
is conflict, you have this activity happening,” he said.

Now, he wants Facebook to work with experts and law enforcement to work out a strategy for tackling the sale of looted
antiquities on the social network. Simply deleting the pages, he warns, could actually be destroyed vital evidence needed to
pursue the culprits. “We want Facebook to sit down with entities that are concerned with this type of activity, it could be law
enforcement, it could be organizations like ourselves, and help develop a coherent strategy,” he said.

The archaeologist is also involved in the Alliance to Counter Crime Online, a consortium devoted to tackling antiquities
trafficking on social media.

In a separate project, experts from the University of Pennsylvania and Harvard have scanned declassified Cold War-era
images from U2 spy planes to reveal ancient structures across the Middle East.

The photos show a number of important historical sites before they suffered the terrible effects of war.

One image captured by a U2 spy plane in 1959, for example, shows the famous citadel of Aleppo. A UNESCO World Heritage
site, the citadel was damaged in 2015 during fierce fighting in the city between Syrian government forces and rebels opposed
to the regime of President Bashar al-Assad.

Three Turkish soldiers killed in Kurd mortar attack from Iraq: ministry (France 24)
May 4, 2019

Three Turkish soldiers died Saturday in a mortar attack by Kurdish rebels launched from Iraqi territory, the Turkish defence ministry said.
"Three of our brothers in arms died as martyrs after mortar fire from northern Iraq by terrorists," the ministry said, in reference to the Kurdistan Workers Party (PKK) group.

A fourth soldier was wounded, it said in a statement.

The attack targeted a military base in the border province of Hakkari, the ministry said, adding that the Turkish army had responded with aerial bombardments and artillery fire.

The PKK, branded a terrorist group by Turkey, the United States and the European Union, has waged an insurgency against the Turkish state since 1984. The conflict has claimed more than 40,000 lives.

The PKK's deployment in northern Iraq has been a constant source of tension between Baghdad and Ankara, with Turkey pressing Iraq to play a bigger role in fighting the group.

The defence ministry also said that another Turkish soldier had been killed Saturday in northern Syria by the People's Protection Units (YPG), a Kurdish militia closely allied with the PKK.

Unlike the PKK, however, the YPG has the backing of Western powers in its fight against the Islamic State group.

**Iraq to Demand Cash for Islamic State Detainees (Voice of America)** By Jamie Dettmer
May 6, 2019

*Iraq is expected to make a formal request to Paris for financial support for the incarceration of French Islamic State suspects sent to Baghdad from Kurdish-controlled camps in northern Syria, say diplomats.*

Fourteen alleged French jihadists have been sent to Baghdad for trial — they are likely to be joined by dozens of other French detainees. Other Western countries are also expected to take up the option to have their nationals, currently held by U.S.-backed Kurdish-led forces, sent to Iraq, thus avoiding having to repatriate them.

The Iraqi government hopes to get up to $2 billion in compensation from Western countries for trying their nationals, say analysts. An estimated 1,000 Western fighters are thought to be in the custody of the Kurdish-led Syrian Democratic Forces, who have been urging, along with U.S. officials, for Western states to repatriate them and to put them on trial in their home countries.

French President Emmanuel Macron has pledged more political and financial assistance to Iraq. The French leader announced a “new strategic roadmap” after meeting Iraqi Prime Minister Adil Abdul-Mahdi at the Elysee Palace, saying at a press conference Friday that France is ready to assist Iraq in reconstruction.

“The French development agency will soon set up in Baghdad with increased resources to help you,” Macron announced.

Financial compensation request expected

Macron did not address publicly the issue of foreign IS fighters, but French officials say Abdul-Mahdi and the French president did discuss them. Baghdad has not yet submitted a financial compensation request but is expected to do shortly, acknowledge French officials.

More than 3,000 foreign IS wives and their children are also being held by the Kurds, including U.S.-born Hoda Muthana, who has been barred from returning to the United States on the grounds that she has no right to American citizenship. According to the State Department, her Yemeni father held diplomatic status when she was born, a claim denied by the girl’s family.

As many as 1,700 French nationals are estimated by French authorities as having fought alongside jihadists. About 300 are thought to have died in combat.

The question of what to do with surviving foreign IS recruits — especially IS brides, many of whom were teenagers when recruited — has become a major international crisis, prompting diplomatic rifts amid rising concerns the recruits and their wives represent a collective security risk if left in Syria, but also individual security threats if returned to their home countries.

Western governments say putting them on trial will be difficult as prosecutors will not be able to gather sufficient evidence for convictions.

The Kurds have warned they cannot keep the recruits much longer. U.S. officials say there is a high risk they will escape from refugee camps and detention facilities in northeast Syria and pose a greater threat unsupervised.
IS foreign recruits on trial

But rights groups are alarmed by the trials of foreign IS recruits that have started to get underway in Iraq. They say the trials depend too much on circumstantial evidence and sometimes on confessions secured under torture.

Meanwhile, the families of Islamic State recruits in several Western states are campaigning for their IS relatives to be repatriated to their home countries and either prosecuted or placed in a de-radicalization programs.

Last month, German relatives of IS recruits demonstrated outside the foreign ministry, urging Berlin to repatriate at least the wives and children of fighters held by the Kurds.

They brandished banners reading: “Children are not responsible” and “Innocent German children will die.”

But last month, a legal tribunal in France dismissed appeals by families for their relatives to be re-admitted. The lawyer for one of the families seeking a Council of State ruling denounced the decision as “a denial of justice.”

France’s interior minister, Christophe Castaner, has said there will be “no communal repatriation,” but French authorities will study “case-by-case” whether the children of French jihadist recruits should be allowed to be repatriated.

Issue of children

In December, a Belgian judge issued an order for the repatriation of half a dozen children under the age of six and their Belgian mothers from a Kurdish-controlled camp in northeast Syria. An estimated 160 children of Belgian origin are in Kurdish-controlled camps.

There’s little sympathy in their home countries for the plight of IS recruits held in northern Syria — even for IS brides. The predicament of surviving young foreign IS recruits — especially of the women, most of whom left as schoolgirls without family approval or prior parental knowledge — has sparked a ferocious moral, political and legal debate in Britain about repatriation.

Rights groups say most of the women who left Europe to join the militant groups in the Levant should be seen as victims rather than criminals, arguing many were misguided or groomed.

**Pro-regime and Iran-backed militias sweep Syria-Iraq border for ISIS cells (The Defense Post)** By Jared Szuba
May 6, 2019

**Pro-Syrian regime forces are conducting a joint operation with Iraq’s Hashd al-Shaabi (Popular Mobilization Units), sweeping Syria’s eastern desert near the Iraq border for ISIS cells, multiple sources told The Defense Post.**

The operation brought together units from Syria’s National Defense Forces militias, Syrian Arab Army regulars, Lebanese Hezbollah, and Iraqi PMUs on both sides of the border.

The NDF claimed its participation on social media on Friday.

“The Syrian [Arab] Army and the National Defense Forces in Deir Ezzor in cooperation with the Iraqi Army and [other Iraqi] forces, are participating in combing the border strip between Syria and Iraq, departing from the city of Al-Bukamal towards the outskirts of the Tanf oil field,” an NDF statement read.

A representative of the group confirmed to The Defense Post on Sunday, May 5 that the operation was ongoing.

The NDF posted photos on Facebook, purporting to show a column of its forces, as well as a map appearing to show a triangular area of operations stretching from the city of Palmyra to the edge of the 55-km deconfliction zone occupied by the U.S.-led Coalition and vetted Syrian opposition fighters, and Al-Bukamal to the east.

The area is considered strategic for moving personnel and equipment from Iraq into Syria via the Qaim border crossing.

If the NDF’s claims are accurate, the operation would put Syrian government and Iran-backed forces in close proximity to the Coalition’s declared 55-km zone around al-Tanf.

The Coalition has carried out airstrikes against pro-regime forces approaching the zone in the past.

In March, backed by the Coalition, the YPG-led Syrian Democratic Forces captured the last remaining ISIS territory in Syria on the east bank of the Euphrates near the Iraq border.
The group maintains sleeper cells across Syria and Iraq and continues to launch attacks on pro-regime forces from Syria’s Badia desert.

Last month, ISIS drew a significant number of pro-Syrian regime forces into a days-long fight, near Sukhnah, southwest of Deir Ezzor, killing at least a dozen.

In Iraq, Coalition aircraft over a number of days last week struck ISIS sleeper cells in the Wadi Ash Shai area of Hamrin in the first acknowledged combat employment of the F-35A joint strike fighter.

“Coalition operations will continue to target Daesh’s capacity to reemerge, which includes targeting its financial, explosive-manufacturing, communication, recruiting, planning, training and smuggling activities,” a Coalition spokesperson told The Defense Post.

Swaths of the Iraqi side of the border are manned by predominantly-Shiite Popular Mobilization militias to bolster the presence of Iraqi Army forces

A number of PMUs are participating in the operation on both sides of the border, according to Philip Smyth, a fellow at the Washington Institute for Near East Policy.

Among them are Hezbollah and the Iran-linked Kata’ib al-Imam Ali (Imam Ali Battalions), which claims to have some 500 fighters in Syria and maintains a base in Al-Bukamal.

Last month, a commander in the Kata’ib al-Imam Ali denied his forces are paid by Iran, saying their salaries come only from Iraq’s PMU committee.

The militia has been accused of involvement in cross-border smuggling.

The U.S. government has targeted the group’s leader Shibl al-Zaydi with economic sanctions, accusing him of sending fighters to Syria on behalf of Iran’s Islamic Revolutionary Guard Corps and commander of its Quds Forces, Qassem Soleimani.

“Groups on the Iraqi side of the border included Liwa al-Tafuf, Harakat al-Abdal (though, some elements also operated on the Syrian side), and Harakat Ansar Allah al-Awfiyah,” Smyth told The Defense Post via email.

A spokesperson for the Iraq’s Ministry of Defense did not return a request for comment.

Last month, prominent Shiite cleric and leader of the Iraqi parliament’s Sairoon (Forward) coalition Muqtada al-Sadr publicly called for all non-local PMUs to withdraw from Syria.

The PMUs organized to fill the security role of the Iraqi Army in the wake of Islamic State’s takeover of much of northwest Iraq in 2014.

The Iraqi government announced it would pay PMU fighters a salary equal to that of the Iraqi Army in November 2018 as part of efforts to bring the militias under Baghdad’s authority.

The Syrian government organized groups of pro-regime militias into the NDF with Iranian support in 2012 as a local part-time volunteer reserve to bolster the Syrian Arab Army. Members of the NDF militias receive salaries and equipment from the government.

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what the coalition has acknowledged, according to a new report.

The investigation, published by Amnesty International and the monitoring group Airwars on Thursday, urged top coalition members to "end almost two years of denial about the massive civilian death toll and destruction it unleashed in Raqqa".

Donatella Rovera, senior crisis response adviser at Amnesty, said, "Many of the air bombardments were inaccurate and tens of thousands of artillery strikes were indiscriminate."

"Coalition forces razed Raqqa, but they cannot erase the truth," she said.

The findings were compiled after months of field research and extensive data analysis, including via a project that saw 3,000 digital activists scan satellite imagery online.

Amnesty and Airwars said the cases they had documented probably amounted to violations of international humanitarian law.

They also urged coalition members, especially the United States, Britain and France, to put in place an independent investigation mechanism and create a fund to compensate victims and their families.

Responding to the report, the coalition said it takes "all reasonable measures to minimise civilian casualties" and that there were still open allegations it was investigating.

"Any unintentional loss of life during the defeat of Daesh is tragic," said Scott Rawlinson, a coalition spokesman in an emailed statement later on Thursday, using an Arabic acronym for ISIL.

"However, it must be balanced against the risk of enabling Daesh to continue terrorist activities, causing pain and suffering to anyone they choose," he added.

ISIL seized Raqqa in early 2014 during its advance through Syria and Iraq in which it built a self-proclaimed caliphate characterised by summary executions.

Its mass killing and enslavement of minorities were described as genocide by the United Nations.

The group has since been driven from all the territory it controlled by military campaigns waged by an array of forces including the Syrian and Iraqi governments, US, its European allies and their rivals Russia and Iran.

ISIL was defeated by US-backed fighters in its last Syrian stronghold this year. Despite no longer controlling territory, it is still seen as a threat capable of launching attacks around the world.

Amnesty said last year that there was evidence coalition air and artillery strikes in Raqqa had broken international law by endangering the lives of civilians, but until now had not given an estimate of the death toll during the battle.

The London-based rights group also criticised the extensive use of artillery in the battle of Raqqa.

"With a margin of error of more than 100 metres, unguided artillery is notoriously imprecise and its use in populated areas constitutes indiscriminate attacks," it said.

**Qatar envoy calls for accountability for war criminals in Syria (Middle East Monitor)**
April 25, 2019

*The Permanent Representative of Qatar to the United Nations Sheikha Alya Ahmed Saif Al Thani yesterday reiterated her country’s support for a neutral and independent international mechanism to hold accountable those accused of war crimes and crimes against humanity in Syria, local media reported.*

Al Thani made the remarks at the UN General Assembly meeting on the report of the “International Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011”.

She explained that this position is in line with Qatar’s firm policy to promote human rights at the international and regional levels in cooperation with the United Nations and international partners.

She stressed on the importance of international efforts to activate the mechanism in light of the clear manifestations and attempts to distort facts about the use of chemical weapons and other crimes.
The Qatari official also stressed the need to fund the mechanism from the United Nations regular budget starting in 2020 to ensure its neutrality and independence.

**IRC President and CEO David Miliband testifies before the Senate Foreign Relations Committee, alongside UNHCR Goodwill Ambassador Ben Stiller, on the grave humanitarian impact of eight years of war in Syria and the path ahead for the crisis (International Rescue Committee)**

May 1, 2019

Chairman Risch, Ranking Member Menendez and distinguished Senators, thank you for your important decision to hold this full Committee hearing on the continuing humanitarian impact of the Syrian civil war. Since I last spoke to this Committee just over two years ago, battle lines have moved, Syrian territory has changed hands, ISIS, or Daesh, has been driven from its territory, and Syria has largely dropped off the front pages – but human suffering has been constant and in some ways growing. Last year 1.5 million Syrians were newly displaced by the fighting, including a period of civilian displacement at the beginning of 2018 higher than any other since the war began.

Throughout the conflict humanitarian concerns have come too low down the priorities of key decision-makers, with devastating consequences for well over half the Syrian population. It is heartening that this Committee has not forgotten their plight and is ready to hear the arguments for urgent international leadership to ease the situation. That leadership needs to focus on four priorities: preventing humanitarian meltdown as the Assad government, with its Russian and Iranian allies, seeks to capture territory in the North West and North East currently out of its hands; promoting livelihoods, education and dignity for refugees in the neighboring states by renewing support for them and for the states hosting them; re-establishing multilateral (UN-led) engagement with the parties to the conflict and the Syrian people to promote sustainable peace; and helping the most vulnerable refugees with resettlement to third countries, including the U.S.

These priorities and my testimony are based on what my colleagues see on the ground. The International Rescue Committee operates across the arc of crisis—directly in the midst of conflict in Syria, in refugee hosting nations like Lebanon, Jordan and Iraq, on refugee transit routes like Serbia and Greece, and in 26 cities across the United States where we have assisted over 400,000 refugees to rebuild their lives since our founding by Albert Einstein in the 1930s. There are currently 2,190 dedicated IRC staff working in Syria and neighboring states. In 2018 we provided emergency aid and long-term services to 1.25 million uprooted Syrians and within the communities that host them - including 954,000 inside Syria. In total 2018 we have reached more than 5 million people in the region since 2012.

None of this would be possible without the support of the international donor community, including the United States. For example, IRC’s enduring partnership with USAID’s Office of Foreign Disaster Assistance (OFDA) allowed us to provide lifesaving services to more than 300,000 conflict-affected men, women, and children across Syria and Iraq in FY 2018. In the region, the IRC has partnered with the U.S. Department of State’s Bureau for Population, Refugees, and Migration (PRM) to reach millions of Syrian refugees. We are grateful for USAID and the State Department’s continued commitment to assist Syrians in need, and their continued confidence in IRC’s ability to provide effective and efficient programming that helps Syrians in Syria and the wider region to survive, recover, and gain control of their futures. We know that Congress has played an absolutely pivotal role in appropriating funds for these purposes, and on behalf of our clients we express our sincere gratitude. Independent assessments give us high confidence in the value and quality of these programs.

More aid, better delivered, remains a pressing priority. But so does a surge of diplomacy that brings the needs of civilians to the forefront in the conduct of the war and the making of peace. The Syrian conflict has been a poster child for a new Age of Impunity, where war crimes go unpunished and the laws of war become optional. A recent report has revealed that chemical weapons, expressly forbidden by international law, were used over 330 times against civilians over the eight years of the conflict.

There have been 355 attacks on hospitals during the war, including at least 13 bombings of IRC-supported hospitals in the country. Just last year, 102 people were killed in attacks on medical facilities. The number of attacks on hospitals in Syria has actually gone up since 2016 when a UN Security Council resolution called for them to cease. These attacks on healthcare come at a time when civilians account for at least 85% of all war casualties.

The statistics suggest a terrible new normal: civilians fair game, humanitarian aid workers unfortunate collateral, investigations and accountability an optional extra. Even the limited mechanisms that do exist for accountability in Syria, the Independent International Commission of Inquiry (COI) and the International Impartial and Independent Mechanism (IIIM) can merely bear witness to the violations, but cannot hold those responsible to account without the political will of UN Security Council.
The U.S. Government, and Congress, therefore face important choices not just about humanitarian aid but also about
diplomatic and military engagement. Our plea is to put civilian needs at the center of those decisions, in the name of
humanitarian need but also in the interest of geopolitical stability in a vital region of the world.

The Situation Inside Syria

Since I last addressed the Committee, the Assad government has retaken control of large swathes of the country, and ISIS has
been driven from its centers of power. However the conflict continues in significant parts of the country, and civilians pay the
price, with 6.2 million people currently internally displaced. Our priorities are to see the U.S. use its diplomatic muscle to
prevent a resurgence of fighting with devastating impact, to increase and extend the impartial provision of humanitarian aid,
including for those who suffered under ISIS rule, and to see the international system re-establish a multilateral basis for
planning a sustainable future for Syria and its people.

In Northwest Syria, in Idlib province, currently home to 2.7 million Syrians, IRC has more than 300 people working to help
people access vital healthcare, to protect vulnerable women and children, and promote economic livelihoods opportunities,
while also responding to emergencies driven by the conflict. In this part of the country, an agreement between Turkey and
Russia averted a humanitarian crisis by halting an impending military offensive last September. Since then, ongoing and
increasing violence in areas of the so-called “demilitarized zone” has undermined the fragile standoff. Shelling has risen
steadily since November, with over 120,000 people displaced since February. While the Brussels Conference was underway
earlier this spring, Russian airstrikes on March 14th killed 10 civilians and injured 45 others. At least 90 civilians were killed
in March, half of them children. Two weeks ago, we saw the highest number of people killed in one week since this zone was
agreed to. Just last week, one of our sister NGOs reported attacks on two schools they support and the deaths of three more
children. In total, more than 200 civilians have been reportedly killed in Idlib since February, and we continue to fear a major
offensive on the province. Estimates suggest as many as 800,000 people could be displaced – two to three times the number
of people who were displaced during fighting in Southern Syria in mid-2018.

In Northeast Syria, more than 450 IRC staff work to provide healthcare, protection, and economic recovery and development
across three governorates via cross border access from Iraq. This is clearly an area of high political tension, with Syrian,
Kurdish, Turkish, Russian and US troops in close proximity, plus the remnants of ISIS. ISIS lost its last zone of territorial
control in Syria on March 23. The brutal impact of its tactics and ideology have yet to be fully addressed, as have the
grievances and disempowerment of local communities. In addition there are very difficult questions about how to identify
former ISIS fighters, how to bring them to justice, and how to deal with their families, including large numbers of children.

The aftermath of the fight against ISIS has led to a burgeoning humanitarian crisis. At al Hol Camp, catering to people
previously living under ISIS rule in Baghouz and other parts of Deir-ez-Zour, the population has risen since December from
11,000 to more than 73,000 people. Most of them have arrived highly vulnerable – with trauma, malnutrition and disease
common. As of April 11, 249 people died on the journey to al Hol or soon after arriving at the camp. According to an analysis in
March of the first 123 reported deaths, a quarter of those deaths were of newborns under one month old, two thirds of deaths
were of babies under one year old, and 80% of deaths were children under five years old.

The population in al Hol is diverse. There are more than 30,000 Syrians, 30,000 Iraqis, and more than 11,000 people with
foreign citizenship across 30 countries. Of the camp population, 93% are women and children, 65% are children under 12.
Most are in desperate need of basic services, education and psychosocial support to recover from the horrors they’ve
experienced. These children are innocent victims of conflict and should not be held responsible for any crimes that may have
been committed by their parents. But we also recognize the concern about the status and position of former ISIS fighters, and
the need to address, and prevent, radicalization. We support the initiative of a number of countries, with U.S. support, to take
back their own citizens, including children born under ISIS rule and call for other states to follow suit. We welcome the
support the U.S. recently provided to Kosovo as it repatriated 110 of their citizens, mostly children and their mothers. In the
education and health programs we run in Syria, we see what a difference mental health support and safe learning spaces for
children can make even in a short time. The children we work with who get this support are less aggressive, less violent, and
are more successful in school.

The humanitarian crisis persists in and around Raqqa as well. When Raqqa City was retaken, IRC was the first organization to
undertake emergency cash distributions for vulnerable households and treat more than 65,000 people through mobile
medical units. Since that time, tens of thousands of people have returned to a city where their homes have been destroyed,
water and electricity are scarce, and functioning health facilities and schools are few and far between. Raqqa is so heavily
contaminated with mines and other unexploded ordnance that it could take years to fully clear the city so people can be safe.
The city’s infrastructure has been decimated, with major bridges vital to traffic and transportation of goods destroyed or
unusable.

In Rukban, an arid remote area in southern Syria near the northeast border of Jordan, some 40,000 people remain stranded,
isolated from humanitarian aid deliveries that are rare and intermittent, in a desperate state without regular access to food.
and medical care. Rukban is an example of a place in Syria where it is not “hard to reach” civilians with humanitarian aid, but rather, where aid is regularly denied. Out of hunger and desperation, some people are beginning to take their chances by leaving Rukban. But although it appears that several thousand people left the enclave over the last few weeks, there have been concerning reports that some have been detained and even executed.

Finally, it is important not to lose sight of the situation in areas that have been retaken by the Syrian government, such as Dara’a in southern Syria, where people are still struggling to recover. Before the government took control of this territory and the border crossings that served it, the IRC, with its network of Syrian partner organizations, was the largest health-care provider in southern Syria, supporting more than a quarter of a million Syrians. Now we are shut out, with no access to those people in need. Even before the government offensive to retake Southern Syria, the state of healthcare was dire: the area had 1,000 medical personnel in 2011, but just 150 in 2018. During the offensive, eight hospitals were hit by airstrikes. In March of this year, the UN reported that the majority of health facilities in Dara’a are either partially or completely destroyed and that there is a lack of health workers. The assurances from the Syrian government inspire little confidence in light of the conditions in other areas previously retaken by the state, such as Ghouta, east of Damascus.

Given these unrelenting realities inside Syria, there is a pressing need for the United States and other donors to fund the humanitarian response plan (HRP) to ensure that resources keep pace with the needs — yet only 65% of the $3.36 billion requested in the 2018 Humanitarian Response Plan was met. Within this shortfall, several sectors have been woefully underfuned, including just 10% of the request for protection services and just 30% for early recovery and livelihoods. In 2019, the HRP is almost the same as in 2018 at $3.32 billion — and needs to be fulfilled.

The international community also needs to ensure that humanitarian assistance is delivered in a principled manner via the most direct routes. More than 4.5 million Syrians, many in acute need, are reliant on life-saving cross-border assistance authorized by UN Security Council Resolution 2449, which was last renewed in December 2018. Cross-border access to Northwest and Northeast Syria is critical to meeting needs in these parts of the country, and the international architecture that supports that aid delivery should be maintained. Our experience in Southwest Syria has demonstrated what happens when this cross-border access is shut down — lack of access to hundreds of thousands in need, fears for the safety of our clients and staff, and little to no information on what aid is being provided in our absence.

The Strain in Neighboring States

The Committee will be aware that the Syrian humanitarian situation is part of a global trend: there are record numbers of refugees and displaced people around the world today. They are fleeing conflict and persecution that makes it unsafe to remain at home. This displacement is lasting longer than before —at least ten years for the average refugee. Once refugees are displaced for at least 5 years, as is the case for most Syrian refugees, the average rises to 21 years. Eight five percent of the world’s 24.5 million refugees live in low and middle-income countries, which already struggle to educate their populations and expand their economies. Just 10 countries, with 2.5% of global GDP, host over half the world’s refugees. Syria’s neighbors are all among these top 10, and the Syrian crisis epitomizes these challenges. However, the international community’s humanitarian efforts have remained short-term in nature, rather than offering a coherent, strategic, multi-year effort to promote self-reliance and resilience amidst a protracted crisis.

Syria’s neighbors in the region, namely Lebanon, Jordan, Turkey, and Iraq, are hosting 5.6 million Syrian refugees. Lebanon has taken in 1.5 million Syrians and Palestinian refugees from Syria, accounting for 30% of Lebanon’s population, at a time when one-third of the Lebanese population already live in poverty. The Syrian war has disrupted cross-border trade and deterred foreign tourists, and GDP growth that reached double figures almost a decade ago is set to fall to 1-1.5% this year. Jordan has taken in 650,000 registered refugees, straining the country’s resources, especially scarce water and agricultural resources, at a time when the country is midway through an austerity program. And while Turkey has a greater size and economic capacity, it is host to 3.6 million refugees. These countries deserve significant support from the international community for the generosity they have shown Syrians fleeing violence and persecution even as they face their own domestic economic and social challenges.

The pressure on refugees in the region is severe, and all signs indicate there is no immediate hope of returning home. Refugees tell us that they are scared to return and are not ready to do so. Less than 6% believe they will return to Syria within the next year. Although the overwhelming majority hope to be able to return one day when it is safe and conditions are in place, just 19% think they will ever be able to return home. When asked what concerns they have related to returns, refugees cite the lack of security improvements, limited livelihood opportunities, lack of access to shelter, compulsory conscription and military service, limited access to basic services and education, fear of detention, and absence of a political solution.

We have seen the power of effective aid combined with policy reforms to make a real difference in the lives of Syrian refugees. For example, Lebanon has instituted a second shift for Syrian children to attend school, and Jordan has opened up its health care system to refugees. In Lebanon, World Food Program cash-based interventions between 2012 and 2017 injected around $965 million into the Lebanese economy. In Jordan, revisions to work permit restrictions have allowed vulnerable Syrian
refugees to register their home-based and micro businesses and through work permits in construction, agriculture and manufacturing without employer sponsorship given refugees more control over their lives. But overall this effort has not been sufficiently strategic or comprehensive.

The economic situation for Syrian refugees in neighboring states remains precarious, which exacerbates challenges for the most vulnerable refugees: women and children. More than half of Syrian refugees in Lebanon are unable to meet the “survival needs” of food, health, and shelter. Fifty eight percent of refugees in Lebanon live in extreme poverty, and many are falling deeper into debt without consistent financial resources to meet their needs. In Jordan, despite the commitments and good will of governments to make some work permits available to Syrian refugees, many refugees lack documentation or the means to pay the costs associated with obtaining a work permit, and while 139,000 of the target goal of 200,000 work permits have been issued, just 40,000 are in active use. As a result 85% of Syrians in Jordan remain below the poverty line.

These impacts are felt hardest by women and children in these refugee communities. In conflict situations, there is often an increase in female-headed households and these are often the most impoverished as women face unique barriers to entering the workforce. In Lebanon, 93% of refugee women are not working, significantly higher than the 44% unemployment rate among refugee men. Even when governments take steps to bring refugees into the formal economy, women are often left behind. In Jordan, only around 4% of work permits have gone to women despite 22% of refugee households being headed by a woman.

As poverty rates rise and refugee families remain excluded from the formal economy, child labor and marriage has become all too common. Forty three percent of the 1.7 million school-age Syrian refugee children were out-of-school in 2018, an increase from 34% in 2017. This is a particular challenge in Lebanon, where a recent IRC survey in Lebanon found that children as young as six years old were working, and 79% of all working children surveyed were not accessing any form of education. Child marriage is another negative coping strategy for impoverished families. The percentage of married 15 to 19-year-old girls among Syrian refugees in Lebanon increased to 30% last year. Compared to the Middle East more broadly Syrian refugee girls face an increased risk of gender-based violence, higher rates of child marriage, and are more likely to drop out of school.

The priorities in the neighboring states therefore fall into three categories: economic support to address poverty; expansion of education and protection services to help children, especially girls; and macroeconomic support for the neighboring states to contain tension arising from the challenge of hosting refugees for nearly a decade. The more this is addressed as a short-term issue, the less effective it will be. Acute humanitarian needs and medium-term development challenges need to be addressed together. The Committee could usefully engage with the continued evolution of the Regional Response Plan as a basis for intelligent accountability for donors and implementers and partnership with host governments.

IRC has argued from the beginning of the Syrian civil war that the strain on the neighbors should not be seen only through the lens of short-term need. We were convinced this would be a protracted crisis that needed tools of development as well as humanitarian aid. We welcome the fact that the World Bank took important steps to change its financing models through the Jordan and Lebanon compact agreements. The Bank along with other donors used levers beyond aid, such as trade concessions, to incentivize host countries to reform their policies to allow refugees to work, move freely, and attend school. These are the types of changes we need to see in host countries in order to ensure a sustainable response, as well as enable refugees to become self-reliant and become net contributors to their local economies. While some of the initial experimentation has shown mixed results, the international community and international financial institutions should continue to innovate in their response. Even the small step of providing multi-year financing, rather than the short-term grants typically provided in humanitarian response, could have a big impact given the protracted nature of this crisis.

The U.S. can be a voice for four steps to further improve on these approaches:

Aid, trade, and other incentives for policy reform: International actors, including the U.S. government, World Bank and other donors, should align their aid and “beyond aid” support, such as trade and other concessions, to enable host governments to make necessary policy reforms that open up pathways for refugee self-reliance. Restrictive policies are often one of most significant barriers that refugees face in being able to support themselves. Host governments often need the right international support to implement more progressive policies, such as allowing refugees freedom of movement, the right to work and the right to attend school. This is where the U.S. government in particular could lean in with its diplomatic and financial weight to drive real, sustainable change.

Define the right outcomes to identify the right solutions: Clear, measurable and context-specific outcomes will ensure that aid results in measurable improvements in refugee and host community lives. In Jordan, for example, a focus on jobs or increasing income levels—versus work permits—may have directed planning to more cost-effective solutions. The same is true for Lebanon, where a focus on improved socio-emotional and academic learning outcomes for refugees would have led to a refined focus on addressing the traumas faced by refugees that can impact learning, rather than primarily focusing on enrollment numbers.
Multi-year Financing: IRC has argued from the beginning of the Syrian conflict that the strain on the neighbors should not only be seen through the lens of short-term need. Our experience with conflict-driven displacement globally convinced us this would be a protracted crisis that needed tools of development as well as humanitarian aid. We welcome the fact that the World Bank took important steps to implement longer-term financing models through the Jordan and Lebanon compact agreements. Multi-year financing allows implementing partners to plan and staff against longer time horizons, reducing administrative costs and enabling organizations to create programs that put people on a path to self-reliance rather than more dependence on aid – like educational attainment and reduced poverty levels.

Refugee voices: It is vital systematically to include refugees and other affected populations when designing solutions. Early and periodic consultation, and inclusion in decision-making, are critical to making sure solutions defined by donors and the government meet the real needs of refugees and host communities. If refugees are left out of this process, there is a risk that solutions will not align with what refugees need nor help them overcome the barriers to self-reliance that they experience every day.

**U.S. Leadership**

The Syrian crisis has raised profound issues for geopolitics. The Committee will no doubt discuss how Russia, Iran and Turkey became the pivotal outside players in the course of the conflict, almost to the exclusion of other players, and what are the lessons. From the point of view of the IRC, the growth in stature of the Astana process at the expense of the UN-led political process which started in Geneva in 2012 is a striking development. It carries considerable challenges for the future. Russia and Iran have filled the void, leaving Syrian civilians, humanitarian access, accountability for IHL violations, and civilian protection without effective champions.

At my last appearance before this committee in 2017, I warned there could be no effective foreign policy without effective humanitarian policy and urged this Committee and the Senate more broadly to push back against the administration’s proposed cuts to humanitarian assistance in its foreign aid budget. Since then, we have been grateful for the Senate’s enduring commitment to the people of Syria and to humanitarian assistance more broadly as you pushed back against proposed cuts to humanitarian aid. I hope you will do the same this year. Global contributions to respond to the humanitarian crisis in the region are not keeping pace with the needs. In 2018 only 52% of the $5.61 billion requested in the Regional Response Plan (3RP) was met. The proportion of the 3RP that has been met by international donors has steadily declined every year since 2013, when 73% of the 3RP appeal was met. In 2019, the 3RP is almost the same as in 2018 at $5.5 billion – and needs to be fulfilled. The United States has an important role to play as a donor in its own right as well as a catalyst for other donors to commit. Syria’s neighbors need to be provided the necessary resources to shoulder the burdens of hosting millions of refugees, but also incentivized to reform how they treat them.

Finally, U.S. leadership on Syria manifests itself in the resettlement of refugees, and in the lack thereof. In FY 2018, the United States resettled just 62 refugees from Syria, fewer than were killed in chemical gas attacks. So far in FY 2019 the figure is 285. Nothing has changed about this population except their vulnerability. As we have demonstrated in this testimony, eight years into the Syrian conflict, with all reserves depleted and with opportunities deeply constrained in countries of first refuge, the situation for Syrian families continues to worsen. The dramatic drop-off from the 12,587 Syrian refugees the U.S. resettled in FY 2016 is significant in and of itself, but also has contributed to a broader departure from international commitments by Western governments. In 2016, 25,000 of the most vulnerable refugees were resettled from Lebanon to third countries. In 2018, with the U.S. leading the retreat, just 8,500 were resettled globally. This is an unjustified rebuke to the generosity of countries like Lebanon and Jordan shouldering far more than their fair share.

I encourage you to work toward reversing this trend and fulfilling the Administration’s regional target of 9,000 refugees from the Near East and South Asia, which includes Syria, in FY 2019. Last year, the Administration failed to meet its own target, admitting just 22% of the regional total and less than half of the global total of 45,000 refugee admissions. The world’s greatest superpower should not reject the world’s most vulnerable in their greatest time of need. It is a symbolic show of solidarity with the neighboring countries, and a life-changing, lifesaving intervention for the individuals concerned.

I thank you and the members of the United States Senate for the opportunity to provide the IRC’s perspective on this defining humanitarian challenge. I look forward to addressing your questions.


May 4, 2019

*The SNHR released its monthly special report today, which documents the human rights situation in Syria, outlining the most notable human rights violations that the SNHR documented in April 2019 at the hands of the main perpetrator parties to the conflict in Syria.*
The report outlines the record of civilian victims documented in April who were killed by the main parties to the conflict, as well as the record of cases of arrests and enforced disappearance. The report also highlights indiscriminate attacks and the use of outlawed weapons (cluster munitions, chemical weapons, barrel bombs, incendiary weapons) and attacks on civilian objects.

The report includes records of these violations distributed according to each of the main perpetrator parties responsible. Accurately ascribing responsibility sometimes requires more time and investigation than usual, especially in the case of joint attacks. On some occasions, when we are unable to definitively assign responsibility for specific attacks to one particular party, as in the case of air strikes by Syrian or Russian warplanes, Syrian-Iranian attacks, or attacks by Syrian Democratic Forces and International Coalition forces, we indicate that responsibility for these attacks is held jointly by the parties in question until we are able to likely establish which one of the parties was responsible, or it’s proved that the attack was a joint initiative carried out in coordination between the two parties.

The report draws upon the ongoing daily monitoring of news and developments, and on an extensive network of relations with various sources, in addition to analyzing a large number of photographs and videos.

The report documents in April the deaths of 324 civilians, including 74 children and 44 women (adult female), as well as one media worker at the hands of the main perpetrator parties in Syria. It also documents the deaths of 54 individuals who died due to torture, and at least nine massacres.

The report also documents at least 459 cases of arbitrary arrests, including 34 children, 23 women (adult female), with the largest number of these carried out by Syrian Regime forces in the governorates of Damascus Suburbs, Aleppo and Deir Ez-Zour.

According to the report, at least 51 attacks on vital civilian facilities were recorded in April, of which 15 attacks were on schools, six were on medical facilities and eight others were on places of worship, with the highest rate of attacks being carried out at the hands of the Syrian-Russian alliance forces by carrying out 42 attacks, all of which were in the fourth de-escalation zone.

The report details the record of indiscriminate and outlawed attacks documented in April, where Syrian Regime forces carried out at least 10 cluster munitions attacks using missile launchers, and resulted in the deaths of 28 civilians, including nine children and four women. The report notes that at the end of April also saw the Syrian regime’s using the weapon of barrel bombs in the fourth de-escalation zone for the first time since the Sochi Agreement entered into force. The SNHR’s records indicate that the last use of barrel bombs was on September 10, 2018.

The report reveals that the evidence we gathered indicates that attacks were directed against civilians and civilian objects. Syrian-Russian alliance forces committed various crimes of extrajudicial killings, arrest, torture, and enforced disappearance. In addition, the indiscriminate attacks they carried out caused the destruction of various facilities and other buildings. There are reasonable grounds to believe that the war crime of attacking civilians has been committed in many cases.

The report stresses that the Syrian government has violated international humanitarian law and customary law, and a number of UN Security Council resolutions, particularly resolution 2139, resolution 2042 on the release of detainees, and resolution 2254, all without any accountability.

SNHR was unable to find any records of any warnings being issued by the Syrian Regime, or by Russian or International Coalition forces prior to any attack in accordance with the requirements of international humanitarian law. This has been the case since the beginning of the popular uprising in 2011, providing further blatant evidence of these forces’ total disregard for the lives of civilians in Syria.

According to the report, Islamist extremist groups as well as factions of the Armed Opposition, also carried out extrajudicial killings, arbitrary arrests and torture, as well as indiscriminate shelling that caused destruction of vital civilian facilities. The report adds that the instances of indiscriminate and disproportionate bombardment carried out by the alliance of International Coalition forces and Kurdish-led Syrian Democratic Forces are considered to be in clear violation of international humanitarian law, with indiscriminate killings amounting to war crimes.

The report calls on the UN Security Council to take additional steps following its adoption of Resolution 2254, and stresses the importance of referring the Syrian case to the International Criminal Court, adding that all those who are responsible should be held accountable including the Russian regime whose involvement in war crimes has been repeatedly proven.

The report also calls on the Security Council to adopt a resolution banning the use of cluster munitions in Syria, similar to the prohibition on the use of chemical weapons, and to include advice on how to safely remove the remnants of such dangerous weapons.
The report also requests that all relevant United Nations agencies make greater efforts to provide food, medical and humanitarian assistance in areas where fighting has ceased, and in internally displaced persons camps, and to follow up with those States that have pledged voluntary contributions.

The report calls for the implementation of the ‘Responsibility to Protect’ after all political channels have proved fruitless through all agreements, the Cessation of Hostilities statements, and Astana agreements that followed, stressing the need to resort to Chapter VII, and to implement the norm of the ‘Responsibility to Protect’, which was established by the United Nations General Assembly.

The report calls on the Independent International Commission of Inquiry (COI) and the International, Impartial, and Independent Mechanism (IIIM) to launch investigations into the cases included in this report and previous reports, and confirms the SNHR’s willingness to cooperate and provide further evidence and data.

The report also calls on the United Nations Special Envoy to Syria to condemn the perpetrators of crimes and massacres and those who were primarily responsible for doomming the de-escalation agreements, to reschedule the peace process so that it can resume its natural course despite Russia’s attempts to divert and distort it, and to empower the Constitutional Commission prior to the establishment of a transitional government.

The report emphasizes that the Russian regime must launch investigations into the incidents included in this report, make the findings of these investigations public for the Syrian people, and hold the individuals involved accountable, and demands that the Russian regime, as a guarantor party in Astana talks, should stop thwarting de-escalation agreements, achieve a breakthrough in the issue of detainees by revealing the fate of those forcibly disappeared by the Syrian regime, and stop using cluster munitions and incendiary weapons.

The report also stresses that the Syrian regime must stop the indiscriminate shelling and targeting of residential areas, hospitals, schools and markets, and stop using prohibited munitions and barrel bombs, as well as ending the acts of torture that have caused the deaths of thousands of Syrian citizens in detention centers. The report adds that the Syrian Regime must also reveal the fate of 82,000 Syrian citizens previously arrested by the regime’s own security apparatus, whose fate it has concealed to date, and comply with UN Security Council resolutions and customary humanitarian law.

The report also calls on the International Coalition forces to acknowledge that some of their bombing operations have resulted in the deaths of innocent civilians, and demands that the coalition launch serious investigations, as well as compensating and apologizing to the victims and all those affected.

The report stresses that the states supporting the SDF should apply pressure on these forces in order to compel them to cease all of their violations in all the areas and towns under their control, adding that all forms of support, military and all others, should be ended.

Lastly, the report stresses the need for international organizations to develop urgent operational plans to secure decent shelter for internally displaced persons.

**Escalation in Syria fighting cause for ‘great concern’ says UN chief, dozens more civilians dead or injured (UN News)**

May 7, 2019

**UN chief António Guterres has said that he’s following “with great concern” intensifying clashes in north-western Syria that have claimed yet more civilian lives and displaced thousands in recent days.**

The Secretary-General’s comments come amid reports of aerial attacks on population centres and civilian buildings within a demilitarized zone that has been guaranteed since last September by Russia and Turkey, in southern rural Idlib and northern rural Hama.

In a statement, Mr. Guterres was said to be “alarmed” at news that hundreds of civilians had been killed and injured in intensifying fighting between Syrian Government forces supported by their allies and armed opposition forces including ISIL terrorist group-affiliate, Hayat Tahrir al-Sham.

Uphold international law and protect civilians, Guterres tells warring sides
And in a call for all parties to uphold international humanitarian law and protect civilians as the holy month of Ramadan begins, he noted that three health facilities were reportedly hit by airstrikes on 5 May, “bringing the total to at least seven struck since 28 April”.

Echoing his concern, the UN human rights office (OHCHR) in Geneva said that nine schools have also reportedly been hit since 30 April.

“According to information gathered by our office, at least 27 civilians have been killed and 31 injured since 29th of April, although there are other estimates out there which are much higher,” OHCHR spokesperson Ravina Shamdasani said. “These are just the numbers that we have been able to fully verify, and this includes many women and children.”

Civilians increasingly at risk, warns UN human rights office

Noting that “at least 11 hospitals or medical facilities have been hit by airstrikes and ground-based strikes in northern Hama and southern Idlib” in recent days, Ms. Shamdasani warned that the situation for civilians was becoming increasingly precarious.

“Yesterday, on 6 May, Government forces started to advance on the ground and captured villages from non-State armed groups in northern Hama,” she said.

“Additionally, non-State groups carried out counter attacks in Latakia, so the violence is very much escalating.”

Since September last year, at least 323,000 people have been displaced by fighting in Syria’s north-west, according to UN humanitarian coordinating office, OCHA.

Tens of thousands displaced, often repeatedly

“The intensified military offensive has further resulted in the displacement of tens of thousands of people who are repeatedly displaced and have had to move further north towards northern and eastern rural Idlib and northern and western rural Aleppo, seeking safety,” Ms. Shamdasani said.

Across Syria, more than eight years after fighting began that has claimed hundreds of thousands of lives, OCHA believes that 6.2 million people remain internally displaced. Their resources are increasingly depleted and more than eight in 10 individuals live below the poverty line.

Staggering humanitarian needs persist outside the country too, with more than 5.6 million Syrian nationals seeking shelter abroad.

For 2019, the UN and humanitarian partners are calling for $3.33 billion to provide critical life-saving and life-sustaining assistance to 11.7 million Syrians.

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Asked for a response, Pieter Wezeman, senior researcher, Arms and Military Expenditure Programme at the Stockholm International Peace Research Institute (Sipri), told IPS: “If, [very hypothetical] the USA and the UK would stop supplying arms to Saudi Arabia, this would be a major problem for Saudi Arabia, in military and financial terms.”

He pointed out that Saudi Arabia would find it very hard to maintain the US and UK weapons its armed forces largely rely on without the support of the large numbers of US and UK service personnel in the country right now.

The Saudi military might be able to keep the weapons going for a while, but presumably at a much lower operational level.

He said it will not only be very costly for Saudi Arabia to replace the expensive existing equipment — which is supposed to be in service for decades — but it also means that Chinese and Russian weapons will not be of as high quality as what Saudis now receive from the US and Western Europe.

And New York Times roving correspondent Nicholas Kristof says, “some Saudis kept trying to suggest to me that if we block weapons sales to Riyadh, the kingdom will turn to Moscow.”

“That’s absurd. It needs our spare parts and, more important, it buys our weapons because they come with an implicit guarantee that we will bail the Saudis out militarily if they get into trouble with Iran.”

In an oped piece, Kristof said the Saudi armed forces can’t even defeat a militia in Yemen. So, how could they stand up to Iran? he asked. “That’s why we have leverage over Saudi Arabia, not the other way around.” The next step, he argued, should be a suspension of arms sales until Saudi Arabia ends its war in Yemen, for that war has made the US complicit in mass starvation.

The New York Times said last year that some US lawmakers worry that American weapons were being used to commit war crimes in Yemen— including the intentional or unintentional bombings of funerals, weddings, factories and other civilian infrastructure — triggering condemnation from the United Nations and human rights groups who also accuse the Houthis of violating humanitarian laws of war and peace. And New York Times roving correspondent Nicholas Kristof says, “some Saudis kept trying to suggest to me that if we block weapons sales to Riyadh, the kingdom will turn to Moscow.”

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In its “World Report 2017,” Human Rights Watch said the Saudi Arabia-led coalition has carried out military operations, supported by the US and the UK against Houthi forces and forces loyal to former President Ali Abdullah Saleh since March 2015.

The coalition has unlawfully attacked homes, markets, hospitals, schools, civilian businesses and mosques, the report said.

“None of the forces in Yemen’s conflict seem to fear being held to account for violating the laws of war,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “UN members need to press the parties to end the slaughter and the suffering of civilians.”

Besides Saudi Arabia, the original coalition included the United Arab Emirates (UAE), Bahrain, Kuwait, Qatar [until 2017], Egypt, Jordan, Morocco, Senegal and Sudan.

In a report released last February, Amnesty International (AI) said the weapons for the coalition, primarily to Saudi Arabia and UAE, have come mostly from Australia, Belgium, Brazil, Bulgaria, Czechia, France, Germany, South Africa, South Korea, Turkey, the UK and the US.

The London-based AI called on all states to stop supplying arms to all parties to the conflict in Yemen “until there is no longer a substantial risk that such equipment would be used to commit or facilitate serious violations of international humanitarian and human rights law.”
The only four countries that have announced suspending arms transfers to the UAE were Denmark, Finland, the Netherlands and Norway, according to AI. Asked how dependent Saudi Arabia is on US arms, Wezeman told IPS that US is by far the largest arms supplier to Saudi Arabia.

Sipri estimates that in 2014-18, the US accounted for 68 percent of Saudi arms imports followed by the UK at a distant 16 percent. Several other European countries accounted for most of the rest. China played a small role and Russia had not yet established itself as arms supplier to Saudi Arabia.

Asked about the current state of US arms sales to Saudi Arabia, Wezeman said the US supplies all types of weapons to Saudi.

But most important in value of the weapons that have been or are to be delivered are F-15 combat aircraft with a full set of advanced arms and Patriot and Thaad air defense systems.

But the list also includes M1A2 tanks, frigates, reconnaissance planes, light armoured vehicles, communication equipment, and basically anything needed to equip modern armed forces.

What is important is that these weapons come with a service package. Though exact data is scarce, the companies supplying the equipment also supply vital maintenance and repair services, he noted.

Compare with what happened in Iran in 1979, which also was highly dependent on US and UK arms, Tehran had to figure out by itself how to operate the equipment.

Possibly the Iranians were better prepared and trained for that than Saudi Arabia is now, but they struggled to continue to use the US equipment in the war with Iraq and had to resort to importing inferior weapons from China and North Korea.

It is very likely, said Wezeman, that Russia and China will happily step in and offer their weapons. However, it will take time before they can deliver large numbers of weapons and train the Saudi’s on new equipment based on different military doctrines. A full transition will probably take many years.

There are several of other cases where states have shifted between different suppliers, with different levels of success, he pointed out. Warsaw pact countries moved to NATO weapons, over several decades. Venezuela switched from US equipment to Russian and Chinese over a period of roughly a decade.

Citing conservative UN estimates, Ole Solvang, policy director at the Norwegian Refugee Council (NRC), told IPS some 17,700 civilians have been killed in the fighting in Yemen since 2015.

An estimated 2,310 people have died from cholera according to the World Health Organization, and 85,000 children under the age of five have died from starvation.

Solvang said more bombs and weapons in Yemen will only mean more suffering and death. “By providing such extensive military and diplomatic support for one side of the conflict, the United States is deepening and prolonging a crisis that has immediate and severe consequences for Yemen — and civilians are paying the price,” he noted. Described as one of the world’s least developed countries and the poorest in the Arab world, Yemen continues to be devastated by a war with no end in sight.

Meanwhile, the results of a study commissioned by the UN Development Program (UNDP), released last week, confirm the worst: the ongoing conflict has reversed Yemen’s human development by 21 years.

The study warns of exponentially growing impacts of conflict on human development. It projects that if the war ends in 2022, development gains will have been set back by 26 years — almost a generation. If it continues through 2030, that setback will increase to four decades.

“The long-term impacts of conflict are vast and place it among the most destructive conflicts since the end of the Cold War,” warns the report; and further deterioration of the situation “will add significantly to prolonged human suffering, retard human development in Yemen, and could further deteriorate regional stability.”

“Human development has not just been interrupted. It has been reversed,” said UNDP Yemen Resident Representative, Auke Lootsma. “Even if there were to be peace tomorrow, it could take decades for Yemen to return to pre-conflict levels of development. This is a big loss for the people of Yemen.” “That’s why we have leverage over Saudi Arabia, not the other way around.” The next step, he argued, should be a suspension of arms sales until Saudi Arabia ends its war in Yemen, for that war has made the US complicit in mass starvation.

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**Houthis accused of killing 12 civilians in south Yemen attacks (The National)**
April 28, 2019

**Attacks by Houthi rebels in southern Yemen have killed 12 civilians over two days, government officials said on Sunday.**

A mother and four children were killed by a rebel rocket in the government-controlled Jebel Habashi area of Taez province on Sunday, a local official told AFP.

"The rebels targeted the village of Musharraf between the districts of Maafer and Jebel Habashi near to besieged city of Taez, killing the five family members," local media reported.

The official said the Katyusha rocket completely destroyed the family's home about 35 kilometres west of Taez city, which is controlled by pro-government forces but surrounded by the rebels. Yemen's third-largest city has been at the centre of the country's devastating four year civil war.

On Saturday, seven members of a family, including two women, were killed in Houthi shelling in Qataba district of Al Dhalea province, officials said.

The attack was carried out in area of the province where government forces are fighting to recapture territory seized by the Houthis earlier this month.

Yemen has been embroiled in a civil war pitting the Iran-backed Houthis against the government of President Abdrabu Mansur Hadi since March 2015.

The government is supported by a Saudi-led military coalition that has carried out air strikes against the rebels and provided equipment and training for government forces.

On Saturday, coalition strikes killed and wounded a number of rebel fighters in Taez and destroyed their military vehicles, the Saudi Press Agency reported.

The war has devastated Yemen, already the poorest Arab nation, and created what the UN says is the world’s worst humanitarian crisis, with millions of people dependent on aid to survive.

The United Nations is trying to broker a political compromise to end the war but a UN-brokered deal to stop fighting in the vital port city of Hodeidah last December has yet to be implemented.

The warring sides had agreed to a ceasefire and a troop withdrawal from Hodeidah, seen as confidence-building measures to pave the way for talks on forming a transitional government.
Israel and Palestine

Shin Bet prevents Hamas suicide attack on election day (The Jerusalem Post) By Anna Ahronheim
April 29, 2019

The Shin Bet (Israel Security Agency) foiled a Hamas terror attack planned to take place around the elections, the agency announced on Sunday morning.

According to the statement, the Shin Bet, along with the IDF, had uncovered a terror cell in the West Bank that had been recruited by senior Hamas operatives from the Gaza Strip to carry out a car bombing attack near the West Bank settlement of Ma’aleh Adumim outside Jerusalem.

Authorities arrested a cell activist and Hamas activist, 23-year-old Yahya Abu Dia, from the village of az-Za’ayyem on March 31. During his investigation, authorities uncovered that he had been recruited by senior Hamas operatives in the Gaza Strip that he had been in contact with online and that he had agreed to act as a suicide bomber.

As part of his ties with Hamas operatives in the Strip, Abu Dia was asked to buy a car and rent a storage room to prepare a car bomb. He was also asked to monitor locations in the Ma’aleh Adumim area, where there was a high concentration of buses, civilians and soldiers to carry out the attack.

“Abu Dia followed the instructions of the cell, carried out observations on civilian sites, and reported to the cell about the best location to carry out the attack, while sending instructions to carry out the attack quickly,” read the statement from the agency.

The agency said that as part of preparations for the suicide attack, Abu Dia was asked by Hamas activists to film a will that he carried out the attack in the name of Hamas’s military wing. He planned to film the will before he left for the attack, wearing a Hamas military wing bandanna.

The Shin Bet said that he purchased a tripod to film the video.

“Hamas in the Gaza Strip is constantly recruiting Hamas operatives from the West Bank region to carry out murderous terror attacks in order to undermine security stability in the region,” said a senior Shin Bet source. “This activity of the Hamas military wing joins a long list of attempted terrorist attacks directed by Hamas which recruited activists in the West Bank and that have been thwarted by the Shin Bet in recent years and have thus far led to the arrest of many individuals. The Shin Bet security service and other security agencies will continue to act to prevent terrorist attacks by Hamas.”

An indictment will be filed in the coming days against Abu Dia. Two rockets fired into Israel from Gaza after IAF strikes Hamas targets (The Jerusalem Post) By Jacob Magid and Judah Ari Gross
May 2, 2019

Palestinian terrorists in the Gaza Strip launched at least two rockets into southern Israel early Thursday, the military said. The projectiles fell in an open area, and no injuries were reported.

The rocket fire came after Israeli aircraft bombed a Hamas base in the northern Gaza Strip around 3:30 a.m. Thursday in retaliation for a wave of balloon-borne incendiary devices that were launched into Israel from the Strip the day before, which sparked at least two fires.

“Earlier today, explosive and arson balloons were launched from the Gaza Strip,” the army said. “In response, overnight, an IDF fighter jet and an IDF aircraft struck a number of terror targets in a Hamas military compound in the northern Gaza Strip.”

The Israel Defense Forces said it held Hamas, the de facto ruler of Gaza, responsible for all violence emanating from the Strip.

There were no immediate reports of Palestinian injuries.

At 5:37 a.m., warning sirens sounded in the communities of Alumim and Nahal Oz in the Sha’ar Hanegev region. The IDF said it had detected at least two launches into Israel. A spokesperson for the Sha’ar Hanegev Regional Council said the rockets apparently landed in open fields and caused no injuries.

One impact site was later located in an agricultural field in the nearby Sdot Negev region, according to officials there.

The projectile “didn’t even cause light damage” to the nearby irrigation pipes, a Sdot Negev official said.
The Israeli Air Force strikes came after two brushfires broke out in the southern Eshkol region on Wednesday night, caused by an incendiary device from the Gaza Strip, the fire department said.

The larger of the two blazes began in a field between the Eshkol National Park and Kibbutz Urim, spreading throughout the grasslands and into a wooded area, according to Fire and Rescue Services spokesperson Eli Cohen.

The fires were extinguished by teams from the Fire and Rescue Services, the Parks Authority and the Jewish National Fund. Once they were put out, investigators determined that they were caused by balloons carrying incendiary devices that had been launched from Gaza.

“The IDF takes seriously all attempts to harm Israeli citizens and will continue to take action against these terrorist acts,” the army said.

The arson attacks came amid heightened tensions between Israel and terror groups in the Strip, after a rocket was launched from the coastal enclave, landing several kilometers off shore on Monday night.

Throughout the day, Palestinians launched dozens of incendiary devices, carried by balloons, into southern Israel from the Gaza Strip.

On Tuesday, a fire broke out near Kibbutz Nahal Oz in the Sha'ar Hanegev region. That blaze was caused by a balloon-borne incendiary device launched into Israel from Gaza.

Also Tuesday, the Israeli military deployed Iron Dome missile defense batteries throughout the country, following a rocket attack from Gaza the previous night and ahead of what is expected to be a sensitive next few weeks.

The military expects the coming days to be particularly tense, as they will see the start of the Muslim holy month of Ramadan, the international Eurovision song competition in Tel Aviv, Israel's Memorial and Independence days, and the first anniversary of the opening of the contentious US embassy in Jerusalem.

Following Monday's rocket launch, Israel scaled back the permitted Gaza fishing zone from 15 nautical miles to six until further notice. The fishing zone had previously been extended to 15 miles — a level that the coastal enclave has not seen in over a decade — as one of the first concessions by Jerusalem under an unofficial ceasefire agreement with terror groups in the Gaza Strip.

On Tuesday morning, the IDF said Islamic Jihad intentionally fired the rocket from the northern Gaza Strip toward coastal Israel the day before in an effort to derail ongoing efforts to maintain the ceasefire.

While there has not been a complete cessation of violence along the Gaza border since the ceasefire went into effect last month, the situation there was relatively calm until this week's flareup.

Terror groups in the Strip have threatened to bring back regular border riots if Israel does not abide by its side of the deal.

**Four Palestinians Killed, Two IDF Soldiers Injured In Gaza Flare Up (The Jerusalem Post)** By Hagay Hacohen May 3, 2019

Roughly 2,500 Palestinians protest at the Gaza Strip border on Friday as part of what Palestinians call 'March of Return,' Maariv reported.

IDF forces were shot upon by Palestinian snipers, one soldier was wounded and his condition is unclear at the moment. Following this event, IDf forces shelled Bureij refugee camp at the center of the Gaza strip and protesters began to back off.

According to the Palestinian Ministry of Health forty Palestinians were injured during clashes with IDF forces, protesters attempted to assault IDF troops with explosives.

A fire broke out near Tkuma at the south of the country, fire fighters put it out and are now examining what caused it.

Hundreds of incendiary balloons were used by Hamas last week to cause damage in the south of the country, which led to an IAF strike in the Gaza Strip against Hamas targets.

Earlier on Friday IDF forces arrested a Palestinian armed with a knife as he attempted to cross the Gaza border fence.

**Islamic Jihad Warns It Will 'Hit Israel's Biggest Cities' After Airstrikes Hit Gaza (Haaretz)** By Jack Khoury May 2, 2019
Hamas issued a statement on Thursday condemning the airstrikes conducted by the Israeli army against targets belonging to Hamas in the Gaza Strip following the launch of incendiary balloons from the enclave the day before.

"[The Israeli] Air Force strikes against our facilities constitute a continuation of the aggression against the Palestinian people and an attempt to divert [public] attention from the failure to implement the understandings [reached between Hamas and Israel], " Hamas said in a statement.

Islamic Jihad's Secretary General Ziyad al-Nakhalah added: "We will respond with might to any attempt to harm our people. We'll hit [Israel's] biggest cities, without having any red lines."

In addition, two rockets were fired at southern Israel early Thursday, the army said.

Alarms sounded in Israeli communities along the Gaza border, including Sha'ar Hanegev and Sdot Negev Regional Councils, before the rocket fire, but there were no reports of damage and no one was hurt.

Palestinian media reported that a Hamas training facility in Gaza was target by the Israeli air force. It was heavily damaged, reports say, but no casualties were reported.

The development came after Israel minimized on Tuesday the fishing zone for Gazans from 15 nautical miles down to six, after a rocket fired overnight Monday landed in Israeli waters.

The Israeli army said the rocket launched by Islamic Jihad on Monday was aimed at hitting one of Israeli communities along the border. It named Islamic Jihad officials directly, publishing their photos, and laid responsibility for the attack on the organization, an unusual move as it normally holds Hamas accountable for aggression coming out of the Strip.

Earlier Wednesday, fire and rescue services were called to put out two fires near Israeli border communities, which authorities say were caused by firebombs from Gaza.

Four Israelis dead, 700 rockets and a weekend full of terror in Israel (The Jerusalem Post)

The IDF has reinforced troops along the Gaza border after close to 700 rockets were fired towards southern Israel since Saturday by Hamas and Palestinian Islamic Jihad (PIJ) from the Gaza Strip, killing four civilians and injuring close to 80 others.

Terrorist groups fired dozens of rocket barrages toward southern Israel on Sunday, as well as several longer-range projectiles towards central Israel. According to the IDF, terrorist groups in the Strip also tried to carry out a terrorist attack using a rocket propelled grenade (RPG) attached to a drone. The RPG-laden drone, which landed on a tank deployed along the border, did not explode.

On Saturday night, Moshe Agadi, a father of four, was killed when a rocket struck his home in Ashkelon when he went out to smoke a cigarette. He was struck by shrapnel to his stomach and chest and was taken by Magen David Adom teams to Barzilai Hospital where he was pronounced dead.

Moshe Feder, 64, from Kfar Saba, was killed Sunday afternoon after a Kornet anti-tank guided missile struck a car near the Gaza border between the communities of Yad Mordechai and Sderot.

Ziad Alhamamda was killed after he was critically injured in his chest by shrapnel from a direct strike on a factory in Ashkelon, dying from his wounds shortly after.

Pinchas Menachem Prezuazman, 21 years-old, was also killed Sunday evening after he suffered severe shrapnel injuries to his chest while running to a shelter in Ashdod.

On Sunday afternoon, Israel’s Security Cabinet met and instructed the military to intensify its attacks in the Strip.

Hamas leader Ismail Haniyeh said on Sunday night that he does not rule out the possibility of reaching a ceasefire agreement with Israel.

In a statement, Haniyeh said that the “return to calm is possible and depends on the commitment of the occupation to a complete ceasefire.”

Haniyeh said any ceasefire should also include the weekly protests along the border between the Gaza Strip and Israel, also
known as the Great March of Return.

“The response of the resistance is linked to the level of Zionist aggression,” Haniyeh said, adding that Israel must also abide by the recent Egyptian-sponsored ceasefire understandings between the Gaza-based groups and Israel.

“The slow pace of the implementation of the understandings and the attempt to gain time have created an increased state of tension among our people in Gaza because of the crimes committed by the occupation during the current aggression,” the Hamas leader added.

Due to the violence in the South, the IDF has deployed the 7th armored brigade, “which would be ready to act as an offensive force within the Gaza Division” as well as the Golani brigade. The Paratroopers brigade is on standby to deploy south if needed, the military said.

A senior Israel Air Force officer said Sunday that over 600 hundred rockets were fired at Israel from the Gaza Strip since Saturday morning, and that over 150 had been intercepted by the Iron Dome missile defense system. While the majority struck in open areas, 35 struck urban areas in Israel.

In retaliation, the IAF struck over 280 targets belonging to PIJ and Hamas, IDF Spokesperson Brig.-Gen. Ronen Manelis said. In addition, Manelis and the senior Air Force officer both confirmed that the military had begun carrying out targeted assassinations in the Strip against Hamas militants.

The first targeted strike since 2014 hit a vehicle carrying 39-year-old Hamed Ahmed Abed Khudari, who the IDF said was in charge of large-scale money transfers from Iran to terror groups in the Strip.

The officer told reporters that the IDF “had not carried out a targeted assassination in a long time” and that a number of aircraft participated in the strike, which was carried out in the heart of Gaza City with the approval of Israel’s political echelon.

“We are prepared to continue operating with the message that Hamas and its men are vulnerable,” the officer said, adding that this is in an attempt to “renew deterrence” against the terrorist group.

“We are acting against Hamas and the PIJ – but for us, Hamas is the sovereign and its role is to stop PIJ,” he said, explaining that under this directive, the IDF has carried out over 100 sorties, striking weapon warehouses, terror infrastructures, terrorist cells, tunnels and more.

“We are prepared for the possibility of escalation,” he continued, warning that “we have not used everything yet: there’s a lot more we can do.”

The targets struck by Israel’s military overnight included rocket launchers and a Hamas military position in the northern Gaza Strip, as well as dozens of private homes belonging to Hamas and PIJ commanders. Also struck were attack tunnels, military compounds and emplacements, storage houses and weapons factories belonging to Hamas and PIJ.

Israel’s navy also struck several naval targets belonging to the two groups.

According to the Hamas-run Gaza Health Ministry, 16 Palestinians have been killed including several members of the terror groups’ rocket-launching cells. Another 80 Palestinians were said to have been injured. The ministry also claimed that a Palestinian woman and her 14 month-old niece were killed in Israeli strikes on Saturday night, a claim repeatedly denied by the IDF which says that the two were killed by a Hamas rocket which failed to launch within a populated area.

On Sunday morning, the two groups threatened to increase the range of their rocket fire, saying in a joint statement that they are considering firing rockets to cities over 40 kilometers from the blockaded coastal enclave.

“We are prepared for additional days of fighting,” Manelis told reporters in a telephone call, adding that the military is “prepared” for rocket fire on central Israel, including Tel Aviv.

The Home Front Command instructed residents living within 40 km. of the Gaza Strip to consult with heads of local authorities, and remain near protected spaces. Public gatherings were limited to 300 people in enclosed spaces only, and agricultural work was banned. All studies in southern Israel were also canceled due to the security situation.

While Tel Aviv did not open public shelters, many municipalities did, including Beersheba, Rishon Lezion, Netanya and others. Energy Minister Yuval Steinitz decided on Sunday to temporarily halt natural gas supplies from the offshore Tamar field due to a surge in violence with Gaza militants, the ministry said in a statement.

Steinitz declared an emergency to ensure that power generation is not interrupted, the ministry said. This typically means using more expensive fossil fuels like diesel and fuel oil.
Israel receives most of its natural gas supplies from Tamar. The field is located some 90 kilometers (56 miles) in deep Mediterranean waters, but its production platform stands just 25 kilometers off the coast of southern Israel.

Attempts to Demilitarize Gaza Will Trigger War in the Summer, Islamic Jihad Leader Says (Haaretz) By Jack Khoury
May 8, 2019

**Islamic Jihad leader Ziad al-Nakhalah has said that he believes attempts to demilitarize the Gaza Strip and disarm Palestinian factions will trigger a war in the coming summer.**

In an interview with Hezbollah-affiliated Lebanese television channel Al Mayadeen, Nakhalah claimed that hours before the last round of fighting ended on Monday, his group was set to launch rockets toward Tel Aviv. The cease-fire prevented the launch.

Nakhalah added that despite Israel's attempts to sabotage relations between his group and Hamas, the two organizations agree on a policy they will opt for in the next round of violence.

The Islamic Jihad leader added that the weekly protests along the border between Israel and the Strip will not stop, and called on Israel to implement understandings it committed to in talks with Egypt.

According to him, it is Israel's approach to the border protests that will determine how the Palestinian factions respond.

Much like in previous bouts of hostilities in Gaza over the past several years, the outline of the cease-fire agreement between Israel and the Palestinians paralleled previous understandings that were reached at the end of Operation Protective Edge in 2014 and Operation Pillar of Defense in 2012.

This makes it easier for both parties to claim repeatedly that they have returned to the status quo that prevailed prior to the escalation, instead of admitting that they signed new agreements and are engaging in negotiations.

The outline to the agreement usually includes six main clauses that the parties commit to implement gradually, as long as the calm is not disrupted. They are a general cease-fire, the transfer of funds from Qatar and the United Nations, the opening of Gaza crossings and extension of Gaza's permitted fishing zone, provision of medical and humanitarian aid, a prisoner swap deal (that also includes people considered missing), extensive rehabilitation in the Strip and the launch of talks regarding the establishment of a Palestinian airport and naval port.

Exchanges of fire usually resume by the time the first clauses are implemented.

According to Palestinian sources, the amount of money that will be Qatar will transfer this time is bigger than sums previously pledged by the Gulf state. In addition, Palestinians claim that this time, new clauses were added to the agreement – an Israeli vow to refrain from killing Islamic Jihad and Hamas officials. Israel has also likely asked that the Palestinians not fire rockets at the country during its Memorial Day and Independence Day, as well as throughout the Eurovision Song Contest, which will be held in Tel Aviv next week.

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**Gulf Region**

Qatar envoy calls for accountability for war criminals in Syria (Middle East Monitor) April 25, 2019

**The Permanent Representative of Qatar to the United Nations Sheikha Alya Ahmed Saif Al Thani yesterday reiterated her country’s support for a neutral and independent international mechanism to hold accountable those accused of war crimes and crimes against humanity in Syria, local media reported.**
Al Thani made the remarks at the UN General Assembly meeting on the report of the “International Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011”.

She explained that this position is in line with Qatar’s firm policy to promote human rights at the international and regional levels in cooperation with the United Nations and international partners.

She stressed on the importance of international efforts to activate the mechanism in light of the clear manifestations and attempts to distort facts about the use of chemical weapons and other crimes.

The Qatari official also stressed the need to fund the mechanism from the United Nations regular budget starting in 2020 to ensure its neutrality and independence.

**France confirms contested arms shipment to Saudi Arabia (France 24)**
May 8, 2019

*The French government confirmed Wednesday that a new shipment of weapons will head for Saudi Arabia, despite claims Riyadh is using the arms in the Yemen war.*

Defence Minister Florence Parly told BFM television the weapons would be loaded onto a Saudi cargo ship scheduled to arrive Wednesday in the French port of Le Havre.

She refused to identify the types of arms, but reiterated France's stance that they have been used only for defensive purposes by Saudi Arabia since it began its Yemen offensive in 2015.

"As far as the French government is aware, we have no proof that the victims in Yemen are the result of the use of French weapons," Parly said.

Pressure has been mounting on the government after the investigative news site Disclose leaked a classified military note last month detailing the use of French tanks and artillery in the war against Houthi rebels.

Disclose alleged the new shipment included eight truck-mounted Caesar howitzers, though a government source told AFP this week that such cannons were not part of the delivery.

The revelations prompted arms sales watchdog ASER to file a complaint with the Paris administrative court on Monday, calling for an urgent end to French arms shipments to the Gulf.

“The court has between 72 hours and a month to rule on our complaint. Technically, if the shipment is still in French waters, the court can halt the delivery," said Benoît Muracciole, head of ASER, in an interview with FRANCE 24.

According to Muracciole, the French government’s strategy is to continue the sale of weapons while feigning ignorance of whether or not they are being used against civilians.

“Knowledge of war crimes being committed is crucial,” said Muracciole. “The truth is France has been aware of war crimes in Yemen since they were documented by the UN.”

Pitting a Saudi-led coalition against Iranian-backed Houthi militias, the four-year conflict in Yemen has shattered the country’s economy and created the world's worst humanitarian crisis, according to the United Nations, whose investigators say both sides may have committed war crimes.

More than 10,000 civilians have been killed during the conflict and some 10 million people have been driven to the brink of famine.

Rights groups have accused Paris of being complicit in alleged war crimes against civilians in Yemen, where around 10,000 people have died and millions been forced to the brink of starvation.

"The Saudi regime is one of the most brutal dictatorships in the world, and has inflicted a terrible humanitarian crisis on Yemen," said Andrew Smith of the Campaign Against Arms Trade NGO.

"The destruction would not have been possible without the complicity and support of arms-dealing governments," he said.

On Tuesday, all leftwing lawmakers exited parliament in protest after Genevieve Darrieussecq, secretary of state for the armed forces, said there was "no proof these weapons are being used against civilian populations".
Between 2013 and 2017, France accounted for 4% of all arms sales to the Saudis, according to the authoritative Stockholm International Peace Research Institute (SIPRI), well behind the US (61%) and the UK (23%).

While its sales have declined sharply since 2016, it has resisted pressure to stop arms sales to Riyadh altogether – in marked contrast with Germany, which has suspended all weapon sales since last October.

France, the world's third-biggest arms exporter, counts Saudi Arabia and the United Arab Emirates as major clients and has resisted pressure to stop arms sales to the Gulf countries.

It is a marked contrast with Germany, which has suspended its weapon sales to Saudi Arabia since last October.

"France has strategic interests in this part of the world," Parly said Wednesday, adding that the latest shipments were part of "long-term partnerships with Saudi Arabia and the United Arab Emirates’.

The United Nations says the Yemeni conflict is the world's worst humanitarian crisis, with 3.3 million people displaced by the fighting and 24.1 million in need of aid.

ASIA

Afghanistan

Nato-led forces have killed more civilians in Afghanistan than Taliban so far in 2019 (South China Morning Post)
April 26, 2019

The Afghan government and its international backers killed more civilians in the first three months of 2019 than the Taliban and other insurgent groups, the United Nations said.

It was the first time since the UN began tracking civilian casualties in Afghanistan over a decade ago that pro-government forces have caused the most deaths.

The casualty figures make particularly damning reading for the Nato-led mission, which was responsible for 146 deaths, or a quarter of the total. Most were caused by air strikes.

Afghan government forces caused a fifth of all deaths, mostly in search operations, the United Nations found.

For years, despite civilian deaths and injuries caused by both sides, the government in Kabul and its allies had been able to point to the UN statistics, which showed that insurgents were the biggest killer of Afghan civilians.

At least for the start of this year, that was no longer the case. Washington’s Afghanistan peace envoy Zalmay Khalilzad tweeted that he was "distressed by reports of civilian casualties" but did not directly address the UN figures.

Khalilzad, who has been tasked with brokering a deal with the Taliban, said the only way to stop the blood flow was a ceasefire.

“We deeply regret any loss of innocent life during military operations. We never target innocents ... While we strive to prevent casualties, real solution is a ceasefire or reduced violence as we pursue lasting peace.”

Ashraf Ghani’s government blamed insurgents, accusing them of causing the deaths by using human shields.

“The real reason behind the number of civilian casualties is armed militants who use civilians as their shield and use their...
The presidential information coordination centre said on Twitter, and added a link to a statement from the national security council.

The defence and interior ministries and the national intelligence service did not accept the UN’s methodology, the statement said. It also said activist Shaharzad Akbar had been appointed to work on peace, civilian protection and support for national security forces.

Overall 581 civilians were killed and 1,192 injured in Afghanistan between January and March, down nearly a quarter from a year earlier, and at the lowest level since 2013. That fall was largely driven by a reduction in suicide attacks, the UN said.

An unusually harsh winter may have contributed to the reduction, by making suicide attacks more logistically challenging, the UN said. It was unclear whether ongoing peace talks, or any initiatives to reduce harm to civilians, had an impact.

Pro-government forces caused 305 civilian deaths, and opposition fighters 227 deaths. Another 49 deaths were caused by crossfire or could not be attributed.

The casualty tolls from pro-government air strikes and search raids were the highest for any quarter since the UN began keeping records, the report said.

Most of the search operations that caused casualties were carried out either by intelligence services’ special forces unit, or the paramilitary Khost Protection force, both supported by international troops.

“Unama (the UN mission in Afghanistan) reiterates its concern that these forces appear to act with impunity, outside of the governmental chain of command,” the report said, calling for the Khost unit to be either disbanded or incorporated into the armed forces.

The report also detailed attacks on education and health care sites that may add to concerns about what a peace deal with the Taliban could mean for the country, particularly women’s rights.

The UN recorded 18 instances in which schools were targeted, the majority by Taliban or other insurgents. Among the most serious were attacks on girls’ schools in northern Farah province, setting buildings and equipment on fire.

“There were also two dozen attacks on health care, again the majority carried out by Taliban. In six incidents in the east, 88 clinics were closed and three medical personnel abducted, although they were later released and most clinics reopened.

The Trump administration opposes the International Criminal Court. Do Americans agree? (The Washington Post) By Kelebogile Zvobgo
April 28, 2019

Judges at the International Criminal Court (ICC) recently rejected Chief Prosecutor Fatou Bensouda’s request to open an investigation into alleged U.S. war crimes in Afghanistan. President Trump and National Security Advisor John Bolton — two of the ICC’s staunchest opponents — couldn’t be happier.

For years, Trump and Bolton have expressed a deep antipathy to the Court, asserting “the threat it poses to American national sovereignty.” Accordingly, the administration has threatened to sanction ICC personnel. The State Department even revoked the prosecutor’s visa earlier this month.

Are Americans as hostile to the ICC as the Trump administration? No. But as my research shows, public support for the ICC is hardly unanimous either, and sensitive to how the ICC’s work is described.

What is the ICC?

Established in 1998, the ICC is the first permanent international criminal court to prosecute war crimes and crimes against humanity. Previously, international criminal justice was delivered as needed — for example, at the Nuremberg trials in Germany following World War II or the International Criminal Tribunal for Rwanda, following the Rwandan genocide. The U.S. was a major player in the creation and implementation of both these courts. However, the U.S. has resisted the ICC because the Court could prosecute U.S. citizens.

The U.S. revoked the visa for the ICC prosecutor. That bodes poorly for international criminal justice.
Here’s how I did my research

In July 2018, I conducted an online survey of 1,020 American adults. As part of the survey, I included an experiment in which participants were randomly assigned to four groups. In each group, participants read an argument about the potential consequences of the U.S. joining the ICC.

The first group read a human rights argument that included this excerpt:

The U.S. has long been a defender of the international investigation and prosecution of serious crimes [...] If the U.S. were to join the ICC, the U.S. could promote American democratic values, such as accountability and human rights, by helping the Court to investigate and prosecute individuals alleged to have committed serious crimes.

The second group read a national interest argument that included this excerpt:

The U.S. military has long been engaged in many different places around the world. And, there is opposition to U.S. involvement in some of these contexts. If the U.S. were to join the ICC, the Court could unfairly target U.S. leaders and military personnel for political reasons.

The third group read both arguments. The fourth and final group didn’t read either argument.

Everyone was then asked how much they agreed or disagreed that the U.S. should become a member of the ICC.

Americans are divided on the ICC, but opinions are sensitive to arguments

Among people who didn’t read either of the two arguments, a majority — 56 percent — somewhat or strongly agreed that the U.S. should become a member of the ICC. This lines up with recent polls conducted by the American Bar Association.

The different arguments for and against the ICC mattered. The human rights argument increased support: About 65 percent in this group agreed the U.S. should join the ICC. The national interest argument had the opposite effect: Only 42 percent of this group wanted to join the ICC.

When the two arguments were put together, the national interest argument appeared more powerful. Among the group who read both arguments, 48 percent agreed that the U.S. should join the ICC.

Survey participants were then asked about the factors behind their opinion. As expected, the different arguments that people read influenced the answers they gave. Most people who read the human rights argument and supported joining the ICC cited the U.S.’s potential influence on the ICC and human rights globally. Most people who read the national interest argument and opposed joining the ICC cited the ICC’s potential anti-U.S. bias.

What people’s opinions about the ICC mean

To be sure, one challenge of surveying people about the ICC is that many are not familiar with it. In my study, half of participants had no prior knowledge of the ICC — and it is likely that even those with some knowledge aren’t deeply familiar with the Court. So, as other scholars have noted, people’s views may have been susceptible to change on this issue. Different arguments, and especially cues from partisan political leaders, could change opinions in different ways than I examined in this study.

Moreover, it’s important to note that Americans’ feelings about the ICC may not translate into any actual political action. It is likely not central to how Americans vote, for example. So even if many Americans say that they support the ICC, this may not change U.S. policy and lead the U.S. to join the ICC.

What does this mean for the ICC’s future?

If American support for the ICC is not strong enough to compel U.S. policy makers to join the Court, could the ICC find a way to court more support? My research shows that people are most likely to support the ICC when they believe international organizations are effective and unbiased.

Thus, the ICC may be able to develop public trust — in the U.S. and beyond — by demonstrating effectiveness and impartiality. This could be accomplished by completing — rather than dropping — cases and expanding the subjects of investigation.

But, for now, the jury of public opinion is out.
'Do not forget the Rohingya': UN urges support for refugees (Al Jazeera)
April 26, 2019

Top United Nations officials have urged the international community not to forget the plight of Rohingya refugees in Bangladesh and called for global support to ensure their safe and voluntary return to Myanmar.

Speaking to reporters following a visit to refugee camps in Bangladesh's Cox's Bazar on Friday, Mark Lowcock, the UU under-secretary-general for humanitarian affairs, said the body was seeking to raise nearly a billion dollars to help the Rohingya refugees and their host community.

More than 700,000 members of the persecuted minority fled Myanmar following a brutal military crackdown in response to attacks by a Rohingya armed group.

More than 1.2 million now live in overcrowded and squalid refugee camps in southeastern Bangladesh.

Lowcock said the "great exodus" of Rohingya refugees arriving at Cox's Bazar "caused all sorts of issues".

"Our main message is to the wider world: do not forget the Rohingya, do not forget the generosity of the people and institutions and government of Bangladesh, and be generous in supporting both the Rohingya and Bangladesh," he said.

Filippo Grandi, UN high commissioner for refugees, who accompanied Lowcock, said the Rohingya refugee crisis should not turn into a "forgotten crisis".

"This remains one of the world's biggest refugee crises," said Grandi.

"I saw a great deal of progress, but their situation, especially for women and children, remains fragile. With the current crisis almost two years on we must give refugees the chance to learn, build skills and contribute to their communities while also preparing for reintegration when they can return to Myanmar," he added.

"It's very clear: Nobody has gone back because many of those reasons that pushed them out of the country have not yet been addressed.

The officials also highlighted the need for stronger infrastructure in the camps in the upcoming cyclone period.

AK Abdul Momen, Bangladesh's foreign minister, who met with the UN officials, reiterated his government's plan to move some 100,000 refugees to the remote island of Bhasan Char, a move opposed by many refugees.

"We have information that this year there may be more rain and that may cause landslides," Momen told reporters.
"Bhasan Char island is now prepared and we can start to relocate Rohingya before the monsoon to avert any casualties in the coming monsoon," he said.

Some human rights groups have expressed concerns over that plan because the island is remote and prone to devastation from cyclones.

Separately, the International Crisis Group (ICG) said criminal gangs and fighters were now operating openly in the Rohingya refugee camps, committing killings and abductions with "impunity".

The conflict research group, in a new report on Thursday, called for Bangladesh to toughen its police presence.

Threats from fighters from the Arakan Rohingya Salvation Army, whose attacks triggered the Myanmar military campaign, had left Rohingya leaders fearful for their lives and that frequent murders were "rarely" investigated, according to the ICG.

"Refugees express serious concerns about their personal security, and militants and gangs are intimidating, kidnapping and killing with impunity," the report said.

"Murders and other forms of violence are an almost nightly occurrence ... and perpetrators have almost never been brought to justice."

**Rohingya women, girls being trafficked to Malaysia for marriage (Al Jazeera)**

By Kaamil Ahmed

May 8, 2019

**Cox’s Bazar, Bangladesh and Kuala Lumpur, Malaysia - Senwara Begum travelled for two weeks by road and boat, over mountains and along rivers, guided only by a trafficker she feared, before she reached Malaysia to marry a man she had never met.**

The journey was a blur of borders and landscapes unknown to her and it started in Bangladesh’s Rohingya refugee camps, where she was born 23 years earlier and where there is increasing concern about the number of young women and girls being smuggled across borders to marry Rohingya men abroad.

The Kutupalong settlement in Cox’s Bazar, from where the women are plucked, grew into the world’s largest refugee site in 2017, after a Myanmar military operation described as "genocidal" by the UN targeted the majority-Muslim minority.

The overcrowded camp lacks security for women, who live in shelters composed of simple plastic sheeting on bamboo frames; there is little privacy.

According to Rohingya activists and rights groups, dozens of women are now regularly arriving in Malaysia to marry Rohingya men, reviving a form of transnational human trafficking that once moved thousands of Rohingya a year.

"We travelled by land, occasionally changing cars. We started in the camp and went up to the Indian border, then we headed to Malaysia. There were three of us: another woman and a man - the trafficker," Begum told Al Jazeera. "I didn't know the trafficker, so I was scared of being harassed by them. I’ve heard stories before about traffickers raping women, sexually harassing them and beating people, so I was scared."

The marriages and travel are often arranged by Rohingya men, previously smuggled into Malaysia themselves but usually unable to marry local women.

Without documentation, they are unable to travel back to Myanmar or the refugee camps in Bangladesh to get married, so send proposals through friends and relatives and make arrangements for marriages that do not involve much consent from the girls.

Some of the Rohingya child brides my colleagues and I have spoken with are in slavery-like conditions ... A Rohingya girl told me she did not want to marry young but had no other choice.

Several Rohingya refugees in Bangladesh described similar journeys taken by relatives and in-laws in the past year that involved road trips that could take months and passed through Myanmar's mountainous north.

Some of the trafficked women were among the remaining Rohingya families in Myanmar and had to enter Bangladesh, from where the traffickers operate, only to re-enter Myanmar at another point, one less militarised than their native Rakhine State.

Fortify Rights recently urged Malaysia to address child marriage, drawing on evidence from 11 interviews with child brides or their relatives in Bangladesh and Malaysia.
"One recent route documented by Fortify Rights is a complicated land route from Myanmar to Bangladesh, India, and then into Chin State in Myanmar and through the cities of Mandalay and Yangon, eventually crossing the Myanmar-Thailand border and later into Malaysia," said John Quinley, a researcher with Fortify Rights.

"Rohingya refugees in Cox’s Bazar have few options. They cannot work and have no formal access to education. Rohingya refugees in Bangladesh fear forced repatriation or relocation to the island. All these push factors could lead to a real uptick in Rohingya families - including girls - moving to Malaysia, some for child marriage," said Quinley.

Until 2015, a network of human traffickers transported Rohingya to the jungles of southern Thailand, where the refugees were held for ransom before they could be smuggled into Malaysia, where many believed they could find more freedom to work and live than in Bangladesh or Myanmar.

That vast network has been dormant since Thailand uncovered 139 mass graves at some of the trafficking camps along the border with Malaysia.

Since the 2017 influx into Bangladesh, attempts by traffickers there to smuggle Rohingya by boat have been stopped by the Bangladeshi coastguard.

In the past year, however, there has been increased movement of Rohingya, mostly through long land routes from Bangladesh.

A Rohingya activist in Thailand, who requested anonymity, told Al Jazeera it is impossible to know exactly how many Rohingya are entering Malaysia, but that there is now a constant flow of people.

The activist showed this reporter photos of young women and girls who were arrested by Thai authorities in February, saying that they were caught in a safe house after neighbours reported them.

Al Jazeera will not publish these images, in order to protect the refugees’ identities.

Hamida, 30, lives in the Bangladeshi refugee camps near Myanmar.

She said her Malaysia-based son arranged a marriage that brought a 15-year-old girl from Myanmar to Bangladesh, where the girl stayed with the family before travelling.

"She was scared about the journey but what could we do about it? It had all already been arranged," said Hamida.

"From Bangladesh, they went to the Indian border and had to walk for many days. Then, they got to Thailand and took buses and cars until they got to Malaysia," she said. "It took nearly three months and the girl became so skinny from the journey."

Hamida’s son had been in Malaysia for several years when he organised the marriage through friends.

Begum’s marriage was arranged through her brother Zakir Hossain, 29. He was already living in Malaysia and now shares a home with his 17-year-old wife - who he also brought to the Southeast Asian country from a refugee camp in Bangladesh, as well as Begum and her husband, in a Kuala Lumpur suburb.

He said Rohingya men take these measures to get married because they have no other options in Malaysia, where most work undocumented as labourers or in factories.

"We're scared about the traffickers but we can only leave it with God. We don't want to hire traffickers but we have no options," he said.

Chekufa, who has organised hundreds of Rohingya women across the camps into a network of volunteers, blamed economic challenges for the rise in trafficking and child brides.

"Many child marriages are happening because the monthly rations are not enough and there is no source of income," she said.

Concern over food rations was also reflected in a monthly report on the challenges faced by refugees produced in March by the NGOs Translators without Borders, Internews and BBC Media Action.

Refugees complained about smaller rations, saying they were often contaminated with rocks and other materials.

Chekufa said these worries have seen some families marry their female relatives off because it meant one less mouth to feed.

"We have to talk more to the parents to stop these early marriages. Sometimes, we have to promise them: 'We will try to support you with our own contribution, but please don't marry her before her time'."
Meanwhile, a combined lack of opportunity and security keeps many teenage girls locked inside their homes, with families saying they fear the attention women attract in the crowded camps. When the person came to us, my only thought was that I would follow what my parents tell me to do.

Khaleda, 40, said her family received a proposal from a Rohingya man in Malaysia in 2018 to marry her 14-year-old daughter, but have not gone ahead with it because they cannot raise enough money.

Though these arranged marriages forgo the traditional dowry paid by the families of brides to men, in many cases they still pay half of the trafficking costs.

Khaleda says she would prefer to have her daughter married locally but would have to pay an expensive dowry.

The camps offer almost no education, so her daughter sits inside all day, where Khaleda believes it is safest for her.

In their dark shelter, the girl says little about the matter. Eventually, shyly, she admits she would prefer to stay with her parents.

"When the person came to us, my only thought was that I would follow what my parents tell me to do," she said.

Begum said she was aware of the risks but also feared a marriage in Bangladesh.

"In the camp, lives are difficult. Women don't have peaceful marriages. Men get married a few times and the women are not protected," she said, adding that several women have been abandoned by husbands who re-marry while others suffer domestic abuse.

She said the idea of living in Malaysia at least offered her the chance to escape the crowded camp she was born into, but she was still concerned.

"I was worried because I didn't what kind of man my husband would be. I was born in Bangladesh and he was born in Burma, so there could've been cultural differences. I didn't know whether he would be good or bad," she said.

Fortify Rights have documented cases of girls who have been abused by their husbands in Malaysia. Their research, conducted with the Rohingya Women's Development Network run by Rohingya refugee Sharifah Hossain, said many women were denied freedom to move, work or attend school.

"Some of the Rohingya child brides my colleagues and I at Fortify Rights have spoken with are in slavery-like conditions and in situations of domestic servitude," said Quinley. "A Rohingya girl told me she did not want to marry young but had no other choice."

Begum, who is six months pregnant, said accessing medical treatment can be difficult because they are not registered by the UN's refugee agency, UNHCR, and Malaysia is not a signatory to the 1951 refugee convention.

She has spent much of the past few months sat inside her home, scared to leave after being detained by immigration police who she says later released her after her husband raised money to pay them off.

"Here, you are not safe," she said. "I miss my mother a lot."

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Government soldiers took the 27 villagers from Latka village in Mrauk-U township on April 10 during fighting with the Arakan Army (AA) that has raged in the region since January as the rebel force seeks greater autonomy for Buddhist Rakhines in the western state.

Brigadier General Win Zaw Oo, spokesman for the military’s Western Regional Command which is responsible for Rakhine state, told RFA’s Myanmar Service that three detainees passed away while in detention. Zaw Myo Tun died of a heart attack, Thein Tun Sein died of suicide by hanging, and Maung Than Nu died from the effects of drug withdrawal, he said.

When asked by RFA if the military had notified the families about the deaths, Win Zaw Oo said he did not know.

Agence France-Presse reported Friday that police told the families that the dead captives had already been cremated, and that their relatives would seek legal action against those responsible, citing the nephew of one of those who died.

A regional lawmaker said he believes the men were tortured to death during interrogation while in custody, and that the military’s public announcement of the deaths is an attempt to cover up the truth.

Oo Hla Saw, who represents Mrauk-U township in the Rakhine state parliament, told RFA Thursday that he is highly suspicious of the deaths and that the central government bears responsibility for disclosing the truth.

“The military may have its own military disciplinary [code], but there will be violations during armed conflicts anyway,” he said. “There is no such thing as zero violations.”

“There will always be human rights violations during war, he said. “Instead of trying to cover up such cases, they should have given journalists an opportunity to uncover the truth.”

Oo Hla Saw also said the government’s information minister should release unbiased information in real time to disclose the truth behind such cases.

“The Union government is entirely responsible for that,” he added.

Where’s the evidence?

Win Zaw Oo, however, pointed to autopsy reports from Sittwe General Hospital, confirming that the men did not die of torture.

“What kind of evidence do you have to assume these detainees died from torture?” he said. “We have the autopsy results of the bodies at Sittwe General Hospital. The conclusion should be based on these results.”

“We have officially transferred the bodies to Sittwe General Hospital to perform post-mortem examinations,” he said. “The results from the autopsies are unquestionable. We have been careful to have the bodies formally examined to avoid suspicion. If the cause of deaths is torture, it will show in the results.”

When RFA contacted Kyi Lwin, chief of Rakhine state’s department of health, to confirm the causes of death from the autopsy results, he declined to provide information.

“We cannot release any information about this case,” he said. “As for the Rakhine state department of health, we are not authorized to release this information. I am the highest-ranking health official in Rakhine state. When I refuse to answer, no one else will.”

Phil Robertson, deputy Asia director at New York-based Human Rights Watch (HRW), said on Twitter that “Justice must be ensured for these three Rakhine men! Urgent action needed to end Myanmar military impunity for human rights violations.”

Meanwhile, Myanmar forces will hand over the 24 other detainees to police in a few days, Commander Kyi Lin, chief of the Rakhine State Police Force, told family members of the captives at a Thursday meeting.

The relatives of those detained also met with Rakhine state Chief Minister Nyi Pu and Colonel Phone Tint, minister of state security and border affairs in the state capital Sittwe to request visits with their family members.

Reporters trying to cover the meetings were not allowed to approach Nyi Pu.
Kyan Maung, father of detainee Naing Win, said Kyi Linn promised the relatives that they would be allowed to see the detainees after the military had transferred them.

“He said they are still under interrogation,” Kyan Maung said. “After they complete the interrogations, the military will transfer them to the police forces, and then family members can meet the detainees in a few days. He said any family member can come and meet the detainees.”

Family members wait for Myanmar prisoners to be released from Insein Prison in Yangon during a presidential amnesty marking the Buddhist New Year, April 17, 2019. Family members wait for Myanmar prisoners to be released from Insein Prison in Yangon during a presidential amnesty marking the Buddhist New Year, April 17, 2019. AFP Second amnesty announced In a related development about detainees, the Myanmar government on Friday announced the release of nearly 7,000 inmates from seven prisons in the second presidential amnesty in two weeks, government spokesman Zaw Htay said.

Among them were two political prisoners — ethnic Kachin activists Lum Zawng and Zau Jat, who were serving time for defaming the military during rallies calling on the government to help civilians displaced by armed conflict in northern Myanmar’s Kachin state.

During this year’s first amnesty on April 17, President Win Myint pardoned roughly 9,500 criminals to mark Myanmar’s Buddhist New Year, but only two were political prisoners.

“Principally, those who were released during the New Year included old, young, or those in poor health as well as drug offenders who had followed prison regulations,” Zaw Htay said at a press briefing in the capital Naypyidaw.

“The laws pertaining to drug users have been amended, and those who served jail terms before the amendments were also among those released,” he added, referring to changes to the country’s Narcotics Law in 2018 and the adoption of a policy to provide treatment to addicts rather than imprison them.

Some 6,000 additional prisoners are expected to be released soon in a third amnesty, Zaw Htay added.

The prisoners freed Friday were from jails in Kachin, Kayah, and Karen states and Sagaing, Tanintharyi, Bago, and Magway regions.

The amnesty was not extended to those incarcerated in prisons in the commercial hub Yangon, including two Reuters news agency reporters serving seven-year sentences for possessing state documents about atrocities committed during a crackdown on Rohingya Muslims by security forces in Rakhine state in 2017.

Two activists freed

As part of the second amnesty, authorities freed nearly 1,370 inmates, most of whom were serving time for drug offenses, from Myitkyina Prison in Kachin state.

Among those released were two ethnic Kachin activists imprisoned for demanding that the government assist displaced villagers trapped in the state’s conflict zones.

Kachin lawyer Lum Zawng, Zau Jat of the Kachin National Social Development Foundation, and Nang Pu of the Htoi Gender and Development Foundation, were sentenced in December 2018 for defaming the Myanmar military during rallies earlier that year, calling on the government to end the fighting and help civilians affected by armed conflict.

The three activists were sentenced to six months in prison and each fined 500,000 kyats (U.S. $325), though Nang Pu’s term was reduced to four months due to health reasons.

“We already have served nearly five months,” Lum Zawng said. “Now they are freeing us just when we are about to finish our time.”

He also accused the ruling civilian-led National League for Democracy (NLD) government of releasing him and Zau Jat for political purposes.

“It seems like the NLD is exploiting us for its own political benefit,” he said, adding that the activists objected to a statement issued Monday by military-controlled Home Affairs Ministry that said there are no political prisoners in the country, only offenders jailed under existing laws and the Penal Code for criminal acts.

Nang Pu said that now that her two fellow activists have been freed, all three of them would file an appeal of their sentences.

“We had to serve time because the court decided we were guilty,” she said. “As it was not so, an appeal will be made at the
“We hope that all political prisoners who have been imprisoned for standing up for the people are released soon,” she said.

Zau Jat said that many of the young offenders imprisoned for drug violations had been let down by the state.

“We feel sad to have witnessed drug problems in the prison,” he said. “All the drug offenders have now been released with a pardon,” he said. “No one is left in the prison. It’s unimaginable that this was the fate of our people [because] the government failed to address drug problems with effective policies.”

Of Myanmar’s current 364 political prisoners, 44 have been sentenced, 90 are being tried while they are in prison, and 228 are in the process of being charged, according to the Assistance Association for Political Prisoners (Burma) (AAPP), a human rights NGO based in Mae Sot, Thailand.

‘Legal tools of oppression’

Rights groups have blasted a recent series of arrests of peaceful critics of the military and the government, including satirical performers, political activists, and journalists, dealing further blows to freedom of expression and press freedom in the developing democracy.

On Friday, HRW called on Myanmar’s parliament to repeal or amend repressive laws used by authorities and officials to stifle their critics, during its next session which begins on April 29.

“Myanmar’s government should be leading the fight against the legal tools of oppression that have long been used to prosecute critics of the military and the government,” said Brad Adams, HRW's Asia director, in a statement.

“During military rule, [Myanmar leader] Aung San Suu Kyi and many current lawmakers fought for free expression, yet now the NLD majority in parliament has taken almost no steps to repeal or amend abusive laws still being used to jail critics,” he said.

EU extends ban on arms sales to Myanmar (Associated Press) By Parvez Jabri
April 29, 2019

The EU on Monday extended a ban on selling arms to Myanmar and prolonged sanctions against high-ranking officials over their role in the Rohingya crisis.

The measures, which include an embargo on weapons and other equipment that could be used for repression, will stay in place until at least April 30, 2020.

Some 14 top military and border officials are under individual EU sanctions — barring them from travelling to or through the European bloc and freezing any assets they hold in Europe — over alleged human rights violations, including killings and sexual violence.

In August 2017, some 740,000 Rohingya refugees fled a military crackdown in northern Myanmar to cross into Bangladesh, where 300,000 members of the persecuted Muslim minority were already in camps.

Many Rohingya refugees said there had been mass rapes and slaughters, and UN officials have said the crackdown needs a genocide investigation.

Arakan Army chief cries out in Myanmar (Asia Times) By Christian Bouche-Villeneuve
April 30, 2019

Myanmar’s upstart Arakan Army (AA) has intensified its insurgent operations in recent months, opening a new front of instability in the nation’s long-running ethnic civil wars.

The armed conflict has compounded volatility in Rakhine state, from where over 700,000 Muslim Rohingya have been expelled in government “clearance operations” beginning in 2017 the United Nations and others suggest may have had “genocidal intent.”

In January, over 300 AA troops raided four border posts in northern Rakhine state, underscoring the 10,000-strong armed group’s rising capabilities since its formation in 2009, with support among the state’s ethnic Rakhine Buddhist majority.

The Myanmar government has doubled down in its tit-for-tat reprisals, classifying the group as a “terrorist organization” and
threatening reporters who cover the AA’s side of the surging conflict with unlawful association, an anti-state criminal offense.

Asia Times spoke to the AA’s leader and founder General Tun Myat Naing in mid-April in Pangsa at the 30th anniversary celebrations of the United Wa State Army, another armed group which enjoys de facto statehood within Myanmar.

In a wide-ranging interview, Tun Myat Naing spoke to his ambition of achieving autonomy for ethnic Rakhine Buddhists and what he and his fighters are willing to do to achieve it. Excerpts follow:

On the AA’s recent ascendency:

Tun Myat Naing: Our people have been longing for this situation for many decades, it is no wonder they stand together with us. We’ve been building this for years now and we are getting experience in other places.

We have been undergoing an infiltration process for nearly a decade now, so we had to arrange everything systematically and properly, because the [Myanmar] government military is very experienced in handling rebel(s).

It is not just a recent surge, because [the Myanmar military] already had a plan to make the Arakan [Rakhine] region their main focus. That’s why they declared a ceasefire in five other military divisions. Then they dedicated themselves to increasing troop numbers and military capacity in the region.

This is the habit of the [Myanmar] army; it is not a new thing for them. But it is a new thing in Rakhine state. They have done a lot of similar things in other places. But in Rakhine state they are very pissed off because local people support the Arakan Army.

Every house has the Arakanese flag. This is the same Arakan [Rakhine] state flag which is recognized by the government. If they say that they can’t do this it is against the law. So people are just still there [flying the flag.]

And the reason is they have flags in front of houses is that they are so pissed off and that’s why [the Myanmar military] entered the town with the eight truckloads of soldiers and started shooting random civilians.

*Editor’s note: Local media reported Myanmar troops killed civilians in a recent firefight with AA fighters in the Rakhine state town of Mrauk-U.

On the international community’s response to Rakhine state’s crisis:

Tun Myat Naing: While the International Criminal Court is investigating evidence of ‘intent’ in relation to ‘genocide’ [of the Rohingya], the ethnic Arakan [Rakhine] feel they are being sidelined by the international community, their grievances and struggles not recognized.

They are saying that they value equal human rights. When Buddhists are being slaughtered [the international community] is not speaking out. As soon as the Muslim villages are being burnt, the US embassy and the UN issue statements.

This makes me wonder. What the hell is wrong with this world? Is this equal? Something is wrong here. It is very hypocritical. The UN is implementing the agenda of their donors. It’s not an equal organization. Come to look at the situation for yourself.

On the AA’s relations with the Rohingya:

Tun Myat Naing: They are more concerned about the security of the Rohingya people than the rights of Arakan Army. But we will treat them [the Rohingya] with due dignity.

Well, it is very interesting you know. Look when they have many Muslims entering into Bangladesh, they say it’s OK for them to flee into Bangladesh.

And then, leaders of the international community, they praise the leaders of Bangladesh. When non-Muslim people need to be helped out they are not quite willing or not interested in lending much help.

Well we [Rakhine Buddhists] do not have any other place to run away.

Look, when the Rohingya people are pushed out they have a Muslim brother country next to the border. So, for our people, there were a few months ago, in February, some Buddhist and Christians were close to the border area.

When [Myanmar troops] fired there, there were artilleries burning the village and it was destroyed, and they fled. They tried to enter to Bangladesh and Bangladeshi government did not accept them.
On foreign criticism of the AA’s insurgent tactics:

The AA reacted to remarks that they are using techniques of asymmetrical warfare, attacking police stations as a deliberate means to destabilize and confuse the [Myanmar] military.

We are not focused on police stations. If it is a real law enforcement police station, we won’t be doing that...The Interior ministry and border security ministry is under the army chief, and their minister is appointed by the army chief, so [the police] are doing the job of the military at the same time.

Myanmar people displaced from the recent fighting between government troops and ethnic Arakan Army take shelter at a displacement camp housing over 700 people in Kyauktaw township in Rakhine state on December 23, 2018. Photo: AFP

Myanmar people displaced from fighting between government troops and the Arakan Army in Kyauktaw township in Rakhine state, December 23, 2018. Photo: AFP

They are using the police stations as a garrison for artilleries. They have 120 millimeter mortars and a 122mm Howitzer, and are shelling to our positions from police station areas. So this is not police station anymore.

When they make a press release, they say the Arakan Army attacked the police station. Actually, we know that the artillery battalion commander [Capt. Chit Ko Ko] was killed in action in the incident last week, which confirms the position was more than a police station.

On the AA’s future vision of autonomy:

Tun Myat Naing: It is too early to predict outcomes. The government is using jets and bombing. It’s hard to predict. The use of excessive force will surely damage the union spirit of our people...

The [autonomous] Wa are carefree. They can defend their own land, they can create their own destiny with their own hands, what can be better than that? We look up to this situation.

Specialized investigation into sexual violence in conflict is essential for justice, experts say (ReliefWeb / UN Women)
April 30, 2019

On the sidelines of the UN Security Council open debate on sexual violence in conflict, experts came together to discuss what it takes to achieve justice for conflict-related sexual and gender-based crimes, through investigation and documentation.

Nearly 20 years since the adoption of the UN Security Council resolution 1325, which calls on all parties in conflict to uphold women’s rights and respond to violations, impunity for conflict-related sexual and gender-based violence continues to undermine international peace and security.

“When I interviewed survivors, they said ‘we want justice,’” said Antonia Mulvey, former gender advisor to the Independent International Fact-Finding Mission on Myanmar. “Many of them cannot read or write, but they know what justice is, and they wanted accountability”.

The side event, co-sponsored by UN Women, the office of the High Commissioner for Human Rights (OHCHR) Justice Rapid Response and the Permanent Missions of Canada, Ireland, Lichtenstein, the Gambia and the United Kingdom to the UN, and moderated by Ambassador Christian Wenaweser, Permanent Representative of the Mission of Liechtenstein to the UN, on 24 April, convened human rights experts and investigators to discuss the importance of quality and timely investigations of conflict-related sexual and gender-based violence.

“Information is an essential pre-requisite for accountability for sexual and gender-based violence in conflict,” said Ambassador Richard Arbeiter, Deputy Permanent Representative, Mission of Canada to the UN. “We need to make sure investigation and documentation is gender-sensitive to avoid blind spots and ensure the right approach.”

Since 2010, Justice Rapid Response, UN Women and OHCHR have partnered to deploy a gender advisor or an investigator specializing in sexual and gender-based violence crimes to UN investigations mandated by the Human Rights Council and the UN Secretary-General. In 2018, investigations took place in eight countries and territories, and each investigation uncovered evidence of the gendered impact of human rights violations, as well as specific findings of sexual and gender-based violence.

“Ensuring that the experience of survivors of sexual violence is fully captured is the first step towards gender-sensitive accountability and protection responses,” said United Nations Assistant Secretary-General for Human Rights Andrew Gilmour. “I truly think that we owe this to the survivors of sexual violence: To help them rebuild their shattered lives and their
dignity, and to grant them at least a modicum of consolation by restoring some belief in justice.”

While numbers of rape and sexual assaults are notoriously difficult to confirm, sexual violence against women and girls has been used as a deliberate tool in conflicts in Syria and Myanmar. In Myanmar, where more than half a million Rohingya have fled the country, rape and other forms of sexual violence have been used as part of the efforts to displace populations. In Syria, sexual violence has been used to extract information from women, and to coerce surrender from male relatives.

Serena Gates, former gender advisor to the Independent International Commission of Inquiry on the Syrian Arab Republic, described how rape and sexual assault against women in Syria was used as a military tactic in a number of scenarios. For women raped in detention, such reasons may include rape as a punishment at the end of interrogations and on other occasions, rape in front of men to pressure the latter into revealing information. Rape more generally was also used as a means of intimidation.

“If you can properly understand both the causes and the rationale for sexual violence, then you can not only hope to promote accountability, but also feed more effectively into early warning systems for future conflict,” Gates explained.

She added: “Accountability allows victims to heal, but it’s also a significant part of preventing the recurrence of such acts in the future. We must bear that in mind if we want real progress to be made.”

Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism (IIIM) for the Syrian Arab Republic spoke about how the findings of the Commission of Inquiry related to the work of IIIM, and how IIIM is using the investigative work to further seek justice for victims of sexual and gender-based violence.

“We learned the importance of seeing and treating the investigation and prosecution of sexual and gender-based violence as an integral part of investigating and prosecuting war crimes, not as an aside,” Ms. Marchi-Uhel said. “Investigation assures that sexual and gender-based violence is not marginalized or treated as collateral crimes, but is placed firmly within any case against an accused.”

To continue the critical work of investigating and documenting cases of sexual and gender-based violence in conflict, the Justice Rapid Response – UN Women partnership has resulted in a Justice Experts Roster on sexual and gender-based violence comprised of more than 230 experts from over 70 nationalities, who are specifically trained to investigate and document sexual and gender-based violence as an international crime.

According to Georgina Mendoza, Sexual and Gender-Based Violence Programme Coordinator at OHCHR and Federica Tronchin, Head of Office JRR USA and Sexual and Gender-Based Violence Programme Manager, some of the major gains of including gender-expertise have included: understanding the gender dynamics of conflict and violence; gender-sensitive legal analysis and accountability for sexual and gender-based violence; broader understanding of sexual and gender-based violence beyond just rape, and including men and boys and LGBTI persons as victims; fully capturing the experiences of women and recognizing the harm they suffered; and giving a voice to those who otherwise would not have access to justice.

UN Women Policy Specialist on Transitional Justice, Emily Kenney, emphasized the need for the information from the investigations to be available to the UN Security Council to aid in their decision-making, including by hearing directly from investigators in both informal and formal briefings.

“I hope that Security Council members will see a utility in hearing directly from investigations. Hearing directly from investigations themselves is incredibly powerful and useful,” said Ms. Kenney. “We can do more to use these investigations to enhance implementation of the women, peace and security agenda and address gender inequality as a root cause of conflict.”

Myanmar Army Rounds Up Hundreds of Rakhine Villagers For Questioning (Radio Free Asia)
May 1, 2019

*Myanmar’s military has rounded up several hundred people in several villages in Rakhine state for questioning about their ties to the Arakan Army (AA), holding 275 men after releasing women, children, and the elderly, local sources told RFA’s* *Myanmar Service on Wednesday.*

Beginning on Tuesday, government troops swept into Kyauk Tan village and detained villagers to interrogate them about the AA, which has been engaged in hostilities with the army for much of 2019.

“A man who looks like a military officer arrived. He asked if the villagers had any connection to the AA. He also asked us not to associate with AA troops and to live in peace,” a villager in Kyauk Tan village told RFA.

Afterwards, the villager said, the military released all males younger than 15 and older than 50, closed the village gate, and
detained the rest of the male residents for interrogation.

The detentions and interrogations were followed by an announcement by the military commander’s office that troops had captured an AA temporary training camp near Phong Nyo Leik village in Buthidaung township.

The troops have been interrogating the villagers from Kyauk Tan village since they got information that AA members retreating from the captured training camp were sheltering in disguise in Kyauk Tan and Zeydi Taung villages, said the announcement.

The announcement said that military checks of the family registration records of 477 families in the two villages turned up 275 males aged between 15 and 50, and that the military proceeded to interrogate the men.

“We are currently still conducting interrogations of these people. This is not an arrest. We are just interrogating the particular individuals,” Brigadier General Zaw Min Tun of the military information committee told RFA.

Concern about Rakhine offensive

A male teacher who asked to remain anonymous said more than 10 teachers were among the detainees.

“They were released around 12 midnight yesterday but arrested again early this morning today. They are teachers from this village and other villages. They are mostly residents in this village,” the teacher told RFA on Wednesday.

“The military has never informed us about interrogations. We informed state officials about the issue, and they requested the list of staff being interrogated,” said Kyaw Mya, a Rathedaung township education official.

Asked about the teachers, Zaw Min Tun told RFA: “After the interrogations, when we can confirm they are real academic staff and are found to have no connection with the AA, they will be released.”

For its part, the AA denied that any camp had been captured in the area.

“There is no such incident of an AA camp getting captured. We never use civilians as cover,” said AA spokesman Khine Thukha.

“The Burmese military now holds the attitude that all Rakhines must be supporters of the insurgency, so they are part of insurgent forces, too. They are doing the interrogations because they view all Rakhine peoples as AA supporters,” he said.

Tin Maung Win, who represents Rathedaung township in the Rakhine state parliament, told RFA that he visited Kyauk Tan village Wednesday morning to check on the villagers being interrogated, but he was stopped at the entrance of the village by government troops.

Kyauk Tan village has experienced army searches twice since the conflict flared up in early January, but has never seen the army conduct mass detentions.

The interrogations in Rakhine came as the government military announced it had extended by another two months its unilateral Dec. 21-April 30 cease-fire in Kachin and Shan states.

The cease-fire now holds until June 30, but excludes Rakhine state.

Khine Thukha, the AA spokesman, said the exclusion of Rakhine “could mean that they will launch offensives exclusively in Rakhine state for two months. I think it will lead to more negative consequences.”

**Myanmar Army Kills Six Detained Rakhine Villagers And Offers ‘Impossible’ Explanation (Radio Free Asia)**

By Khin Khin Ei and Wai Mar Tun

May 2, 2019

*Myanmar soldiers killed six detained civilians and wounded eight others early Thursday inside a school in a village in western Myanmar’s violence-wracked Rakhine state, as villagers tried to grab their guns in a coordinated attack, the government military said.*

Government forces have been holding 275 civilians in Rathedaung township’s Kyauk Tan village since Tuesday to interrogate them about possible links to an alleged Arakan Army (AA) training camp.

Bridger General Zaw Min Tun, a military spokesman, said villagers attacked police and security forces who were conducting
the investigations to determine if those held had ties to the AA, an ethnic Rakhine armed group that is battling Myanmar forces for greater autonomy in the state.

“Around 2 a.m. this morning, the villagers cheered and attacked police and military forces conducting the interrogations,” he said.

“They attempted to take guns from the security forces, so the security forces acted according to Section 131 of the Penal Code,” he said. “They first verbally warned the crowd to disperse, then fired warning shots in the air. When they didn’t disperse and kept moving forward, the security forces fired shots as the last resort.”

At the time, Zaw Min Tun told RFA’s Myanmar Service that he did not have detailed information on the deaths and injuries from the incident, but an announcement by the military indicated that six villagers died, eight were wounded, and four were missing.

Following the shootings, the military surrounded the area with more than 300 troops, the announcement said.

Unconfirmed news reports said that as many as 10 villagers had been killed because some of those injured had died.

Responding to Zaw Min Tun’s comments, AA spokesman Khine Thukha dismissed the brigadier general’s version of events.

“His comments are senseless,” he said. “The security forces have kept the villagers in detention since April 30. Their detention site was heavily guarded by the security forces, so how could they be cheering and attacking them?”

“We think this is a plot made up by the Myanmar military to cover up their atrocities against the villagers,” he said.

A woman from Kyauk Tan village, who requested anonymity due to fear of retaliation, told RFA that she heard about 20 shots coming from the school.

“I heard the shooting at the school around 2 a.m.,” she said. “It was around 20 shots. No one dared to go out to look. The soldiers had completely surrounded the village.”

When residents later went to the school, soldiers prevented them from removing the bodies of the dead and taking the injured for treatment, she said.

“After a while, they gave the list of dead villagers to the village head and asked him to inform the families,” the woman said.

An impossible scenario

The eight injured civilians were taken to Sittwe General Hospital in Rakhine’s capital Sittwe in the afternoon, but the bodies of the deceased remained inside the school until evening, when soldiers told villagers they could collect them, villagers said.

The Myanmar military announced Wednesday that its troops had captured a temporary AA training camp in the mountains on April 28 and had started interrogating Kyauk Tan village residents two days later.

The soldiers detained the villagers in the local schoolhouse when they received information that AA forces were retreating from the captured training camp and taking shelter in Kyauk Tan village.

The announcement said army officials checked the family registration records of the 477 families living in the village, and decided to detain and question 275 males between 15 and 50 years old.

AA spokesman Khine Thukha denied that the Myanmar Army had seized the training camp and that AA soldiers had taken refuge in Kyauk Tan village.

The Arakan National Party (ANP), the state’s predominant political party representing the interests of Buddhist Rakhines, sent a written appeal on Thursday to President Win Myint, State Counselor Aung San Suu Kyi, military commander-in-chief Min Aung Hlaing, and the Myanmar Human Rights Commission, to take action against the shooters and to end attacks by government soldiers in Rakhine state.

“We sent this letter to inform, complain, and appeal to the government to take action to protect the lives of civilians by preventing further tragedies involving them, especially children, the elderly, and women,” said Tun Aung Kyaw, general secretary of the ANP.

The letter also alleged that Myanmar forces questioning the detained boys and men had concocted the story about a coordinated attack by villagers as a pretext for shooting some of them, he said.
“We have some of our party members in this village,” Tun Aung Kyaw said. “According to their account, the accusation that villagers tried to take the guns is impossible because they have been heavily guarded while being detained and denied food and water. Our allegation in the letter is based on the villagers’ claim that it was not possible for them to attack the security forces.”

Offering a different, unconfirmed account of what led to the shooting, Rakhine state lawmaker U Than Naing of Rathedaung township said the shootings occurred when a mentally ill detainee started yelling.

When reached by RFA later, Zaw Min Tun repeated his earlier statement that soldiers had fired on the villagers as a last resort and denied that the detainees were being deprived of food and water.

“With regard to accusations that the detainees were denied food and water, I have confirmed with officials from the police force and security forces on the ground that they are wrong,” he said. “Because they [the detainees] are only suspects, we have provided food and water accordingly.” U Than Naing, Kyauk Tan village elders, members of civil society organizations, and staff from the International Committee of the Red Cross went to the schoolhouse earlier to collect the bodies of the dead villagers, but were turned away, he said.

“We had just arrived at the entrance of the village,” he said. “We were not allowed to remove the bodies of the deceased villagers.”

Zaw Min Tun told RFA that Myanmar forces had stopped them for security reasons, but said they would be allowed to enter the village once the interrogations ended.

“They are trying to maintain stability to avoid confusion while they are issuing warnings and trying to disperse the crowd,” he said of the security personnel. “When they finish the announcements and interrogations, they will allow the aid groups to come in.”

“The military troops usually have a paramedic with them,” he added. “[The] paramedic from the unit is treating those who were injured. The aid groups have not been allowed to visit the scene for now to prevent unwanted confusion.”

The shooting incident comes on the heels of the deaths in custody of three other detainees who were taken away for questioning by Myanmar soldiers along with two dozen others from Letka village in Mrauk-U township, center of much of the fighting that has raged since January between the government army and the AA. The men were suspected of supporting the Arakan fighters.

Their deaths have raised suspicions of torture, bereaved relatives and local lawmakers told RFA a week ago.

The Myanmar Army is not the only one rounding up villagers, however.

The AA abducted more than 50 ethnic Chin villagers from Paletwa township in western Myanmar’s Chin state during a February clash with government soldiers that spilled over from the armed conflict in adjacent Rakhine state.

The AA has said that it took the civilians to a safe place after an attack by Myanmar forces prompted them to hide in a forest.

Fighting between the Myanmar Army and the AA has displaced nearly 33,000 civilians in central and northern Rakhine state and northern Chin state since hostilities escalated in November 2018, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Others have been injured or killed.

Phil Robertson, deputy Asia director of New York-based Human Rights Watch, said the latest detentions and shootings of civilians in the Rakhine conflict are nothing new.

“The Tatmadaw [Myanmar military] is well known for targeting civilians when it conducts war against insurgents, and this looks like a continuation of that horrific rights-violating practice.”

“Human Rights Watch and other organizations have repeatedly documented Myanmar troops using torture and even committing extrajudicial executions while interrogating persons they suspect to be members of insurgent groups, so there is every reason to suspect these incidents fall into the same pattern of behavior,” he said.

Letka villagers transferred

In a related development, Myanmar forces transferred the detained Letka villagers to Mrauk-U where they are being held in a police station in Sittwe, but did not clear them of any charges, their relatives and a military spokesman said Thursday.

“The police haven’t called us to go and see the detainees,’ said Khine Hla Sein, wife of one of the men being held. “We can only go and see them after they call us.”
“All villagers, including my husband, have no connection to the AA,” she added.

The detainees' family members, who are staying at a monastery in Mrauk-U’s Pyipinyin village, said they are afraid to return home because two military units are now deployed there.

It is not clear, however, if all 24 have been handed over to Mrauk-U police.

“We knew they would be transferred to police today, but we don’t know the details,” said Brigadier General Win Zaw Oo, spokesman for the military’s Western Regional Command, which is responsible for Rakhine state. “We don’t know if all 24 people will be transferred or not.”

It is also unclear which offenses the villagers will being charged with.

“Twenty-four detained people are at No. 1 Police Station in Sittwe now, but we still don’t know what they will be charged with,” said Agga Wuntha, head monk of the monastery where the families are staying.

Rakhine state police chief Kyi Lin told RFA that the villagers have been transferred, but would not go into details.

“It is correct they have been transferred,” he said. “If you want to know the details, please come to see me, because I won’t give them over the phone. I will explain to you about it if you ask me in person because I am concerned about [you] getting the wrong information.”

RFA was unable to reach Brigadier General Zaw Min Tun for comment, and Police Colonel Lin Htut from the Rakhine State Police Force said he did not know about the matter.

Yu Lwin Aung from the Myanmar Human Rights Commission said it is a human rights violation for the military to arrest villagers and shoot them.

“Even if the military arrests and questions AA members who are pretending to be villagers, it is a violation of human rights if those people are shot,” he said. “It is also a violation of human rights to shoot prisoners of war.”

“But it is difficult to blame the military for shooting those people without knowing the actual situation on the ground,” he said.

Maung Maung Lay, a member of the group Human Rights Defenders and Promoters, agreed.

“From a human rights point of view, their human rights have been violated,” he said. “All related parties and organizations that are detaining these villagers, and the government, are responsible for this situation. This is a terrible human rights violation.”

**Myanmar: Deaths in Army Custody Need Independent Inquiry Killing of 6 Villagers in Rakhine State Should Be Fully, Credibly Investigated (Human Rights Watch)**

May 6, 2019

Myanmar authorities should independently investigate the killing of detainees held by the military in Rakhine State, Human Rights Watch said today. On May 2, 2019, army soldiers shot and killed at least six villagers from among several hundred who had been detained in Kyauk Tan, Rathedaung township, for suspected links to the Arakan Army, an ethnic Rakhine armed group.

On May 5, the military said that it had created a team of five officers that has been investigating the incident since May 3. However, the Myanmar army has a long history of failing to effectively or credibly investigate alleged abuses by its own forces, rarely holding military personnel accountable.

“The Myanmar military concedes that they killed six villagers that they were holding in Rakhine State, but only a genuinely independent investigation will get to the bottom of what happened,” said Brad Adams, Asia director. “An independent and impartial investigation is needed to bring to justice anyone responsible for wrongdoing.”

Fighting between the Myanmar military and Arakan Army has displaced over 33,000 people in Rakhine and Chin States since November 2018. The media have reported that the army has detained scores of people during military operations.

On the morning of April 30, soldiers rounded up about 275 villagers in Kyauk Tan – all men and boys between the ages of 15 and 50 – on suspicion of involvement with the Arakan Army, according to media reports. The men and boys were detained in a local schoolhouse for two days of interrogation, with some reports that they were denied food and water.
The shooting of those in custody occurred at about 2 a.m. on May 2, with conflicting accounts about what triggered the violence. The military said that some of the detainees converged on the soldiers in an attempt to take their weapons, and that shots were fired only after other measures failed. “We warned them verbally,” said a military spokesman, Brig. Gen. Zaw Min Tun. “Then we fired warning shots into the air to disperse the group but they didn’t move, so shots were fired.” Zaw Min Tun stated that “security forces acted according to section 131 of the Penal Code,” which covers the crime of “abetting mutiny, or attempting to seduce a soldier, sailor, or airman from his duty.”

Injured detainees reported that soldiers began shooting into the group after one detainee started yelling and ran off. “The accusation that villagers tried to take the guns is impossible because they have been heavily guarded while being detained and denied food and water,” said Tun Aung Kyaw, general secretary of the Arakan National Party, which sent a letter to the government, military, and Myanmar human rights commission requesting action on the attack and protection for civilians.

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which includes military personnel, states that “intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.” The Basic Principles further provide that “in cases of death and serious injury or other grave consequences, a detailed report shall be sent promptly to the competent authorities.”

The media reported that over 300 troops arrived in the area after the shooting and denied entry to aid workers and community leaders who arrived at the school to provide medical assistance and retrieve the bodies. “The aid groups have not been allowed to visit the scene for now to prevent unwanted confusion,” Brig. Gen. Zaw Min Tun told Radio Free Asia on the day of the shootings. “When they finish the announcements and interrogations, they will allow the aid groups to come in.”

At least eight villagers were injured in the shooting. The International Committee of the Red Cross (ICRC) and the Myanmar Red Cross were eventually allowed to help transfer the wounded to hospitals, including three people with severe injuries to Sittwe General Hospital and two others to Rathedaung Township Hospital. The military announced it released 126 of the detainees from the school compound on the morning of May 3, and an additional 48 on May 6, while about 80 remain in custody.

The shooting occurred several weeks after another incident of deaths in military custody. On April 10, the military raided the village of Let Kar in Mrauk U township and detained 27 people for questioning about alleged ties to the Arakan Army. By April 22, three of the men were dead, attributed to “heart failure” by a military-owned newspaper and followed by a swift cremation by security forces, according to a media account. Authorities contested allegations that the men were tortured, yet have refused to investigate the deaths. The 24 others detained from Let Kar remain detained in Sittwe, though any charges have not been disclosed, and their families have not been permitted to see them.

Fighting between the military and Arakan Army has escalated since early January, following a coordinated attack on four Border Guard Police posts by the Arakan Army that killed 13 police officers. In response, the president’s office instructed the military to “crush the terrorists” and classified the Arakan Army as a terrorist organization. The military has held suspected Arakan Army supporters under the vaguely worded Unlawful Associations Act and Counter-Terrorism Act.

Under international human rights law, Myanmar has an obligation to investigate deaths in custody and to hold those responsible to account. Despite numerous credible reports by the UN, Human Rights Watch and other nongovernmental organizations, and the media on unlawful killings and other serious abuses by the Myanmar army, authorities have convicted soldiers in only one case in Rakhine State for abuses committed since late 2017. In April 2018, a military court sentenced seven soldiers to 10 years in prison for their role in the execution of 10 ethnic Rohingya in Inn Din village.

Rights monitors and journalists have been restricted from Rakhine State since the military opened its campaign of mass atrocities against the Rohingya population in October 2016 and August 2017, in effect banning independent investigations into ongoing abuses.

“The killings in Kyauk Tan should not be the latest deaths of villagers in Myanmar that are not seriously investigated,” Adams said. “Governments concerned about the military’s atrocious record on accountability should press Myanmar’s authorities to independently uncover what happened and give the families of those killed both the answers and justice they deserve.”
North & Central America

The Trump administration opposes the International Criminal Court. Do Americans agree? (The Washington Post) By Kelebogile Zvobgo
April 28, 2019

Judges at the International Criminal Court (ICC) recently rejected Chief Prosecutor Fatou Bensouda’s request to open an investigation into alleged U.S. war crimes in Afghanistan. President Trump and National Security Advisor John Bolton — two of the ICC’s staunchest opponents — couldn’t be happier.

For years, Trump and Bolton have expressed a deep antipathy to the Court, asserting “the threat it poses to American national sovereignty.” Accordingly, the administration has threatened to sanction ICC personnel. The State Department even revoked the prosecutor’s visa earlier this month. Are Americans as hostile to the ICC as the Trump administration? No. But as my research shows, public support for the ICC is hardly unanimous either, and sensitive to how the ICC’s work is described.

Established in 1998, the ICC is the first permanent international criminal court to prosecute war crimes and crimes against humanity. Previously, international criminal justice was delivered as needed — for example, at the Nuremberg trials in Germany following World War II or the International Criminal Tribunal for Rwanda, following the Rwandan genocide. The U.S. was a major player in the creation and implementation of both these courts. However, the U.S. has resisted the ICC because the Court could prosecute U.S. citizens. In July 2018, I conducted an online survey of 1,020 American adults. As part of the survey, I included an experiment in which participants were randomly assigned to four groups. In each group, participants read an argument about the potential consequences of the U.S. joining the ICC. The first group read a human rights argument that included this excerpt: The U.S. has long been a defender of the international investigation and prosecution of serious crimes [...] If the U.S. were to join the ICC, the U.S. could promote American democratic values, such as accountability and human rights, by helping the Court to investigate and prosecute individuals alleged to have committed serious crimes. The second group read a national interest argument that included this excerpt: The U.S. military has long been engaged in many different places around the world. And, there is opposition to U.S. involvement in some of these contexts. If the U.S. were to join the ICC, the Court could unfairly target U.S. leaders and military personnel for political reasons.

The third group read both arguments. The fourth and final group didn’t read either argument.

Everyone was then asked how much they agreed or disagreed that the U.S. should become a member of the ICC. Among people who didn’t read either of the two arguments, a majority — 56 percent — somewhat or strongly agreed that the U.S. should become a member of the ICC. This lines up with recent polls conducted by the American Bar Association.

The different arguments for and against the ICC mattered. The human rights argument increased support: About 65 percent in this group agreed the U.S. should join the ICC. The national interest argument had the opposite effect: Only 42 percent of this group wanted to join the ICC.

When the two arguments were put together, the national interest argument appeared more powerful. Among the group who read both arguments, 48 percent agreed that the U.S. should join the ICC.

Survey participants were then asked about the factors behind their opinion. As expected, the different arguments that people read influenced the answers they gave. Most people who read the human rights argument and supported joining the ICC cited the U.S.’s potential influence on the ICC and human rights globally. Most people who read the national interest argument and opposed joining the ICC cited the ICC’s potential anti-U.S. bias.

To be sure, one challenge of surveying people about the ICC is that many are not familiar with it. In my study, half of participants had no prior knowledge of the ICC — and it is likely that even those with some knowledge aren’t deeply familiar with the Court. So, as other scholars have noted, people’s views may have been susceptible to change on this issue. Different arguments, and especially cues from partisan political leaders, could change opinions in different ways than I examined in this study.

Moreover, it’s important to note that Americans’ feelings about the ICC may not translate into any actual political action. It is likely not central to how Americans vote, for example. So even if many Americans say that they support the ICC, this may not
change U.S. policy and lead the U.S. to join the ICC. If American support for the ICC is not strong enough to compel U.S. policy makers to join the Court, could the ICC find a way to court more support? My research shows that people are most likely to support the ICC when they believe international organizations are effective and unbiased. Thus, the ICC may be able to develop public trust — in the U.S. and beyond — by demonstrating effectiveness and impartiality. This could be accomplished by completing — rather than dropping — cases and expanding the subjects of investigation. But, for now, the jury of public opinion is out.

How the U.S. Became a Haven for War Criminals (The New Republic) By Annie Hilton
April 29, 2019

Isaac was 12 when he was taken. He and his 18-year-old sister Marie had been living in the Liberian bush for about a month, having left Kakata, a town just beyond the perimeter of the U.S.-owned Firestone rubber plantation, when Charles Taylor’s forces launched an attack on the nearby city of Monrovia in October 1992.

That November day, like most Fridays, Isaac and Marie carried fruits and cassava into Konola village to sell at the market. They put the items down for people to inspect. Suddenly, a swarm of armed men and boys closed in. People began running in all directions. Marie clapsed Isaac in her arms, but the rebels snatched him from her grip and tossed him into the back of a pickup truck with other able-bodied men and boys.

Marie and others ran after the vehicles. Someone told them Taylor’s defense minister, “Chief Woewiyu,” was in town. Perhaps he could release their boys.

Liberia’s back-to-back civil wars, from 1989-2003, devastated the country and killed an estimated 250,000 people. Some well-known warlords have since been promoted to the highest levels of government in Liberia; others fled to the United States, building families and businesses. One cruel side effect of this migration has been the unexpected stateside reunion of perpetrators with their erstwhile victims. Authorities estimate that as many as two-thousand human rights violators and war criminals have sought refuge in U.S. diaspora communities.

In May 2014, 73-year-old Philadelphia resident Jucontee Thomas Woewiyu—the articulate, well-dressed spokesperson, co-founder, and for several years defense minister of Charles Taylor’s infamous National Patriotic Front of Liberia—became one of the few Liberian leaders to be arrested in the United States and charged with multiple counts of immigration fraud and perjury. After a trial last June featuring testimony from Liberian victims, including Marie and Isaac, who had never before testified in a criminal proceeding about the NPFL’s crimes, he was convicted in July 2018 on eleven counts of immigration-related perjury and fraud related to lying about his violent past. His sentencing has been postponed multiple times, most recently having been scheduled for April 30. It is now expected to take place sometime in May.

Prosecutors in the U.S. and human rights groups in Liberia have celebrated the case as a victory. But the nature of the charges—immigration fraud rather than rape, murder, child-soldier conscription, or other war crimes; and nearly three decades after the offenses rather than one or two years—have also highlighted the U.S. government’s inadequate legal tools in cases like these, allowing human rights violators to live freely in the U.S. for years, even decades. Between under-resourced departments for identifying and tracking perpetrators, and the absence of robust laws permitting prosecutors to charge individuals with human rights abuses committed abroad, the United States has become, ironically, one of the more attractive locations for fleeing war criminals, who, depending on their offense, may only face prosecution on a technicality of having lied on their immigration forms—a so-called Al Capone prosecution—or deportation, rather than a prison sentence.

In recent years, efforts to introduce or amend legislation that would make it easier to prosecute or remove war criminals for their original crimes have become politically divisive, caught between a Republican Party wary of international human rights law, and a Democratic Party that’s grown increasingly receptive to calls to abolish the agency largely responsible for investigating and prosecuting such cases: Immigration and Customs Enforcement (ICE).

Woewiyu, born in Liberia in 1946, traveled from the U.S. to Liberia and neighboring countries leading up to and during the Liberian Civil War of 1989-1997. In 1997, he became a minister in President Charles Taylor’s government. All the while, he maintained a quiet life in the U.S., where, in 1972, he’d become a permanent resident, eventually settling in the Philadelphia area amid upwards of 15,000 Liberians who fled their war-torn country in the 1990s. “Frequently, it is the case that you have alleged perpetrators walking among or living within some proximity to the people of the communities whom they victimized,” said Nelson Thayer, Assistant U.S. Attorney who prosecuted the case against Woewiyu with co-counsel, Linwood C. Wright.

In the past few decades, perpetrators from conflicts in Rwanda, Ethiopia, and Vietnam have been identified in the U.S., sometimes by the very people they victimized, in everyday settings—a café, a church, or a mom-and-pop convenience store. In the early 1990s, Ethiopian immigrant Edgegayehu Taye, who worked as a waitress at an Atlanta hotel, was riding the service elevator when the doors opened to reveal a bellhop, whom she recognized as a former Ethiopian government official. The man,
At the height of the siege, five American nuns were viciously murdered in a compound in Gardnersville, on the outskirts of.

Then came the events of October 1992, which would force Isaac and Marie to flee their home and eventually lead to Isaac’s kidnapping and conscription.

In the early morning of October 15, the NPFL began its “siege of Monrovia,” ceaselessly firing rockets into the city and attacking ECOMOG positions. The offense, which later became known as Operation Octopus, sucked up vast swaths of the city, with little regard for civilian casualties. Residents I spoke to recalled losing limbs, family members, homes. One woman, who had been staying in a compound in Monrovia, told me she had been raped and shot multiple times after leaving the compound to save her daughter from indiscriminate firing, and then saw her husband killed.

At the height of the siege, five American nuns were viciously murdered in a compound in Gardnersville, on the outskirts of.
Monrovia; the NPFL thought them to be ECOMOG collaborators, having long considered ECOMOG a U.S.-backed proxy force. Residents who remember the incident said the nuns refused to leave as others fled the crossfire. The convent had become a refuge for civilians, and the sisters had handed out water on the main road as people flooded out. The murder, U.S. prosecutors alleged, was carried out under the orders of one of Woewiyu’s subordinates. Operation Octopus would last much longer than expected, requiring additional recruits—including Isaac.

After Isaac was taken, Marie and others walked from the market area to Konola Base, where they were told their family members were being held. She saw Woewiyu, she told a Philadelphia jury in June. He stood about twenty feet away from her, wearing a white shirt, camouflage trousers, and a pistol tucked into an army belt. “Please, we’re begging you to let our children go,” she yelled. He didn’t respond, and the group eventually left. Marie stayed for days with a woman nearby, hoping one of the cars that crossed the main road would have Isaac in it. When she ran to check, it was never him.

At Konola Base, Isaac and the other boys were put into the Small Boys Unit, a legion of children—among the estimated 15,000 to have fought in Taylor’s forces—who became some of the most feared fighters during the war, decorating checkpoints with human heads and strings made from intestines. For three days, Isaac and the others, terrified and missing their families, learned how to kill, shoot, and dismantle an AK-47. On the fourth day, the children were told the defense minister, whom the fighters called “Chief Tom Woewiyu,” would visit.

“Children, do not worry—we are going to liberate our country; we are going to take our country back from ECOMOG,” Isaac remembered Woewiyu telling the troops. The children began to cry, and the fighters told them to be quiet: They were no better than the other children. “Keep courage. You’ll be back,” Woewiyu told them.

That night, Isaac was given drugs “to go out and kill,” and was put in a pickup truck to head to the front line. On the way there, a rocket hit the vehicle.

The U.S. government for decades has been hunting down war criminals who have evaded justice abroad, relying on a patchwork of scant legislation to do so. In the aftermath of World War II, thousands of Nazi war criminals took up residence in the U.S., often with the assistance of American intelligence officials who created a “safe haven” for Nazis and their collaborators. In the late 1970s, the Justice Department created the Office of Special Investigations (OSI) to investigate and prosecute these Nazi offenders. In 2010, OSI was folded into a new Human Rights and Special Prosecutions Section, investigating and prosecuting human rights violators to varying degrees of success. It has been sharply criticized by human rights advocates who, The Washington Post reported in 2018, consider the unit risk-averse, and say it “routinely rejects cases.”

Tracking and apprehending foreign offenders has also traditionally been a responsibility of the Immigration and Naturalization Service and, since 2003, of ICE. The current unit within ICE dedicated to the task—the Human Rights Violators and War Crimes Center (HRVWCC)—is pursuing more than 1,750 leads and removal cases and 135 active criminal investigations involving foreign offenders. With a staff of roughly 50, and a budget of around $5.3 million, they’re less than 1 percent the size of the nearly twelve thousand strong, $4.9 billion Enforcement and Removal Operations branch, which has become a ubiquitous, terrifying presence for immigrant communities under President Trump.

Relying on work by the HRVWCC’s predecessors within ICE—the Human Rights Violators Unit and the Human Rights Law Section—as well as the FBI, the Justice Department indicted Charles “Chuckie” Taylor Jr., the U.S.-born son of Charles Taylor, in 2006, for the crime of torture. The indictment was the first of its kind under the 1994 Torture Statute, which made it a crime for a U.S. citizen or anyone present in the U.S. to commit torture abroad, regardless of the victim’s nationality. In 2009, a jury sentenced Taylor, who had headed a paramilitary unit colloquially known as the “Demon Forces” during his father’s presidency, to 97 years in prison. That case has since been the exception, not the rule. Investigating crimes that occurred on foreign soil, sometimes decades ago, is time and resource-intensive. “A tiny phonetic mistake in a foreign dialect can imperil a case,” journalist Eric Lichtblau observed last year, in a New Yorker profile of Mike MacQueen, an investigator with the War Crimes Program who has been hunting war criminals for the Justice Department and ICE for three decades. But more importantly, the legal framework to prosecute such criminals is deficient or useless.

The principal of “universal jurisdiction” is one of the foundational concepts of international law, developed largely in response to the Second World War. The idea is that a serious crime committed in one country or jurisdiction can be prosecuted under the provisional authority of a different country or international body, as the victorious powers in World War II did with former Third Reich leaders at Nuremberg. The exercise of this principle, however, depends in large part on the prosecuting country’s laws and political will. The U.S. has lagged behind its foreign—particularly European—counterparts in prosecuting universal jurisdiction cases. In 2018 alone, specialized units across the world investigated, prosecuted, or brought to justice 149 suspects of genocide, war crimes, and crimes against humanity, and of those eight were convicted. The last and only case in which an individual was prosecuted and convicted for a substantive human rights crime in the U.S., by contrast, was the Chuckie Taylor case, a decade ago.

The question of whether the International Criminal Court (ICC), a body established in 2002, could exercise jurisdiction over
offenders in the U.S. is equally complex. The U.S. is not a party to the Rome Statute, the founding treaty of the ICC. In 2005, under George W. Bush, the U.S. abstained from a vote in which the United Nations Security Council referred genocide and war crimes allegations in Darfur to the Court, but did not cast an opposing vote, since the resolution exempted U.S. nationals who supported operations in Sudan. In 2015, Dominic Ongwen, a senior commander in Uganda’s Lords Resistance Army, wanted by the ICC for Crimes Against Humanity, surrendered to the U.S. military in the Central African Republic; the Obama administration transferred him to the Court.

“The Obama administration not infrequently would take actions that were friendly or supportive or collegial [to the ICC].” Dixon Osburn, the executive director of the San Francisco-based Center for Justice and Accountability, told me. But U.S. cooperation is like “political football,” he said. Republican administrations have traditionally avoided any circumstance in which non-U.S. courts could prosecute Americans. In November 2017, the ICC prosecutor requested authorization to open an investigation for possible war crimes and crimes against humanity in Afghanistan, which could include crimes committed by U.S. military personnel and CIA officers.

“We will not cooperate with the ICC,” Trump’s national security adviser John Bolton said last fall, regarding the case. “The ICC is already dead to us.”

But meanwhile, the issue caught the attention of one or two legislators.

As universal jurisdiction cases were successfully being prosecuted abroad, by the mid-2000s, Illinois Democratic Senator Richard Durbin was sitting on the Subcommittee on Human Rights and the Law. The U.S., he knew, did not have laws allowing it to prosecute certain human rights violations by non-U.S. nationals abroad. “The result is that those guilty and convicted of a variety of international crimes could come to the U.S. for safe haven,” Durbin told me. “I found that reprehensible.”

In a November 2007 subcommittee hearing Durbin chaired, a Salvadoran man named Dr. Juan Romagoza testified that his Salvadoran torturers, who’d been found liable for torture and human rights abuses in a 2002 civil suit, had retired to comfortable lives in South Florida. “We just had no basis or criminal charge we could use effectively at that time,” Mona Ragheb, a senior legal adviser with the Human Rights Law section in the Department of Homeland Security, told me—the Immigration and Nationality Act was not amended to allow for deportations in these cases until 2004, and the political will to proceed with the cases did not materialize until 2009. (The generals in question, Carlos Eugenio Vides Casanova and Jose Guillermo García, were finally deported in 2015 and 2016, respectively.) ICE agents in the 2000s also discovered that a man named Marko Boškić was living in the U.S. as a refugee. Boškić admitted to U.S. authorities that he had shot civilians during the 1995 Srebrenica massacre. He was charged with visa fraud, since laws allowing prosecutors to charge him with genocide or crimes against humanity did not exist.

This “Al Capone method”—so called for the Prohibition-era gangster who was convicted on tax evasion rather than murder or racketeering—is a favorite prosecutorial tactic in human rights cases where the statute of limitation has expired, the crime occurred before the relevant law was enacted, or the U.S. government simply doesn’t have jurisdiction to prosecute a foreign crime. Since the immigration process asks about crimes committed abroad, war criminals can be prosecuted for immigration-related fraud, as in Woewiyu’s case.

Durbin has since found unexpected partners—including former Oklahoma Republican Senator Tom Coburn—to pass bipartisan legislation helping to close legal loopholes in such cases. Those bills have extended the roster of crimes of universal jurisdiction to include genocide and the recruitment and use of child soldiers, so that U.S. courts could prosecute a foreign perpetrator in the U.S. (These laws only apply to crimes that occurred after the bills passed—perpetrators like Woewiyu, for example, could not be charged under them.) Other influential lawmakers, including the late Senator John McCain and Senator Dianne Feinstein, passed legislation that strengthened torture bans.

But attempts to introduce a broader crimes against humanity law have failed, and there’s still, according to Osburn of the Center for Justice and Accountability, “a big gaping hole,” in U.S. legislation: Liberian rebel leader George Boley, for example, prosecuted under the child soldier law in February 2012, was not sentenced to jail time but rather was deported back to Liberia, where he now serves as a member of the country’s House of Representatives. America “is an attractive place to avoid prosecution; our laws are such that they can escape punishment at home and try to fly under the radar screen here,” Osburn said.

Even ICE’s otherwise expansive power to deport foreign offenders, when no options for prosecution exist, may be limited in such cases. The Immigration and Nationality Act of 1965 prohibits a person involved in persecution from obtaining asylum or refugee status, but it does not prevent such an individual, if they fail to disclose their past, from entering the U.S. and getting immigration benefits, eventually adjusting their status through marriage or a job, for instance. Efforts to amend those gaps have become bogged down in broader immigration debates. With the Trump administration focusing much of its attention on migration from Latin America, and Democrats reticent to broaden ICE’s powers, legislative efforts introduced to address
human rights violators in the U.S. as part of comprehensive immigration reform have stalled. “We could certainly benefit from amendments in legislation,” Ragheb said. “But there has to be a will.”

Perhaps unsurprisingly, in the absence of government action, civil society groups have stepped in to fill the void.

On a sweltering afternoon in Monrovia this past summer, as the Woewiyu trial was still happening in Philadelphia, around sixty men gathered in an outdoor tea shop, taking time from the World Cup series to discuss whether Liberia should install a war crimes tribunal. As a man named Hassan Bility walked in, wearing traditional Islamic dress, the room quieted, and all heads turned toward him.

Franklin K. Wesseh, who had known Bility since the days when both sought refuge in Ghana during the war, introduced Bility —“a young man who suffered persecution, was tortured, and survived,” he said. Since then, “he has always stood tall to ensure that justice is served—not only in Liberia but globally.”

A man passed around cups of tea, supposedly with special properties; it was strong and heavily sweetened. Bility took a sip and stood at the podium. “No government has been ready to hold people accountable for crimes inside Liberia,” he began. “We were the first.”

Bility’s team, the Global Justice and Research Project, has become part of a worldwide movement of civil society groups that have begun to seek justice and reparations for victims of atrocities post-World War II, where a local jurisdiction may not have the will or authority to do so. (Nearly a decade has passed—without government action—since Liberia’s Truth Commission called for the country to set up a special war crimes tribunal.)

The quest for justice is personal for Bility. One June afternoon in 2002, Bility and his three-year-old son went for ice cream. Five men dressed in civilian clothing approached them on the sidewalk. They kicked and shoved Bility into a two-door, red vehicle. Bility looked out the rearview mirror to see his son crying, abandoned on the side of the road. Charles Taylor accused Bility, who was a well-respected journalist reporting on Liberia’s proxy war in Sierra Leone, of plotting to overthrow the government. He called him an “unlawful combatant,” a term inspired by president George Bush, coined after 9/11 to detain people without charge or trial, outside of the laws of war.

For the first few weeks, Bility was kept incommunicado in Taylor’s residence in Congo Town, Monrovia, where the president personally interrogated him. Early press reports said he was feared dead. After about a month, he was moved to an underground three-foot cell full of water. Maggots crawled on his body. Interrogators would blindfold him before electrocuting his genitals, and used twine to bind his arms behind his back, dislocating his shoulder. All told, he was moved to 13 different prisons. In December 2002, nearly seven months after his abduction, Bility was released to the U.S. government on the condition that he would leave Liberia immediately.

Bility entered the U.S. at a time when perpetrators of the Liberian wars also sought haven, lying on asylum applications. He spent the following decade living in Boston, and, during that time, was asked to testify in several cases involving suspected Liberian perpetrators living in the U.S. The experience, and general culture of impunity for Liberian perpetrators, inspired him to return to Liberia in 2012 and found GJRP. Since then, the organization has grown to over a dozen employees whose investigators travel across the country to document war-time atrocities: They have investigated roughly one hundred cases of possible war criminals and have helped multiple jurisdictions, including in Belgium, Switzerland, France and the U.K., bring cases against Liberians living abroad, regardless of their ethnicity or warring faction. Bility regularly receives death threats from groups inside Liberia and the U.S.—particularly when he is investigating individuals from his own tribe, the Mandingos. “Hassan’s protection is his publicity,” said lawyer Alain Werner, the director of Civitas Maxima, a Swiss-based organization that works in partnership with Bility’s group. “Everybody in Liberia knows that he collaborates with many war crimes units throughout the world.”

In January 2014, U.S. authorities indicted Woewiyu for perjury and fraud related to his immigration papers. He was accused of having lied on his 2006 citizenship application by not disclosing his role in the NPFL and his connection to the group’s crimes. Woewiyu was arrested at Newark Airport, when he was returning from a trip to Liberia, that May. The case involved intensive resources and several trips to Liberia, during which U.S. prosecutors reconstructed crime scenes and identified victims who could travel to the U.S. to testify. “We frankly wouldn’t have been able to make these cases without their assistance,” Thayer said of Bility and his team.

“I honestly believe at some point we will have a war crimes court,” Bility told the men at the gathering this past summer. In the meantime, the team keeps the case files locked up for safekeeping and in encrypted, digital format. When he finished talking, the crowd clapped.

Marie was one of over a dozen witnesses from Liberia called by U.S. prosecutors in June 2018 to the witness stand to testify about the NPFL’s and Woewiyu’s wartime activities. Many who had never been on a plane, let alone an escalator, flew to
Philadelphia to recount for the first time in an official capacity the horrors they’d experienced nearly thirty years earlier, from mass executions and fighting as a child soldier to sexual violence.

Marie wore a colorful dress and long, braided hair tied behind her head. After days of not finding Isaac, she told the jury, she learned a car full of soldiers had been ambushed. The wounded had been taken to a nearby hospital. When she arrived, she dashed to the gate. “I beg, will you help me,” Marie asked the guard. “I’m looking for my brother.” She raced from room to room, calling Isaac’s name.

Eventually, Marie heard Isaac call back. “I’m here,” he said. “I’m dying.” He lay with a bandage wrapped around his head to cover his eyes, and his right hand was amputated; debris from the rocket attack had also hit his shoulders and side.

Woewiyu’s defense team declined to comment for this piece, and efforts to reach Woewiyu through his attorneys have been unsuccessful. At trial, Woewiyu’s attorney Catherine Henry argued that testimonies like Marie’s were a distraction in the case, which was merely about immigration. She said the prosecutors were using the case as a “back-door war crimes tribunal”: “The United States doesn’t have the jurisdiction to prosecute war crimes that happened in Africa,” she said.

“There’s nothing they can do in this courtroom to change that.” The prosecution, by contrast, held that the victims’ testimony proved Woewiyu’s participation in violent rebellion and persecution—contrary to his statement on the N-400.

After a three-week trial, the jury found Woewiyu guilty of immigration fraud and perjury charges on July 3. Sentencing is expected to take place in May. Woewiyu could face up to 110 years in prison and a fine of $4 million; he may also face deportation proceedings, though it’s possible he will never be compelled to answer for his wartime activities. Linwood C. Wright, one of the prosecutors in the case, still thinks prosecution, under whatever laws are available, is the right choice. “I think that’s something most Americans want,” he said, “and it’s certainly something immigrant communities who have come here in search of a better life deserve; nobody should have to live next door to somebody who has committed human rights violations.” The witnesses flew back to Liberia where, since graduating university, Marie has become a businesswoman, running “mini shops.” Isaac lives with her. His eyes have not recovered, and he suffers from chronic pain. “The tears run down all day and night,” Marie said.

If one day Woewiyu is deported, they could be countrymen again.

Isaac and Marie’s names have been changed for security reasons.

Are El Salvador and Guatemala Seeking Justice for War Crimes, or Trying to Cover Them Up? (World Politics Review) By Anna-Catherine Brigida

On a Thursday morning in October 2017, Rosario Lopez, a 72-year-old Salvadoran woman with square wire-rimmed glasses and dark, gray-speckled hair pulled into a bun, took the stand in a small courtroom in northeastern El Salvador. She had been called to provide testimony in a trial stemming from the worst atrocity of El Salvador’s 12-year civil war.

The massacre had unfolded in and around the small mountain village of El Mozote in December 1981, still in the early period of a grueling, grinding conflict between the military government, which took power in a coup in 1979, and leftist rebels. Over the course of three days, government soldiers, having decided that all residents of El Mozote and neighboring towns were either active insurgents themselves or sympathetic to them, shot and killed nearly 1,000 civilians, mainly women and children. A full accounting of the dead didn’t emerge until 2017, when the Salvadoran government released an official list of victims in compliance with a ruling from the Inter-American Court of Human Rights.

Asked to give a statement in court that morning in October 2017, Lopez began listing the names of the 24 family members she lost at El Mozote. Seated before her in the dock was Gen. Juan Rafael Bustillo, one of 18 military officers who have been charged in separate cases over the massacre. Back in 1981, Bustillo was head of the Salvadoran Air Force, which provided the helicopters that brought troops to the area, according to the Inter-American Court of Human Rights ruling, which was handed down in 2012.

When she spotted Bustillo, Lopez briefly became too upset to continue. Though she was accompanied by a psychologist to calm her nerves, it was overwhelming to be in the same room as one of the men she holds responsible for the killing of so many of her loved ones, including her parents.

After Lopez paused, the judge gave her the option of cutting her testimony short. Ultimately, though, Lopez decided to continue. She had waited a long time to speak in court and resolved not to be thwarted by the general’s presence, however unsettling. “For me, it was satisfying to have him in front of me so that he could hear the reality of what I was going to say,”
she told me when I met her in March.

Recalling what she told the court, she said that on the morning the massacre began she could hear gunfire in the distance. “I said to my husband, ‘I’m going to see what’s happening because I heard shots,’” Lopez remembered. Peering out from her home on a hill, she saw soldiers shooting civilians. She rushed back inside. “They’re killing people!” she told her husband. The couple gathered their three kids and what little they could take for food—some cheese, crackers and candy—and fled for the mountains.

Lopez’s testimony was the product of nearly three decades of activism by those campaigning for transitional justice in El Salvador. In 1990, a group of five survivors from El Mozote opened a case in a Salvadoran court to demand answers about the massacre. Their filing, the first related to the incident, came as the civil war was nearing its end. But in 1993, shortly after the guerrillas and the Salvadoran government signed a peace deal, the country approved a blanket amnesty law that shut the door on cases centered on civil war-era human rights abuses.

For years, the amnesty law blocked Lopez and her fellow survivors, who formed a group known as the Association Promoting the Human Rights of Victims of El Mozote, or APDHEM, from getting a hearing in a domestic court, so they turned to international justice mechanisms. The Office of Legal Guardianship of the Archbishop of San Salvador, a human rights law firm based in El Salvador, first helped victims bring a case before the Inter-American Court of Human Rights in 1990. The court, which is based in Costa Rica and is part of the Organization of American States, eventually heard their case and, in its 2012 ruling, demanded that El Salvador not only recognize the El Mozote massacre, but allow the victims of it to pursue justice. Though the court’s rulings are nonbinding, this was a source of encouragement for APDHEM’s members.

Then, in July 2016, after years of campaigning by human rights groups, the country’s Supreme Court declared the 1993 amnesty law unconstitutional, paving the way for Lopez and potentially hundreds of others to take the stand and share their stories. Lopez remembers celebrating the decision that day at APDHEM’s offices. “For me, it was a moment of forgetting the sadness and feeling happiness,” she says, “because we finally had the space to be able to express ourselves in front of authorities.”

Yet while their cases were able to move forward, the survivors’ fight for justice wasn’t finished. In a country where wartime military leaders still wield power, attempts to impede justice have, unsurprisingly, continued. The latest roadblock came in February, when an ad hoc commission of legislators, which was created to study the 2016 Supreme Court ruling and decide how to implement it, instead proposed to revive amnesty for civil war-era crimes. Despite fierce outcry from groups representing the victims of the El Mozote massacre and other wartime atrocities, this proposal is currently making its way through the legislature, even as the El Mozote trial continues.

Debates over accountability and impunity in El Salvador feed into broader tensions related to transitional justice across Latin America, a region that has struggled to confront abuses committed during an array of Cold War-era conflicts in which the U.S. supported repressive right-wing governments in the name of fighting communism and Soviet influence in its “backyard.” In Guatemala, officials are similarly debating the role of amnesty for crimes committed during its 36-year civil war. Meanwhile, South American nations such as Chile, Peru and Brazil have recently witnessed attempts to shut down museums and efforts to ban certain history books as leaders battle over who gets to tell which version of history. Last November, the government of Brazil’s new far-right president, Jair Bolsonaro, proposed removing textbooks that criticize Brazil’s military dictatorship; edited versions of the textbooks are reportedly in the works. Such moves have fueled concerns that, as the region’s “pink tide” of leftist governments loses power, those who take their place will endeavor to normalize past abuses.

The implications of these battles extend well beyond those directly affected by the crimes being litigated. Latin American countries’ reluctance to wrestle with the ghosts of the past has bearing on the present. Countries like El Salvador and Guatemala make global headlines today primarily, if not exclusively, because of the unprecedented number of migrants from Central America heading for the U.S. border to request asylum. Media coverage often foregrounds modern-day violence, poverty and corruption, but those who are well-versed in the history of the region stress that these problems didn’t come from nowhere. The lack of prosecutions for civil war-era crimes is among their most important causes, as it has allowed a pattern of impunity to take root.

“No society can move forward on the basis of trying to cover up these types of grave violations,” says Marcela Martino, sub-director of the Central America and Mexico program at the Center for Justice and International Law, a human rights organization with offices in Washington, Costa Rica, Argentina and Brazil that promotes the strengthening of democratic institutions in the region. “Democracy, peace and security can’t be built on trying to sweep under the rug grave crimes like this that have broken the social fabric.”

By the time the Salvadoran government signed a peace agreement with the guerrillas in 1992, the fighting there had left 75,000 people dead. Some 5,000 more had been “disappeared,” and 1 million were displaced. In 1993, a U.N.-backed truth commission issued a report indicating that the Salvadoran military had perpetrated 85 percent of human rights abuses.
committed during the war. The war also had huge economic costs, damaging an estimated $1.6 billion in infrastructure and causing a 75 percent drop in GDP, according to a 2003 World Bank report.

Despite this massive toll, transitional justice has been effectively nonexistent in El Salvador, with the exception of the U.N.-backed truth commission. To date, not one person has been convicted of a civil war-era human rights violation in a Salvadoran court.

This explains why survivors like Lopez reacted so enthusiastically to the Supreme Court’s 2016 ruling declaring the amnesty law unconstitutional. Yet controversy immediately followed.

Five lawmakers from across the political spectrum were selected for the ad hoc commission tasked with studying the ruling’s implementation. Human rights groups immediately protested the commission, citing the lawmakers’ backgrounds.

In 1993, the U.N.-backed truth commission accused one of the lawmakers, Rodolfo Parker, of providing false testimony as part of an investigation into the notorious 1989 murder of eight people, including six Jesuit priests, at the University of Central America, in order to cover for those responsible. The report also implicated another lawmaker, Antonio Almendariz, a former lieutenant colonel in the army, in the extrajudicial killing of a Spanish doctor in 1990. One member of the commission, Mauricio Vargas, was an army commander during the war, and another, Nidia Diaz, was a guerrilla leader, though neither has been directly singled out for allegedly perpetrating serious crimes.

To many, these legislators should have been automatically disqualified from any initiative intended to foster accountability, given the accusations against some of them. “We do not agree with this commission” because the group has “a clear conflict of interest,” says Katherine Arce, a member of the strategic litigation team at Cristosal, a San Salvador-based human rights organization that represents the victims of the El Mozote massacre and other atrocities.

Despite such criticism, the commission has pressed ahead. In February, local media obtained a draft of its proposal for implementing the Supreme Court’s ruling, which still has not been finalized. The proposal calls for “broad, absolute and unconditional amnesty” for all people accused of “political crimes” and “common crimes.” It also says trials for crimes against humanity should be carried out “with the only purpose being that the truth of what happened be known, without prejudice of sanction.” Critics fear this means perpetrators won’t actually be punished.

Members of the commission did not respond to requests for comment from WPR. Some have already defended the proposal, though, saying it would promote transitional justice writ large. Parker told the Salvadoran media outlet El Faro that the proposal “brings together the recommendations for the reconciliation law in terms of transitional justice, restorative justice and attention to the victims.” Vargas has said the proposal should be the starting point of a national conversation, suggesting he would be open to changes, although he has not agreed to meet with victims.

Critics of the proposal, including Lopez and other survivors, say the commission has not properly taken their experiences into consideration. “What they are interested in is maintaining themselves under a blanket of protection,” says 68-year-old Jose Amparo Martinez, whose parents and siblings were killed at El Mozote. “They want to ensure that they never reach a trial. That’s why they want to reestablish amnesty.”

There are some signs this criticism is having an effect. On March 18, Parker, the head of the commission, resigned, saying critics had “distorted the real nature” of the proposal and “stigmatized it as if it were a finished document.” On April 25, the Inter-American Commission on Human Rights issued a statement urging Salvadoran lawmakers not to approve the proposal, given that it would permit impunity for human rights violations.

Once the proposal is finalized, lawmakers will need to review it before putting it to a vote. Its opponents have vowed to fight it tooth-and-nail. “Legal or illegal, we do not agree with this law,” Martinez says. “This would be a violation and an abuse of the constitution and of international agreements.”

In neighboring Guatemala, victims of the civil war have been involved in a similar struggle to prevent amnesty from becoming the law of the land. As in El Salvador, they’ve run into opposition from key players in the conflict who still wield considerable power.

The Guatemalan war kicked off back in 1960, when left-wing military officers rose up against their president, Gen. Miguel Ydigoras Fuentes, who they believed to be corrupt and in the pocket of the United States. The CIA had set up training camps in Guatemala that year ahead of the invasion of Cuba in the Bay of Pigs, which was launched in April 1961 from both Guatemala and Nicaragua.

The coup attempt failed, and the Guatemalan officers fled to the mountains to launch their guerrilla insurgency. In the years that followed, their movement would grow to include a range of urban and rural groups committed to fighting against a series of repressive right-wing military regimes.

One victim from this period was Emma Molina Theissen, then a member of Guatemala’s Patriotic Labor Youth, a communist political party. In September 1981, Molina Theissen was riding a bus from the city of Quetzaltenango, in Guatemala’s western highlands, to Guatemala City when soldiers boarded to take her into custody. Because of her association with a communist party, Molina Theissen was considered an enemy of the state.

After she was captured, Molina Theissen was taken to a military facility where she was tortured and sexually assaulted. After nine days, she managed to escape. On Oct. 6, 1981, soldiers who were looking for her raided the home of her parents in Guatemala City. She was not there, so they took her 14-year-old brother, Marco Antonio. The family never saw Marco Antonio again.

In 1996, parties to the conflict in Guatemala finally signed a peace agreement. After 36 years of fighting, an estimated 200,000 people had been killed and 45,000 others disappeared, according to a U.N.-backed truth commission, which also determined that torture, rape and forced disappearances were common tactics used by the Guatemalan state against the opposition. The vast majority of the victims were indigenous Mayans, who the military targeted for their perceived sympathy for the guerrillas.

Just before the peace accord was signed, Guatemalan lawmakers passed a bill to prevent the prosecution of so-called political crimes such as treason, taking up arms against the government and “provocation of war.” The bill explicitly stated, though, that the amnesty did not apply to atrocities or war crimes including genocide and torture, meaning they could be tried in domestic courts.

Even with the legal possibility for prosecutions, however, justice remained elusive. A culture of silence continued to surround the human rights abuses of the period. “We didn’t believe that [justice] was possible,” Emma Molina Theissen, who is now 59, told me recently by phone from Costa Rica, where she and the rest of her family fled after her brother’s kidnapping. After all, military officials still held positions of power in the country and had a vested interest in ensuring impunity persisted.

In 1998, Juan Jose Gerardi, a Guatemalan Roman Catholic bishop, presented the findings of a report prepared by the Catholic Church that identified the Guatemalan military as the main perpetrator of human rights abuses during the civil war. Two days later, Gerardi was murdered in his home in what at first looked like a burglary but was later determined to be a politically motivated attack. Three men were convicted of the killing and sent to prison. Many Guatemalans saw the episode as an example of what could happen if they chose to speak up.

Despite the risks, the Molina Theissen family pressed on in pursuit of justice. “For us, justice was the only path that we should take,” Maria Eugenia Molina Theissen, a sister of Emma and Marco Antonio, told me by phone from Costa Rica. “We owe it to Marco Antonio, and we owe it to Emma.”

It wasn’t until 2010 that their goal of justice started to seem plausible. That year, Claudia Paz y Paz, who had been named Guatemala’s first female attorney general, vowed to prioritize prosecutions for civil war-era human rights abuses. In 2013, former Guatemalan dictator Efrain Rios Montt was convicted of genocide by a Guatemalan judge in a historic ruling that many Guatemalans had never thought possible. Although the ruling was overturned days later on a technicality and a retrial was ordered, many Guatemalans still believed the trial was an important step forward in a country where many victims thought they would never share their stories in court or see justice. In April 2018, Rios Montt died while the retrial was still ongoing.

Progress has also been made on Emma Molina Theissen’s case. In January 2016, four former high-ranking military officers were arrested in connection with her kidnapping and assault. “When they captured them in 2016, we saw hope, a light at the end of the tunnel,” says Maria Eugenia Molina Theissen. Another military officer was captured in connection with the case in March 2017.

After more than two years of pre-trial hearings, the trial of the five men began in March 2018. Two months later, on May 23, 2018, Emma, Maria Eugenia, their sister Ana Lucrecia and their mother, Emma Theissen Alvarez de Molina, arrived at the court in Guatemala City to hear the final verdict. After hours of deliberation, four of the officials were convicted and sentenced to 25 years in prison for crimes against humanity and an additional eight years for the sexual assault of Emma Molina Theissen. Three were also sentenced to 25 years for the disappearance of Marco Antonio Molina Theissen.

“We would not have switched places with anyone in that moment,” Maria Eugenia Molina Theissen says, describing what it felt like when the verdict came down. “It was an anxious moment. We never believed it was possible. But the exhaustion and stress of those two and a half years that the process took didn’t matter anymore.”

The family believes the verdict does more than assuage their personal pain. “A conviction doesn’t only punish the authors of these terrible crimes,” says Ana Lucrecia Molina Theissen. “It also gives a message to Guatemalan society that what happened
wasn’t acceptable, as they have tried to make us believe for so long.”

Emma Molina Theissen agreed. “The Molina Theissen case, even though it’s just a drop of water in the desert, truly has a great historic value, because the acts that were judged are representative of all the repressive tactics of the war years—kidnapping, assassination, forced disappearance, torture, sexual violence, and forced entry,” she said. “We represent all of the victims of all of the repressive practices that arose in our country.”

As has been the case in El Salvador, however, victories in the effort to advance transitional justice in Guatemala have faced a backlash. The family’s long path to justice is still imperiled by politicians who seek to reestablish amnesty through two legal proposals. In November 2017, Guatemalan legislator Fernando Linares Beltranena proposed a bill that would extend the amnesty offered under the 1996 law on national reconciliation to perpetrators of crimes against humanity. If passed, the bill would lead to the release of dozens of military officials convicted of such crimes, including the four convicted in the Molina Theissen case.

“We want to achieve peace because since 1996, when the peace accords were signed, there has not been peace, because there has been a war in the courts,” Linares Beltranena said in November 2017, according to local media. He went on to complain that the number of government officials imprisoned was disproportionate to the number of guerrillas convicted, even though the military is understood to be responsible for most crimes. Linares Beltranena did not respond to an interview request.

His bill has made some progress in the legislature, though it still needs to be debated two more times before it can go to a final vote. Meanwhile, a separate proposal, called the Law on Discontinuation of Imprisonment, proposes a different type of amnesty: It would release prisoners who have served more than a year and are over the age of 70. Many high-ranking military officers from the civil war era are now in their 80s or 90s.

During a trip to Buenos Aires in 2016, then-President Barack Obama apologized in a speech for the lack of action on the part of the U.S. to stop human rights abuses during Argentina’s Dirty War, which stretched from 1976 to 1983. “We cannot forget the past,” he said, “but when we find the courage to confront and we find the courage to change that past, that’s when we build a better future.”

It was the first time a U.S. president had publicly acknowledged and expressed remorse for the country’s role in human rights abuses carried out in Latin America during the Cold War. The U.S. still has not apologized for its role in conflicts in Central America, however. And based on statements from members of the current administration in Washington, apologies don’t look very likely. Elliott Abrams, who cast doubt on early accounts of the El Mozote massacre while serving as a top State Department official in the Reagan administration, recently returned to the forefront of U.S. foreign policy in Latin America as special envoy to Venezuela. In February, when U.S. Rep. Ilhan Omar, a member of the House Foreign Affairs Committee, questioned Abrams about his record on human rights in the region, Abrams refused to answer the question, calling it “ridiculous” and a “personal attack.”

Abram’s testimony was in many ways a blast from the past. Throughout the 1980s and 1990s, U.S. officials consistently expressed deep skepticism about independent reporting on the El Mozote massacre, and in some cases denied it had happened at all. This is likely because of the Reagan administration’s role in plying the country’s right-wing government with resources, including money that was allocated to military units like the Atlacatl Battalion, which is believed to be responsible for the massacre.

More recently, though, the U.S. position on the massacre has started to change. Instead of hewing to the Salvadoran military’s line that the massacre was an “armed confrontation,” newly declassified cables written in 2016 and 2017 by Jean Manes, the U.S. ambassador to El Salvador, describe it in a straightforward way as a massacre carried out by the Atlacatl Battalion.

These days, the Trump administration’s top priority for Central America is stemming migration north. And there is some understanding on the part of U.S. officials that past turmoil, and impunity for past atrocities, contributes to the current unrest that drives migration. As Manes wrote in one cable, “Impunity for historic crimes can contribute to a culture of impunity today.”

Officially, the U.S. backs efforts to promote accountability in the region, including for civil war-era crimes. “Rule of law, reduced corruption, and an end to impunity are key to security, stability, and prosperity, not only in Guatemala, but throughout the region,” read a press release issued in January by the U.S. Embassy in Guatemala City. “The U.S. government remains committed to supporting Guatemalan institutions and the Guatemalan people in their ongoing fight against corruption and impunity.”

Yet Trump’s plan, announced in March, to cut aid to the region risks derailing progress on these fronts. Administration officials have so far brushed aside criticism that the move would be counterproductive.

As the region braces for the potential consequences of those cuts, there is every reason to expect that elites in both Guatemala
and El Salvador will do everything they can to undermine attempts at accountability for past crimes, as they have been doing for decades already. In Guatemala, former military officials and their allies have consistently used their influence to “co-opt institutions” in order to “paralyze the investigations,” according to Martino at the Center for Justice and International Law. In El Salvador, she adds, the amnesty law that was in place for more than two decades was like a “wall” that prevented justice.

Whether justice can prevail in the face of such resistance represents a test of the strength of both countries’ judiciaries and other institutions. In the meantime, victims like Lopez in El Salvador and the Molina Theissen family in Guatemala will not sit quietly on the sidelines. As Maria Eugenia Molina Theissen told me, “Along with all of the victims of human rights violations, we are going to continue fighting so that in Guatemala true justice is served.”

**South America**

**Brazil is the Most Dangerous Country for Environmental Activists (The Rio Times) By Richard Mann**
May 7, 2019

The situation of environmental activists in Latin America is becoming increasingly precarious in the last ten years, 1179 attacks have been carried out in total against environmental activists in Latin America.

This is revealed by a recent study titled “The land of insurgents” (Tierra de resistentes).

The list of the most dangerous countries for environmental activists is spearheaded by Brazil, followed by Mexico. So far, a verdict has only been pronounced in only 50 of those cases.

The situation is especially critical in Brazil. Since the right-wing extremist Jair Bolsonaro has assumed the presidency, the country has been going through turbulent times.

In addition to that, Brazil is the most dangerous country to engage in environmental protection activities.

The study says that 1179 attacks have been carried out in the last ten years against activists who defended forests and water sources.

With 754 cases of police brutality, Brazil is the country with the most recorded incidents, followed by Mexico with 222 and Columbia with 180. With 18 incidents, Bolivia is the country with the least recorded assaults.

The study was conducted in Bolivia, Brazil, Columbia, Ecuador, Guatemala, Mexico, and Peru, and was financed by German Gesellschaft für Internationale Zusammenarbeit (GIZ) in collaboration with Deutsche Welle Akademie (DW) and the editorial board of the news agency EFE.

“When we determined that this subject is related to human rights, and also concerns social activists, we have consulted the UN lists. Five of the countries which are part of the project occupy the first positions concerning the number of social activist homicides,” explained Dora Montero, board chairman of the news agency EFE.

**Colombia’s social organizations opt for self-protection as government fails to provide security (Colombia Reports) By Emily Hart**
May 7, 2019

Organizations from throughout Colombia decided to implement self-protection measures amid government failures to provide security in the countryside.

After a week of demonstrations and talks at NGO Redepaz’s humanitarian refuge in Bogota, thousands of social leaders decided for these security measures while continuing to persuade the government to take action against the mass killing of social leaders.
During the first trimester of 2019 (Jan to March), there were 245 acts of aggression targeting community leaders and human rights defenders, a 66% rise from the same period during 2018.

A number of groups shared their stories at the week-long demonstration, and met with the United Nations, the European Union, the Inspector General’s Office and the Ombudsman’s Office.

The administration of President Ivan Duque shone in absence.

Numerous groups came together to create a coordinated strategy which all of the leaders present would take back to their territories, strengthening coordination between themselves, the UN and the governmental human rights offices.

The indigenous guard of the Cauca region, a group which has come into the eyeline of armed groups repeatedly, were a leading voice in the demonstration.

The work of the guard is more important than ever, Sauca said, but more dangerous. Maintaining the autonomy of the guard, and means of unarmed self-protection and justice would be key to the context of the indigenous guard.

Some steps were, however, taken toward integrating protection concerns of social leaders into mainstream politics: meetings were held with embassies, and the issue was made more visible than ever on the international stage.

Redepaz president Luis Emil said it was about a holistic approach, strengthening groups in themselves and together, with tools, technology, and information systems, as well as a campaign sensitizing both the national and international communities to the key role of social leaders, and the challenges they have faced after the demobilization of guerrilla group FARC, which controlled much of Colombia’s territory until 2017.

There is mounting evidence that the government is ignoring even its own warning systems: the Ombudsman’s early alerts analyst Carlos Guevara, said Tuesday that the government does not effectively respond to warnings from the Ombudsman’s Office.

Guevara argued that the protection of social leaders requires a significant investment of resources that are not in the National Development Plan. For example, the National Protection Unit (UNP) that protects threatened individuals, needs at least an extra $300,000 to cover the expanding threats.

The situation for social leaders became all too visible this week in southwest Colombia, as a group of armed men tried to assassinate Francia Marquez, an environmental and black rights activist who won the prestigious Goldman Environmental Award last year.

**Days after attack in southwest Colombia, local leaders threatened with “extermination” (Colombia Reports)**

By Adriaan Alsema
May 7, 2019

*The 16 black minority leaders who survived an assassination attempt in southwest Colombia on Saturday on Monday received threats claiming “this is just the beginning of your extermination.”*

According to Victor Hugo Moreno, one of the survivors of the attack that injured two bodyguards, told weekly Semana that he and other ethnic minority leaders from the troubled Cauca received new threats on Monday.

Moreno received a message on his phone threatening him and other participants in recent indigenous protests in Cauca will be “exterminated.”

Francia Marquez, a renowned environmental activist, confirmed the death threat. She said the message to Moreno came after she took to national radio to talk about the assassination attempt in Santander de Quilichao.

While the governor of the Cauca province said he suspected rearmed FARC guerrillas to be behind Saturday’s attack, Marquez said that she believed that either the Aguilas Negras, a far-right group, or organized crime group “Los Rastrojos” were behind the attack.

The social leader said she believed their opposition to the government’s alleged surrender of land belonging to small farmers to multinationals is the motive of the violence that has killed dozens of ethnic minority and peasant leaders in Cauca.

The outburst of violence targeting the leaders was only the latest in a wave of violence that has killed at least 462 leaders throughout Colombia in the past three years, according to the ombudsman.
A leading think tank on human rights, Somos Defensores, said last month that 155 social leaders were assassinated and 805 acts of aggression registered in 2018 alone.

'HasMaxLength text

An attack against a leading and award-winning Colombian environmentalist, Francia Marquez, has put the spotlight on the dangers facing campaigners in a country where one activist is gunned down every two days on average.

Marquez and other rights activists survived an attack against them involving grenades and gunfire late on Saturday as they held a meeting in a rural area in the country's southwestern Cauca province, according to local media reports.

So far, no one has been arrested for the attack.

Colombia's president Ivan Duque said in a tweet on Sunday that he has ordered an investigation into the incident he called a "cowardly attack", which authorities say has already started.

"We can't allow the free expression of social leaders to continue to be threatened," Duque tweeted.

At least two bodyguards provided by the government to protect at-risk campaigners attending the meeting were injured during the assault, according to media reports.

Last year, Marquez was awarded the prestigious Goldman Environmental Prize, known as the “Green Nobel” that honors grassroots activism, for her work in defending Afro-Colombian land rights and communities.

Marquez told the Thomson Reuters Foundation in an interview last year that she has faced death threats for her activism after speaking out about the scourge of illegal gold mining and the pollution she says it causes.

“We condemn the cowardly attack against Francia and her colleagues and will continue to support her success and safety in any way we can,” said Michael Sutton, executive director of the Goldman Environmental Foundation.

“We call on the Colombian government to bring the perpetrators of this attack to justice and to redouble efforts to prevent further harm to activists,” he said.

The United Nations on Monday also called on Colombia to make sure that the attackers are brought to justice and that efforts are stepped up to protect activists.

The latest attack highlights the dangers facing campaigners in Colombia, where rising numbers of rights activists and land rights defenders are being killed despite a 2016 peace deal with the Revolutionary Armed Forces of Colombia (FARC).

The accord ended a half century of civil war but activists working to implement the deal, as well as land rights campaigners and those fighting human rights abuses are targeted by criminal groups seeing their financial interests threatened.

According to Colombia’s Ombudsman Office, murders of activists have increased to 178 in 2018, up from 126 in 2017.

Diana Sanchez, coordinator at Somos Defensores, a Bogota-based human rights campaign group, said attacks and killings of activists, especially in rural areas, will likely continue.

“This is a very worrying attack .. it involves well-known leaders,” Sanchez told the Thomson Reuters Foundation.

She said most of the time it is not known who is behind the killings of activists in Colombia, but said drug traffickers, illegal armed groups and FARC dissidents are often to blame.

The risks women take to defend the environment and the rights of indigenous people (Amnesty International) By Erika Guevara-Rosas

Margoth Escobar was at a friend’s birthday party in the town of Puyo in the Ecuadorian Amazon last September when a neighbour called to say her house was on fire.

The blaze destroyed her home and more than $50,000 worth of artisanry that she and other women planned to sell over Christmas. The local fire department said it was an act of arson against Escobar, who belongs to Mujeres Amazonicas, a...
collective of mostly indigenous women who have banded together to defend their land and the environment against oil extraction and mining.

It was one of several alarming attacks against members of the collective in Ecuador last year, amid a broader trend of threats, smear campaigns and physical violence against women human rights defenders across South America.

Putting aside her distrust of Ecuador’s police and justice system, Escobar filed a criminal complaint at the regional Attorney General’s Office in October. She has not been granted protective measures, despite the risk her activism brings and the attack already suffered.

“The current government is a wolf in sheep’s clothing, because its pro-extraction policies advance without mercy, without compassion and, above all, without respect for the self-determination of indigenous peoples,” the grey-haired activist said of Ecuador’s Lenin Moreno administration in a recent interview with Amnesty International.

Similarly, in Bolivia, officials at the highest levels of government have tried to destroy the reputation of the human rights defender Amparo Carvajal, after she denounced state security forces for arbitrary detentions and excessive use of force against agricultural workers.

The situation came to a head last August when two farmers and one policeman were shot dead in a raid on a coca plantation in the rural Andean community of La Asunta, an area where indigenous peoples have grown the crop for millennia.

In an interview with a state news channel, Government Minister Carlos Romero blamed Carvajal, the 80-year-old president of Bolivia’s Permanent Assembly for Human Rights, for the killings, calling her “an irresponsible person” and a “sponsor of criminal organisations”.

Days later, Bolivian President Evo Morales tweeted that the Permanent Assembly was a “right-wing pro-imperialist” organization responsible for a “campaign of lies and false denouncements” against his government.

These unsubstantiated accusations represent a crude and transparent attempt to undermine Carvajal’s widely respected work (Página Siete, one of Bolivia’s leading newspapers, named her 2018 Person of the Year) and evade scrutiny of the state’s responsibility for human rights violations.

“The government must give Mother Earth her rights back, and give indigenous peoples the recognition they deserve,” Carvajal told Amnesty International in January. “Nature is screaming at us that we must love and care for this planet, for we all depend on it.”

In another typical case, armed men threatened Amada Martínez, an indigenous Avá Guaraní activist from the Tekoha Sauce community in south-east Paraguay last August.

Martínez was leaving the community in a taxi with her seven-year-old son, her sister and two young nephews when they were intercepted by a truck bearing the logo of the nearby Itaipú Binacional hydroelectric plant.

Martínez told Amnesty International that three men wearing balaclavas and Itaipú Binacional uniforms got out, armed with shotguns and a revolver. One pointed a shotgun at her face while another threatened her, saying she was a “loudmouth woman” and that they would find her alone on the road one day.

Martínez believes she was threatened because of her work defending indigenous rights. Days before, she had met with the UN Special Rapporteur on the situation of human rights defenders to denounce the grave impact of the hydroelectric plant displacing the Tekoha Sauce community.

Indigenous women like Martínez and Escobar are particularly at risk when they stand up for the environment and human rights, as they face additional discrimination due to their gender and identity.

Instead of permitting or even contributing to the violence against women human rights defenders, South America’s leaders must recognise the importance of their work and take immediate and effective gender-sensitive and culturally appropriate measures to protect them.

For these brave women will not be deterred, despite the grave dangers they face.

“I act according to my own conviction. Whatever happens to me or my material things is of secondary importance,” Escobar said. “They’re not going to stop us.”
Venezuela

Terrified Venezuelans fleeing Maduro join the masses at the southern border (New York Post) By Isabel Vincent
May 11, 2019

Erika Riva dodged rubber bullets and the surge of water cannons when she protested against Venezuelan dictator Nicolás Maduro in Caracas two years ago. She also endured chronic food shortages and blackouts.

But it was the death threats that finally sent her packing.

Riva, 33, fled to neighboring Colombia with her mother and two children last year after the phone calls started but was soon on the move again after facing discrimination in the Andean country.

“People look down on us Venezuelans in Colombia,” she told The Post. “I couldn’t get a job, and it was difficult to get health care for my children.”

Last month, Riva, who was working on a degree in education before she left Caracas, traveled from Bogota to Mexico City by plane, then took buses to this Mexican border city. She said she hopes to cross into the US, where she plans to seek asylum and join relatives in Midland, Texas. Riva, a single mother, left her children in Colombia with her mother. Now she is one of dozens of Venezuelans living in squalid conditions in a tent city at the Gateway International Bridge.

They are waiting for their names to be called out by Mexican border officials to allow them to cross to the other side — Brownsville, Texas — to seek asylum.

While the American border crisis is centered on the 1.9 million migrants coming out of the Northern Triangle of Guatemala, Honduras and El Salvador in the last four years, the next great wave of migration — from Venezuela — has already begun.

Riva is just one of 3.4 million people who have fled the desperate South American country in the last four years, according to the United Nations, which has called the migration of Venezuelans fleeing political persecution, poverty and hyperinflation — the highest in the world at 1 million percent — “a humanitarian crisis.”

“We just had a Venezuelan family of five come through, and one of the children was born on the trip, in Mexico.”

Although most Venezuelan migrants are settling in Peru and Colombia, more than 290,000 have fled to the US, according to statistics compiled by the Geneva-based International Organization for Migration, an intergovernmental group that tracks migrants around the world.

“There’s definitely been a huge influx of Venezuelans,” said Mike Benavides, a volunteer with Team Brownsville, an aid group.

Benavides crosses the international border between Brownsville and Matamoros twice a day to deliver food and other necessities to groups of migrants living in precarious conditions under two bridges in Matamoros, an industrial city of more than 520,000 on the banks of the Rio Grande. “We just had a Venezuelan family of five come through, and one of the children was born on the trip, in Mexico,” Benavides said “They are really beautiful people. So educated and kind.”

According to Benavides, most of the migrants assembled at the Matamoros bridges are from Cuba, with about 25 percent coming from Venezuela, and the remainder from Central America. Overall, he said, the Venezuelans are all political refugees, and unlike their Central American counterparts, most are professionals with post-secondary educations.

Although all of the Venezuelans interviewed by The Post said they were fleeing political repression from the Maduro regime after opposition leader Juan Guaidó declared himself president in January, they are given no special status at the Mexico-US border.

Like everyone else, they wait until their names are called from a large laminated list affixed to a post at the Gateway International Bridge. When The Post visited last month, there were nearly 700 names on the list.
The lines at the border crossings began to grow last fall after the Trump administration began to limit the number of asylum cases it accepts on a daily basis. On the Mexican side, the lists are managed by Mexican officials and, in some cases, groups of volunteers.

“There is absolutely no transparency with this list,” said Adan Lopez, 32, who spent 17 days in prison in July 2017 for participating in a protest against Maduro in Caracas.

A passionate Guaidó supporter, Lopez worked for the Venezuelan state telecommunications company and was warned that he faced eight more years in jail if he continued to protest against Maduro, he said. In March, he set out from Caracas on a plane, heading first to Panama, then traveling by bus to Mexico City and then to Matamoros.

**Venezuela was on the brink of an uprising. Now protesters are fighting for survival (CNN)** By Natalie Gallón

**On April 30, Venezuela seemed to be on the verge of a historic military and civilian uprising. The next day, that momentum died, and the country that had been bracing for change ended up trudging into a week much like any other.**

As opposition leader Juan Guaidó and his US ally puzzle over their failures to wrest control of the government from Nicolas Maduro, the embattled president is moving to assert his strength and enforce a new normal across Venezuela. In the past 10 days, his administration has blamed his former intelligence chief Manuel Cristopher Figuera for the uprising, purged the military of disloyal members, forced opposition politicians into hiding and re-opened borders with its neighbors.

Things are under (Maduro's) control, the government seems to be saying. Yet the country continues its economic downward spiral. And Guaidó, who has been recognized by more than 50 nations as the country's legitimate interim president, is not backing down; as his movement entered its fifth month, he called for renewed protests on Saturday, May 11.

Before it all kicks off again, here's what has happened over the past week.

After months of border closures due to tensions over humanitarian aid deliveries, some have been re-opened, demonstrating that Maduro's government remains in control of its borders. On Friday, Venezuela's Economy Vice President Tareck El Aissami declared in a televised speech that the country's borders with Brazil and Aruba had been re-opened in order to "restore economic, social, political and cultural life."

But restoring Venezuela's "economic, social, political and cultural life" is at odds with developments inside the country: At least 10 legislators from the opposition's National Assembly were stripped of their diplomatic immunity by the Venezuelan Supreme Court these past few days. The court alleged that they were part of last week's attempted uprising, and accused them of "treason, conspiracy, instigation of an insurrection, and civil rebellion," among other crimes.

Three of these politicians have gone into hiding, requesting protection at the Argentine and Italian embassies in the capital city Caracas. So has opposition leader Leopoldo Lopez, a longtime mentor to Guaidó, who is now sheltered with his family by the Spanish Ambassador. Lopez broke his years-long house arrest last week, appearing alongside Guaidó as they called for the military to join their movement.

Not all have found protection. National Assembly Vice-President Edgar Zambrano, a close ally for Guaidó, was detained by Venezuela's intelligence agency (SEBIN) on Wednesday by nine hooded officers. When he refused to exit his car, they towed the entire vehicle to their Caracas headquarters, the Helicoide.

Perhaps fearing a similar fate, the soldiers who proudly wore blue bands last week in support of Guaidó are no longer advertising their loyalty. Many have gone into hiding, too afraid to speak out for fear of their own safety and that of their families, CNN has learned. Harassment, threats, intimidation are among the retribution their families can face. Venezuela's military is key to tipping the political balance between Maduro and Guaidó, who admits that too few troops defected that fateful Tuesday.

President Maduro has shown much of his support among the armed forces recently, appearing in a video on state-run television with hundreds of uniformed rank and file kneeling at his feet, chanting their support and loyalty for their commander in chief.

In a letter directed to the armed forces last week, Guaidó declared that it was time to act. That message, peacefully delivered on paper to different military bases across the country, was either burned or refused. But Guaidó and his supporters continue to call for the armed forces to switch sides, and argue that only fear of reprisal holds them back.

Footage from last week's uprising captured government vehicles appearing to target and drive into crowds of protesters. At
least five people have died and around 233 people detained during protests across the country since April 30, according to Venezuela’s Attorney General Tarek William Saab. Amnesty International reports more than 200 people were injured "during state repression of protests."

But the protesters that CNN spoke to all voiced their determination to continue fighting for democracy. "We have to continue being in the streets, there's no turning back," 20-year-old student David told CNN. He did not give his last name for fear of reprisal.

"Of course, they are afraid. That is what a dictatorship produces. The relationship of a citizen and the state is that of terror," Guaidó said in a sit-down interview with CNN's Paula Newton this week. He added that he is not only "analyzing the discontent but organizing their hope," so protesters can continue "mobilizing."

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### TOPICS

**Truth and Reconciliation Commission**

*Conflict victims’ associations to recommend names for transitional justice bodies (The Kathmandu Post)*

April 25, 2019

The conflict victims’ organisations are making preparations to recommend the names of office-bearers for the two transitional justice bodies, with a belief that the government will amend the existing transitional justice act before the new leaderships have assumed the two offices.

The Conflict Victims Common Platform and the Conflict Victims National Network are working to select the probable candidates, which could include representatives from the victim’s community, before forwarding the names to the recommendation committee led by former chief justice Om Prakash Mishra.

While the application submission deadline for individual aspirants ends on Friday, institutions or organisations have until the end of this month to submit their nominations.

The leaders of the two conflict victims’ organisations said they were submitting their nominees following the request of the political parties who have assured them that the concerns of conflict victims would be kept at the centre while taking the transitional justice process forward.

Bhagi Ram Chaudhary, chairperson of the platform, said they will recommend the names of over a dozen people for the post of chairmen and members in both bodies-- the Truth and Reconciliation Commission and the Commission of the Investigation of Enforced Disappeared Persons.

“The list is very likely to include the names of the victims’ representatives who have a good understanding of the transitional justice process,” Chaudhary told the Post. “We are still working on the names.”

He said their list also includes human rights defenders, lawyers and those who have long been standing for the victims. The platform believes that the recommendation committee will ensure that at least a few names from its list will be incorporated when the new office-bearers of the two commissions are appointed.

The two commissions are vacant after their four-year terms expired on April 13.

Gopal Shah, vice-chairperson of the conflict victims’ network, said the government should start the amendment process of the
transitional justice act with resumption of new session of the federal Parliament, which commences on April 29.

Unlike the platform, the network will not be nominating victims' representatives for the leadership positions in the two commissions.

“People from victims’ community will not be recommended for the leaderships. However, they can help in formulating policies for reparation and reconciliation among others when needed,” Shah told the Post.

The leaders from both organisations are of the view that, unlike in the past, the leaderships for both commissions need to be selected on merit basis, not in terms of political sharing. To this end, they have urged the National Human Rights Commission, which also has representation in the recommendation committee, to ensure that only competent individuals are selected this time around.

Raja Ram Dahal of the Ministry of Law and Justice, who has been working at the secretariat of the recommendation committee, said 47 people including six for the position of chairpersons of the two commissions, have submitted their applications so far.

**Fifty-one persons apply for the leadership of two transitional justice bodies (The Kathmandu Post)**

April 28, 2019

As many as 51 persons, including the retired high court judges, former government secretaries and a former member of the Commission of Investigation on Enforced Disappeared Persons, have applied for 10 posts in the two transitional justice bodies.

The deadline for the application under the individual category expired on Friday, but the institutions or the organisations can recommend their names by the end of this month.

Records at the secretariat of the recommendation committee led by Om Prakash Mishra shows 15 people have applied for chairperson’s posts in the two commissions while 45 have applied for members.

Many of the applicants have applied for both the chair and members in both the commissions. Of the total, only 21 have applied only for members.

Raja Ram Dahal, an officer at the secretariat, told the Post they are yet to sift through applications for each position.

A single person, if he or she meets the criteria, can apply for four positions—chairperson of the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons, and members of both the commissions.

To become a member of either of the commissions, one should have a master’s degree, have no political party membership at the time of appointment and must have contributed to the field of human rights, law, social work or conflict resolution. To qualify for the post of chairperson, the candidate should be a retired justice of the Supreme Court, chief judge of the High Court or a person with the qualification to become an apex court justice. “We will sift through the applications in a couple of days. As there are still a few days left to make recommendations from the institutional level, the number of aspirants is sure to increase,” he told the Post.

The Mishra-led committee on April 8 had called applications from the interested candidates issuing a week-long deadline. The victims and the human rights defenders, however, had demanded an extension of the deadline arguing that a week was too short for the purpose. Following the pressure, the deadline under individual category was extended till April 26 and the institutional level till April 30.

“We will start the selection process after April 30—the last deadline for the application,” Prem Bahadur Khadka, a member of the recommendation committee told the Post. The recommendation committee is expecting suggestions from different human rights organisations, including the umbrella bodies of the conflict victims. The Conflict Victims Common Platform and Conflict Victims National Network are preparing their list to be submitted to the recommendation committee.

Meanwhile, the victim’s organisations have started pressuring the top political leadership to ensure selection of only competent leadership in the commissions.

A team of common platform on Saturday met Nepali Congress Sher Bahadur Deuba asking him not to appoint the new leadership on political sharing. It also asked him for the support in amending the existing Transitional Justice Act together with the selection of the new team.

“He didn’t give clear answer but said he was willing to see the transitional process concluded,” Janak Raut, general secretary
With the signing of House Bill 307 this month, Maryland made history by becoming the first state in the Union to establish a state-wide commission dedicated to investigating racial terror lynchings in the United States. The Maryland Lynching Truth and Reconciliation Commission (LTRC) provides an opportunity for the state to take a significant step in making peace with its African American communities.

The idea for such a commission is rooted in the spirit of restorative justice, which emphasizes repairing the harm to people, relationships and the community caused by criminal behavior. Thus, “justice” must address those harms as well as the wrongdoing. A key principle of restorative justice is that the people most affected by the crime should be able to participate in its resolution.

Desmond Tutu, the founder of South Africa’s Truth and Reconciliation Commission placed the idea for the TRC in the African concept of ubuntu, or our common, collective humanity, the idea that “I am because we are.”

"If one person is dehumanized then inexorably we are all diminished and dehumanized in our turn," he said in a 2004 lecture. “A criminal offense has caused a breach in relationship and the purpose of the penal process is to heal the breach, to restore good relationships and to redress the balance. Thus it is that we set out to work for reconciliation between the victim and the perpetrator. In restorative justice both the victim and the offender play central roles.”

The LTRC seeks justice for families and communities of the victims of racial terror lynching in Maryland. The forms that such justice will take will be informed by the victims’ families and communities, per the restorative justice paradigm. It will also provide opportunities for the responsible parties’ families and communities to apologize and make amends in order to heal the damage to African American communities across the state for the wanton murder of their men.

Martinican poet and politician Aimé Césaire asserted that the perpetrators of violence were made brutes by their acts of violence. The LTRC, therefore, offers an opportunity to restore the humanity of both victims and perpetrators. It will also provide a means to stop the silencing of African American communities that was an integral element of racial terror lynchings.

The LTRC's hearing process will allow victims' families and communities (and possibly perpetrators' families and communities) to tell the truth about their stories. The hearings will also provide an opportunity to identify and bring to light possible cases of racial terror lynching that are remembered in families and communities but for which there is little or no documentation.

Beyond opportunities for truth telling, the hearings will highlight the complicity of various state organs and media outlets in participating in racial terror lynchings: The General Assembly failed to pass proposed anti-lynching legislation in 1898; county sheriffs and jailers allowed mobs to take men from jail with impunity; county state’s attorneys refused to identify and bring charges against members of lynch mobs; county coroners routinely claimed that the victims of lynching died “at the hands of parties unknown”; newspaper coverage of these events contributed to the creation of a culture that condoned and encouraged racial terror lynchings. Thus, the LTRC’s hearings will provide an opportunity for the state’s governments to take responsibility for their (in)actions and to be held accountable for their collusion in the commission of these crimes. Conversation and discussion alone are insufficient; remedial actions are necessary, and recommendations for such actions will be included in the LTRC’s interim and final reports.

Rather than a dredging up of the past, the LTRC process is an opportunity to close at least 40 open murder investigations. Ask yourself: If there were five open murder cases in Prince George’s or Anne Arundel counties, and authorities knew who the perpetrators were but refused to arrest them or prosecute them — and may have even witnessed and/or participated in the crimes — what responsibility would the state and local governments have to the victims of these crimes, to their families and to their communities? This is not merely a hypothetical question, as there were in fact five lynchings respectively in Prince George’s and Anne Arundel counties. The task of the Maryland Lynching Truth and Reconciliation Commission is to provide an answer to that question, and for the other 30 documented lynchings that occurred across the state.

Meet Fubbi Henries, the Victim Advocating for a Liberian War Crimes Court (Front Page Africa) By James Harding Giahyue

That April protest was Fubbi’s second since he became head of the Citizens United for War and Economic Crimes Courts in Liberia in May 2018 to petition the House of Representatives at the Legislature to set up a court. Though the petition has yet to
get a response from the Capitol, Fubbi is firm in his advocacy.

“We are going to keep pushing until we can get justice,” he tells FrontPage Africa.

He is a regular Facebook user, and this past Easter Sunday he offered his followers “history lessons” on Liberia’s dark past. A collage of war photographs forms his cover photo. Fubbi’s has a Radio Monrovia program on justice and he seizes every opportunity to get his message across.

Fubbi gets the impulse for his advocacy from the experiences he had during the war. He was born in 1979, the same year of the Rice Riot, where protestors fought with the police, led to the deaths of at least 40 people and injured 500, which marked actual beginning of the Liberian Civil War. Before he turned one, the April 12, 1980 coup d’état by Samuel K. Doe toppled the government of then President William R. Tolbert and the Americo Liberian regime which had dominated Liberian politics since the settlers arrived from America to colonize the area in 1821. Doe killed Tolbert and 13 members of his cabinet, including Richard Henries, Fubbi’s grandfather who was Speaker of the House of Representatives at the time. The war that so scarred the country broke out on Fubbi’s 10th birthday, December 24, 1989. He says the war stole his childhood and replaced it with horrid memories forever.

“I was at JFK on August 2, 1990 when the JFK Massacre took place...” Fubbi recalls the massacre in which the Truth and Reconciliation Commission (TRC) report in 2009 said soldiers of the Armed Forces of Liberia (AFL) loyal to then President Samuel K. Doe killed 250 people. “They were placed in pickups and taken to the James Spriggs Payne Airfield for execution. The very first dead bodies I saw with my two eyes were at JFK,” he says.

Another war memory that Fubbi says keeps haunting him was that of two people who were forced to have sex in a roadside pond on Bushrod Island. Bushrod Island, according to Fubbi, was under the control of Senator Prince Johnson, then leader of the Independent National Patriotic Front of Liberia (INPFL). “Those are things, when you keep thinking about them, the memory stays fresh.”

Fubbi fled to Ghana with his family on September 3, 1990—barely a week before President Doe was killed by Prince Johnson and his men—and stayed there until 1999. But life on the refugee camp was far from better. “Growing up as a refugee in Ghana was also another stressful life for any African child,” Fubbi recalls. His family couldn’t manage a meal everyday, he says, and many days they ate at 11 pm. “Those were experiences we don’t want to see our children go through.”

On April 24, 1999 Fubbi moved back to Liberia with his family on a United Nations repatriation program, but they met the Liberia United for Reconciliation and Democracy (LURD) incursion in Lofa County. The war would continue up to 2003 when then President Charles Taylor—having been elected in 1997—stepped down. Taylor went into exile in Nigeria in an ECOWAS-brokered deal to finally stop the hostilities in Liberia. (Taylor is now serving a 50-year term in a British prison for crimes he committed in neighboring Sierra Leone.)

“If you see the traces, it has had so much negative impact on me,” Fubbi says, adding he had to drop his ambition to be an agriculturalist to pursue a career in accounting, because the Stella Maris Polytechnic college of agriculture in Bomi was in crossfire between pro-government militia and LURD. “Growing up, there were a lot of opportunities that...many Liberians missed because of the war. These are things that when we think about them we hold them in high esteem and say we need justice...”

Fubbi is not just an advocate. He is a politician as well, and has twice contested a seat in Montserrado District #9 and lost. In the last elections in 2017, his platform was the reduction of the salary and allowances of lawmakers. Before that, he advocated against the passage into law of the Affirmative Action Bill that sought to give women 30 percent of the seats in at the Legislature.

His advocacy against the Affirmative Action Bill was successful but not the one with the salary and allowances of lawmakers. But his lack of political victory so far has not broken his resolve, not even by an inch. “The citizens as a whole have not embraced the vision yet,” he says. “They only get there and talk about it, and when you bring it out they say you want to be representative. Things that I believe in—whether in government or out of government—I am still going to push. I don’t necessarily have to be in government to stand up for the things I strongly believe in. I intend to contest. I will keep contesting for public office until I reach the age that I cannot. If I am successful, I will go and push my vision.”

If Fubbi manages to get a seat in the Legislature, he will be the first Henries in a public position since the execution of his grandfather. The Henrieses have avoided public office since 1980, he tells FrontPage Africa. Many who fled Liberia after the bloody coup have not returned. Those who remain in Liberia are lawyers, businesspeople and, among others, accountants. They do not want to end up facing an executioner.

But Fubbi sees the tragedy of his grandfather as an inspiration rather than a bad omen for the family. He dismisses the fear expressed by his relatives and asks for calm. “I told them that me and my grandfather don’t have the same fate,” he says with a
shrug. “I am not tied to whatever happened to him. I should only learn from what happened and ensure that I don’t repeat the things that were done during his era of leadership, especially the negative ones,” he says. He says a Liberian war crimes court will be a tribute to his grandfather and the approximately 250,000 people who died during the war.

Fubbi, however, disagrees that staying away from politics prevents the family from a tragedy like the one that befell his grandfather. When the late Speaker Henries was arrested after the night of the coup, Fubbi remembers, the soldiers took his relatives with him in jail. In fact, Fubbi says, the white cloth wrapped around the waist of his doomed grandfather was the shirt one of his sons. He says it’s an obligation to speak out, protest and disagree. It is not a choice.

“We see that with our guys,” he says of his analogy. “Now they have a new idol, everything seems right. Nothing is wrong as long as it’s from their idol George Weah. When you point it out, you’re enemy of the state.”

Franklin Henries, Fubbi’s father, was initially concerned about his son’s security but now supports him in his endeavor. He wanted him to be an entrepreneur and an innovator like Bill Gates but says he couldn’t temper with Fubbi’s destiny. He only asks that Fubbi be principled.

“Later on I had a reflection and I realized that from small he has always been interested in politics,” Mr. Henries says of Fubbi, the fourth of his 15 children. “I said, ‘Maybe that is his calling. Who am I to say don’t do it?’”

Fubbi has come in for criticism from politicians and advocates alike. Advocates say his political affiliation draws the campaign for justice into the political fray, while politicians say he is in the pocket of Alexander Cummings, the leader of the Alternative National Congress (ANC) whose ticket he ran on in 2017.

But he enjoys the confidence of some war court campaigners like Franklin Wesseh, who alongside him petitioned the Legislature for the court last year. “Throughout my working with him, I’ve known him to be a very honest young man, hardworking, results-oriented,” says Wesseh.

“When I started affiliating with him in pursuit of the establishment of war and economic crimes courts, lots of people were like ‘He belongs to a political party and might be infusing his political sentiments in his advocacy’, but I did not see that from him,” Wesseh says. “He was very purposeful and straight to the objectives, advocacy, which calls for the establishment of war and economic crimes courts.”

Fubbi has an advice for all those advocating for the court. “The necessary precaution is just know who to hang out with. Don’t be at places you know you don’t feel secure being. You have to draw that thin line.”

Human rights commission might withdraw its representative from recommendation committee (The Kathmandu Post)
May 3, 2019

The National Human Rights Commission could withdraw its representative from a recommendation committee formed to select new officials for the two transitional justice bodies as a last resort to put pressure on the government to revise the amendment bill to the National Human Rights Commission Act 2012 and to initiate the process to amend the existing transitional justice Act.

The constitutional human rights watchdog is currently in a wait and watch mode, as cross-party lawmakers, including those from the ruling party, have assured to revise the amendment bill.

A member of the commission said Prakash Osti, who is representing the commission in the recommendation committee, could be recalled if the government did not promptly take positive steps to address the commission’s concerns.

“We are waiting as lawmakers including those from the Nepal Communist Party have assured necessary changes,” the member told the Post.

The commission has publicly criticised the amendment bill, currently under consideration in the federal Parliament, which has proposed making it mandatory for the rights watchdog to recommend the cases it has investigated to the attorney general, authorising the latter to decide whether or not to proceed with the case.

It also authorises the attorney general to request the commission for further investigation if s/he finds the case incomplete.

The constitutional body at present can direct any agency or person to execute its recommendations made after its investigations.

The commission is also demanding an amendment to the Enforced Disappearances Enquiry, Truth and Reconciliation
Commission Act, 2014, in line with the Supreme Court’s ruling and international practice.

The victim’s community and human rights defenders have also been demanding that the commission call Osti back.

Another member of the commission said Anup Raj Sharma, the chairperson of the national human rights watchdog, had agreed to send a representative to the recommendation committee after Prime Minister KP Sharma Oli assured necessary amendment to the transitional justice Act.

Nepali Congress President Sher Bahadur Deuba had also assured Sharma that he would work towards amending the transitional justice Act.

“He, however, was deceived,” said the member. “The selection process moved ahead, but there were no efforts to amend the transitional justice Act.”

Govinda Sharma Paudyal, who heads the publicity department at the commission, said the constitutional watchdog’s decision will depend upon the move of the government.

“Voices to call our member Osti back from the recommendation committee are getting stronger,” he told the Post. “If the government doesn’t correct its mistake, a decision to that effect is possible.”

Terrorism

Trump's latest pardon is an implicit endorsement of war crimes (The Week (opinion)) By Bonnie Kristan
May 7, 2019

In the spring of 2008, former Army 1st Lt. Michael Behenna was in Iraq, where he and his platoon were charged with transporting for release a suspect named Ali Mansur Mohamed. Military intelligence thought Mansur was linked to a recent IED attack which killed two American soldiers, but, lacking evidence to tie him to terrorism after days of questioning, they had to let him go.

Behenna did not find that satisfactory, and his platoon stopped at a bridge for some questioning of their own. With another soldier, Behenna blindfolded Mansur and cut off all his clothes with a knife. They removed his handcuffs. Then Behenna shot him twice, before allegedly ordering the other soldier to use a grenade to disfigure his body. Though he’d claim to have acted in self-defense, Behenna was court-martialed and convicted of unpremeditated murder in a combat zone. He was initially sentenced to 25 years in prison but served only five. He was released on parole in 2014 and, on Monday, granted a full pardon by President Trump.

Legally, Trump is on steady ground here. The Constitution accords the president expansive pardon powers, which is a boon where victimless drug war offenses are concerned. But what Behenna did was far from victimless, and whether Trump can grant him clemency is a very different question from whether he should. This pardon is a knowing wink at war crimes, and, especially in broader context of the Trump administration’s callous approach to civilian casualties, sends an alarming message about what U.S. troops may do in battle.

This is not to suggest intolerable levels of civilian deaths in America’s several wars began when Trump took office. The Obama administration’s drone warfare was particularly egregious, to cite a recent example, and its accountability measures were inadequate to the point of being deceptive. But since the campaign trail, Trump has expressed a consistent disregard for harm to innocent people — in 2015 he recommended the deliberate murder of the wives and children of terror suspects — and he has carried that ethic into office with insidious effect.

Exhibit A is surely Trump's stubborn enablement of Saudi war crimes in Yemen, an Obama-era project he preserved this spring in the face of a rare congressional display of conscience. The U.S.-supported, Saudi-led coalition intervening in Yemen’s civil war is responsible for airstrikes on civilians at hospitals, funerals, weddings, schools, markets, refugee camps, and residential neighborhoods. Thousands of Yemeni innocents have died in bombings the United States has facilitated; tens of thousands of Yemeni children have died of starvation and preventable diseases; more than half of Yemen’s 28 million people are at risk of famine and a raging cholera epidemic — and in all of this the Trump administration is complicit.
But Yemen is hardly the only victim of Trump's stance on civilian protections. His administration has loosened rules governing U.S. airstrikes, including drone attacks, "against terrorist targets outside areas of active hostilities." Gone as well are the already insufficient reporting requirements of the Obama years. Our drone war is geographically boundless and disconnected from U.S. security, with strikes permitted against low-level suspects who demonstrate no "continuing, imminent threat" to us. And if — realistically, when — innocents are killed, their wrongful deaths may not even be counted.

Within areas of active hostilities, too, civilian casualties are on the rise, hitting record levels in Afghanistan in 2018 in part because of "a relaxation of the rules of engagement for airstrikes by United States forces in Afghanistan at the end of 2017." The Trump administration has also vigorously rejected international accountability efforts for the actions of Americans in Afghanistan, with National Security Adviser John Bolton in September lambasting a proposed International Criminal Court investigation into evidence that "U.S. armed forces and CIA personnel subjected individuals being interrogated for information to the war crimes of torture, cruel treatment, and outrages on personal dignity," including "some instances of rape by CIA personnel."

It is against this backdrop that Trump's pardon for Behenna arrives. According to military court filings, Behenna threatened Mansur's death — "This is your last chance to tell the information or you will die," he told the naked, unarmed man shortly before killing him — and afterwards informed members of his platoon he did not regret the murder and "would do it again." Now Behenna's record is wiped clean, and other U.S troops convicted of battlefield crimes are already seeking the same leniency.

Trump's inhumane and irresponsible jus in bello policy is reprehensible enough, at odds with the longstanding American values and laws the president and U.S. soldiers alike have sworn to uphold. This pardon suggests even gross violations of those loosened rules may be indulged. It is a dismissal of the gravity of war crimes, if not an outright endorsement of them. It is not so much mercy as an invitation to future injustice and abuse.

**Tech Companies Are Deleting Evidence of War Crimes**

**Algorithms that take down “terrorist” videos could hamstring efforts to bring human-rights abusers to justice. (The Atlantic)** By Bernhard Werner

May 9, 2017

If grisly images stay up on Facebook or YouTube long enough, self-appointed detectives around the world sometimes use them to reconstruct a crime scene. In July 2017, a video capturing the execution of 18 people appeared on Facebook. The clip opened with a half-dozen armed men presiding over several rows of detainees. Dressed in bright-orange jumpsuits and black hoods, the captives knelt in the gravel, hands tied behind their back. They never saw what was coming. The gunmen raised their weapons and fired, and the first row of victims crumpled to the earth. The executioners repeated this act four times, following the orders of a confident young man dressed in a black cap and camouflage trousers. If you slowed the video down frame by frame, you could see that his black T-shirt bore the logo of the Al-Saiqa Brigade, an elite unit of the Libyan National Army. That was clue No. 1: This happened in Libya.

Facebook took down the bloody video, whose source has yet to be conclusively determined, shortly after it surfaced. But it existed online long enough for copies to spread to other social-networking sites. Independently, human-rights activists, prosecutors, and other internet users in multiple countries scour the clip for clues and soon established that the killings had occurred on the outskirts of Benghazi. The ringleader, these investigators concluded, was Mahmoud Mustafa Busayf al-Werfalli, an Al-Saiqa commander. Within a month, the International Criminal Court had charged Werfalli with the murder of 33 people in seven separate incidents—from June 2016 to the July 2017 killings that landed on Facebook. In the ICC arrest warrant, prosecutors relied heavily on digital evidence collected from social-media sites.

Werfalli has thus far evaded justice. But human-rights activists still hail the case as a breakthrough for a powerful new tool: online open-source investigations. Even in no-go combat zones, war crimes and other abuses often leave behind an information trail. By piecing together information that becomes publicly accessible on social media and other sites, internet users can hold the perpetrators accountable—that is, unless algorithms developed by the tech giants expunge the evidence first.

Shortly after the Werfalli arrest warrant was issued, Hadi Al Khatib, a Syrian-born open-source investigator based in Berlin, noticed something that distressed him: User-generated videos depicting firsthand accounts from the war in Syria were vanishing from the internet by the thousands. Khatib is the founder of the Syrian Archive, a collective of activists that, since 2014, has been scouring for digital materials posted by people left behind in Syria’s war zone. The Syrian Archive’s aim is “to build a kind of visual documentation relating to human-rights violations and other crimes committed by all sides during the eight-year-old conflict,” Khatib said in an interview.
In the late summer of 2017, Khatib and his colleagues were systematically building a case against the regime of Bashar al-Assad in much the same way ICC investigators pursued Werfalli. They had amassed scores and scores of citizens’ accounts, including video and photos that purportedly showed Assad was targeting hospitals and medical clinics in bombing campaigns. “We were collecting, archiving, and geolocating evidence, doing all sorts of verification for the case,” Khatib recalled. “Then one day we noticed that all the videos that we had been going through, all of a sudden, all of them were gone.”

It wasn’t a sophisticated hack attack by pro-Assad forces that wiped out their work. It was the ruthlessly efficient work of machine-learning algorithms deployed by social networks, particularly YouTube and Facebook.

With some reluctance, technology companies in Silicon Valley have taken on the role of prosecutors, judges, and juries in decisions about which words and images should be banished from the public’s sight. Lately, tech companies have become almost as skilled at muzzling speech as they are at enabling it. This hasn’t gone unnoticed by government entities that are keen to transform social networks into listening posts. Government, in effect, is “subcontracting” social-media platforms to be its eyes and ears on all kinds of content it deems objectionable, says Fionnuala Ní Aoláin, a law professor and special rapporteur for the United Nations Human Rights Council.

But some of what governments ask tech companies to do, such as suppressing violent content, cuts against other legitimate goals, such as bringing warlords and dictators to justice. Balancing these priorities is hard enough when humans are making judgments in accordance with established legal norms. In contrast, tech giants operate largely in the dark. They are governed by opaque terms-of-service policies that, more and more, are enforced by artificial-intelligence tools developed in-house with little to no input from the public. “We don’t even know what goes into the algorithms, what kind of in-built biases and structures there are,” Ní Aoláin said in an interview.

For years, social networks relied on users to flag objectionable content, all manner of hate speech, and calls to arms that, among other things, espoused violence. But as this content continued to fill up the fringes and spill into clear sight, pressure mounted on Facebook, YouTube, Twitter, and other popular social networks to automate the cleanup. They turned to machine learning, a powerful subset of artificial intelligence that can make sense of huge amounts of data with little to no oversight from human minds.

Designed to identify and take down content posted by “extremists”—“extremists” as defined by software engineers—machine-learning software has become a potent catch-and-kill tool to keep the world’s largest social networks remarkably more sanitized places than they were just a year ago. Google and Facebook break out the numbers in their quarterly transparency reports. YouTube pulled 33 million videos off its network in 2018—roughly 90,000 a day. Of the videos removed after automated systems flagged them, 73 percent were removed so fast that no community members ever saw them. Meanwhile, Facebook removed 15 million pieces of content it deemed “terrorist propaganda” from October 2017 to September 2018. In the third quarter of 2018, machines performed 99.5 percent of Facebook’s “terrorist content” takedowns. Just 0.5 percent of the purged material was reported by users first.

Those statistics are deeply troubling to open-source investigators, who complain that the machine-learning tools are black boxes. Few people, if any, in the human-rights world know how they’re programmed. Are these AI-powered vacuum cleaners able to discern that a video from Syria, Yemen, or Libya might be a valuable piece of evidence, something someone risked his or her life to post, and therefore worth preserving? YouTube, for one, says it’s working with human-rights experts to fine-tune its take-down procedures. But deeper discussions about the technology involved are rare.

“Companies are very loath to let civil society talk directly to engineers,” says Dia Kayyali, a technology-advocacy program manager at Witness, a human-rights organization that works with Khatib and the Syrian Archive. “It’s something that I’ve pushed for. A lot.”

These concerns are being drowned out by a counterargument, this one from governments, that tech companies should clamp down harder. Authoritarian countries routinely impose social-media blackouts during national crises, as Sri Lanka did after the Easter-morning terror bombings and as Venezuela did during the May 1 uprising. But politicians in healthy democracies are pressing social networks for round-the-clock controls in an effort to protect impressionable minds from violent content that could radicalize them. If these platforms fail to comply, they could face hefty fines and even jail time for their executives. New Zealand Prime Minister Jacinda Ardern and French President Emmanuel Macron intend to up the ante at a summit next week calling on tech execs and world leaders to band together to eliminate the publication of extremist online content. After the March 15 mosque massacre in Christchurch, New Zealand, was streamed live on Facebook, countries including New Zealand, Australia, and the United Kingdom passed or proposed comprehensive new online-terror laws.

A proposed European Union law has been in the works for months. It would require technology companies to pull down harmful user-generated material—whether words or images—that “incites or solicits the commission or contribution of terrorist offenses, or promotes the participation in activities of a terrorist group.” That standard is extraordinarily broad. But if
the companies don’t eliminate such posts within one hour, they face fines of up to 4 percent of global revenues.

Human-rights advocates worry about the decisions tech giants and their algorithms will make under such outside pressure. “The danger is that governments will often get the balance wrong,” argued Ní Aoláin. “But actually we have the methods and means to challenge governments when they do so. But private entities? We don’t have the legal processes. These are private companies. And the legal basis upon which they regulate their relationships with their users, whether they’re in conflict zones or not, is determined by [the company’s] terms of service. It’s neither transparent nor fair. Your recourse is quite limited.”

In July, she wrote an open letter to Facebook’s founder, Mark Zuckerberg, finding fault with how Facebook defines terrorism-related content, a key determination in what it decides to flag and take down. From what Ní Aoláin can tell, “they just came up with a definition for terrorism that bears no relationship to the global definition agreed by states, which I think is a very dangerous precedent. I made that very clear in my communications with them.”

When I asked Facebook to comment on Ní Aoláin’s complaint, a company spokesperson shared detailed minutes from a December content-standards forum. The minutes are a remarkable document, one that underscores the complexity of the judgments tech companies are being asked to make as they seek to monetize human interactions on a global scale. Is a terrorist organization one that “engages in premeditated acts of violence against persons or property,” or should the definition expand to include any non-state group that “engages in or advocates and lends substantial support” to “purposive and planned acts of violence”? “It would shock me,” one person at the meeting commented, “if in a year we don’t come back and say we need to refine this definition again.” (A company spokesperson said recently that there’s no update on the matter to announce.)

How the tech giants’ algorithms will implement these subtle standards is an open question. But a new crop of anti-terrorism bills, post-Christchurch, will thrust technology companies into an even more assertive enforcement role. Under the threat of massive fines, tech giants are likely to invest more in aggressive machine-learning content filters to suppress potentially objectionable material. All this will have a chilling effect on those who are trying to expose wrongdoing in war zones.

Khatib, at the Syrian Archive, said the rise of machine-learning algorithms has made his job far more difficult in recent months. But the push for more filters continues. (As a Brussels-based digital-rights lobbyist in a separate conversation deadpanned, “Filters are the new black, essentially.”) The EU’s online-terrorism bill, Khatib noted, sends the message that sweeping unsavory content under the rug is okay; the social-media platforms will see to it that nobody sees it. He fears the unintended consequences of such a law—that in cracking down on content that’s deemed off-limits in the West, it could have ripple effects that make life even harder for those residing in repressive societies, or worse, in war zones. Any further crackdown on what people can share online, he said, “would definitely be a gift for all authoritarian regimes. It would be a gift for Assad.”

“On the ground in Syria,” he continued, “Assad is doing everything he can to make sure the physical evidence [of potential human-rights violations] is destroyed, and the digital evidence, too. The combination of all this—the filters, the machine-learning algorithms, and new laws—will make it harder for us to document what’s happening in closed societies.” That, he fears, is what dictators want.

Piracy

Crew of Pirated Maltese-Flagged Ship Rescued by the Spanish Navy (Hellenic Shipping News)
May 9, 2019

A joint Spanish and Equatorial Guinea naval operation has rescued 20 crew members on a merchant ship from a hijacking by pirates in the Gulf of Guinea, the Spanish defence ministry said.

The captain of the Maltese-flagged vessel sounded the alarm on Sunday after their ship was approached by armed pirates, the ministry said, with the crew taking refuge in an emergency compartment.

“Once on board, the pirates used a megaphone to demand the crew surrender and give them all the money on board,” the ministry added.
When the captain refused to comply, the pirates fired into the emergency compartment, the ministry said. No one was injured by gunfire.

The Spanish “Serviola” patrol ship, which carries out security and surveillance tasks in the region, received reports of the hijacking and conducted a rescue operation with an Equatorial Guinea navy vessel. Ten pirates were arrested, according to the Equatorial Guinea authorities.

“I congratulate the heroic action of our armed forces,” said Vice President of Defence and Security in Equatorial Guinea, Teodorin Nguema Obiang, in a statement read out on state radio on Tuesday. He said the navy intervened after “a call for help from a boat... attacked by a speedboat with ten pirates on board”.

“Thanks to the swift intervention of our armed forces, (we) managed to save the crew on board and arrest ten pirates,” he said, adding that their presumed nationality was Nigerian.

The Gulf of Guinea, a coastal zone stretching thousands of kilometres off West Africa, has now eclipsed the Gulf of Aden — off the Horn of Africa — as the continent’s piracy hotspot.

Reports of attacks in waters between the Ivory Coast and the Democratic Republic of Congo more than doubled in 2018 compared to the year before, according to a piracy report by the International Maritime Bureau in January.

The last quarter of 2018 saw a significant spike in violence off West Africa, with vessels boarded by pirates well outside territorial waters, and crew kidnapped and taken to Nigeria where they were held for ransom, the report said.

Piracy in the Gulf, home to Sub-Saharan Africa’s two main oil producers Nigeria and Angola, has seriously disrupted international shipping routes and cost the global economy billions of dollars.

Countries in the region, whose surveillance and maritime defence capabilities are limited, have been trying for several years to bolster their means of intervention and to put in place closer collaboration, with the help of Western powers.

**Nigeria Seeks Russian Military Aid in its War on Boko Haram (The Jamestown Foundation)**

By Andrew McGregor

May 8, 2019

Four years ago, Nigerian military sources said the country’s decision to shift to Russian military training and arms supplies was only an “interim measure” after its traditional partners, from the United States and the United Kingdom, seemingly showed insufficient interest in Nigeria’s fight against Boko Haram (Vanguard, September 27, 2014). Now, believing that attitudes in the US and UK have remained unchanged, Nigeria is requesting more lasting Russian assistance in the fight against terrorists and pirates.

The appeal was made by Nigerian Defense Minister Mansur Dan-Ali, at the eighth Moscow Conference on International Security, on April 24. Dan-Ali, a former brigadier in the Nigerian Army, was appointed minister of defense in November 2015. He first proposed Russia as Nigeria’s primary arms supplier in the war against Boko Haram in June 2017 (NAN, August 2, 2017).

The minister pointed to Russia’s experience in counter-terrorism and suggested that this experience and help in modernizing Nigeria's arsenal could help defeat the Boko Haram insurgency (Vanguard, April 24): On the security front, Nigeria counts on Russia’s continued partnership in eliminating the Boko Haram insurgents from our sub-region. We wish to leverage on Russia’s experience in counterterrorism operations to bring this scourge to an end. Military and technical assistance in this respect would be highly appreciated (TheNation, April 25).

The success of Russia’s ruthless repression of pirates off the Somali coast has been well noted in Nigeria, where shipping and off-shore oil operations are increasingly threatened by pirates. Dan-Ali emphasized the dire security situation in the Gulf of Guinea, asking for Russian assistance to combat piracy, kidnappings, ship-hijackings and illegal dumping of toxic and radioactive waste (Legit.ng, April 25). The most dangerous waters in the world for shipping are no longer off the Somali coast, but rather in the Gulf of Guinea; the minister cited figures from the International Maritime Bureau (IMB) that indicated violent attacks in the Gulf had doubled in 2018, while pirates were now operating in speed boats as far as 100 nautical miles from shore. Since that report was issued, a further 22 attacks occurred in the first quarter of 2019, including all the world’s 21 reported kidnappings of crew members (IMB Piracy Report, January 16; International Crime Services, April 8).

Nigeria’s relationship with Russia is much less complicated than its relations with the US and the UK, the former colonial power. US interest in Nigeria has waned in recent years, with Nigerian oil imports declining steeply as the United States
develops its own energy resources. China and Russia are increasingly seen in Abuja as more appealing, no-questions-asked partners who can provide affordable and effective solutions to Nigeria’s security and development problems. On May 2, UK Foreign Secretary Jeremy Hunt indicated that British military support would be available to Nigeria, “but they are a sovereign nation and they have got to want our help” (Premium Times, May 2).

Having outlined Nigeria’s desperate need for help, Dan-Ali surprisingly took the opportunity to brightly proclaim that Nigerian and Multinational Joint Task Force (MNJTF) operations had “overwhelmed” Boko Haram, leaving the leadership “decimated” (Legit.ng, April 25). Despite the Nigerian Army’s repeated claims of imminent victory, villagers and forest workers continue to be slaughtered by Boko Haram and the Islamic State West African Province (ISWAP—the movement split in mid-2016).

Only three days after Dan-Ali’s sunny assessment, ISWAP fighters overran a Nigerian Army outpost in Borno State on April 27, driving survivors into the bush and adding the captured arms and vehicles to their arsenal. The militants attacked using 12 technicals (pickup trucks fitted with a heavy machine gun), three previously captured armored personnel carriers and dozens of gunmen on motorcycles operating on the flanks (This Day, April 28; Defensepost.com, April 27). Hundreds of Nigerian soldiers have perished in 22 attacks on military posts in the last four years (The Guardian, April 29). Nigeria has had military interactions with Russia in the recent past. When Nigerian attempts to buy US Cobra attack helicopters were rebuffed by Washington in 2014, Nigeria turned to Russia, which had no problems selling them 21 Mi-35 attack helicopters and 11 Mi-17 utility helicopters. Nigeria ordered a further 12 Russian Mi-35M attack helicopters in September 2016 (NAN, August 2, 2017). Russian media reported plans to sell Nigeria ten Sukhoi Su-30 multirole jet fighters in mid-2017, but the sale does not appear to have gone through (Sputnik News, June 26, 2017).

Twelve hundred carefully picked Nigerian security personnel drawn from the armed forces, the police and the Department of State Services (DSS—domestic intelligence) were sent to Russia for advanced anti-insurgency training in 2014 (Vanguard, September 27, 2014). The training was apparently meant to be secret—the Nigerian defense ministry only acknowledged the program when the last contingent of 400 security personnel was photographed leaving for Russia at Nnamdi Azikiwe Airport (Defenceweb, October 23, 2014).

The Nigerian Army’s chief-of-staff, Lieutenant General Tukur Buratai, has indicated that Nigeria will soon receive a shipment of advanced military hardware from an unnamed country (This Day, April 25). As the purchase includes technical training and ongoing maintenance support, Russia would seem to be the most likely point of origin for this shipment.

In the economic realm, Dan-Ali also requested Russian assistance in the construction of pipelines, railways and a nuclear power plant. Nigeria has been in talks with Russian state-owned Rosatom over the development of two nuclear reactors in Nigeria since 2015. Enriched uranium was recently removed from a research reactor by an international team in Nigeria’s Kaduna State over fears the material could be seized by terrorists (This Day, April 25).

Meanwhile, despite these developments, Nigeria’s embassy in Moscow is unlikely to entertain Russian visitors any time soon; its unpaid water bill has forced a supply cut-off to the embassy, forcing diplomats to continually borrow water from neighboring embassies to flush the toilets (Punch, April 3). Nigeria’s inability to even maintain important foreign embassies is indicative of the West African country’s ongoing financial crisis. Russia does not need Nigerian oil and has little interest in other Nigerian products. The price of Russian military aid could, thus, be a military base on the Nigerian coast, close to some of the world’s busiest shipping lanes.

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**Gender-Based Violence**

Kosovo war rape victim to appear before US Congress (Gazeta Express)
April 29, 2019

Vasfije Krasniqi Goodman the first survivor of sexual violence from the Kosovo war who shared her story publically on Tuesday will appear before the US Congress to testify on the horrors she experienced when two Serbian men raped her when she was only 16.

Krasniqi-Goodman who will appear before the US Congress at the invitation of the Congressman Eliot Engel, told news agency KosovaPress that this is a very important event in her life. Also former Kosovo president Atifete Jahjaga is expected to appear
before the US Congress on Tuesday, as well as brother of Yll, Agron and Mehmet Bytyqi, US citizens who were executed by
Serbian forces in 1999.

Kosovo Parliament has recently established an ad-hoc committee to punish Serbian crimes and genocide committed in
Kosovo. Krasniqi-Goodman hopes that friends of Kosovo will help the justice be delivered for all war victims. The woman who
became voice of thousands of other women raped during 1998-1999 war in Kosovo, said that victims should not give up and
feel stigmatised. “The justice will be delivered sooner or later,” she said.

**Specialized investigation into sexual violence in conflict is essential for justice, experts say (ReliefWeb)** April
30, 2019

> **On the sidelines of the UN Security Council open debate on sexual violence in conflict, experts came together to discuss what it takes to achieve justice for conflict-related sexual and gender-based crimes, through investigation and documentation.**

Nearly 20 years since the adoption of the UN Security Council resolution 1325, which calls on all parties in conflict to uphold
women’s rights and respond to violations, impunity for conflict-related sexual and gender-based violence continues to
undermine international peace and security.

“When I interviewed survivors, they said ‘we want justice,’” said Antonia Mulvey, former gender advisor to the Independent
International Fact-Finding Mission on Myanmar. “Many of them cannot read or write, but they know what justice is, and they
wanted accountability”.

The side event, co-sponsored by UN Women, the office of the High Commissioner for Human Rights (OHCHR) Justice Rapid
Response and the Permanent Missions of Canada, Ireland, Lichtenstein, the Gambia and the United Kingdom to the UN, and
moderated by Ambassador Christian Wenaweser, Permanent Representative of the Mission of Liechtenstein to the UN, on 24
April, convened human rights experts and investigators to discuss the importance of quality and timely investigations of
conflict-related sexual and gender-based violence.

> “Information is an essential pre-requisite for accountability for sexual and gender-based violence in conflict,” said
Ambassador Richard Arbeiter, Deputy Permanent Representative, Mission of Canada to the UN. “We need to make sure
investigation and documentation is gender-sensitive to avoid blind spots and ensure the right approach.”

Since 2010, Justice Rapid Response, UN Women and OHCHR have partnered to deploy a gender advisor or an investigator
specializing in sexual and gender-based violence crimes to UN investigations mandated by the Human Rights Council and the
UN Secretary-General. In 2018, investigations took place in eight countries and territories, and each investigation uncovered
evidence of the gendered impact of human rights violations, as well as specific findings of sexual and gender-based violence.

> “Ensuring that the experience of survivors of sexual violence is fully captured is the first step towards gender-sensitive
accountability and protection responses,” said United Nations Assistant Secretary-General for Human Rights Andrew
Gilmour. “I truly think that we owe this to the survivors of sexual violence: To help them rebuild their shattered lives and their
dignity, and to grant them at least a modicum of consolation by restoring some belief in justice.”

While numbers of rape and sexual assaults are notoriously difficult to confirm, sexual violence against women and girls has
been used as a deliberate tool in conflicts in Syria and Myanmar. In Myanmar, where more than half a million Rohingya have
fled the country, rape and other forms of sexual violence have been used as part of the efforts to displace populations. In Syria,
sexual violence has been used to extract information from women, and to coerce surrender from male relatives.

Serena Gates, former gender advisor to the Independent International Commission of Inquiry on the Syrian Arab Republic,
described how rape and sexual assault against women in Syria was used as a military tactic in a number of scenarios. For
women raped in detention, such reasons may include rape as a punishment at the end of interrogations and on other
occasions, rape in front of men to pressure the latter into revealing information. Rape more generally was also used as a
means of intimidation.

> “If you can properly understand both the causes and the rationale for sexual violence, then you can not only hope to promote
accountability, but also feed more effectively into early warning systems for future conflict,” Gates explained.

She added: “Accountability allows victims to heal, but it’s also a significant part of preventing the recurrence of such acts in the
future. We must bear that in mind if we want real progress to be made.”

Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism (IIIM) for the Syrian Arab
Republic spoke about how the findings of the Commission of Inquiry related to the work of IIIM, and how IIIM is using the
investigative work to further seek justice for victims of sexual and gender-based violence.

“We learned the importance of seeing and treating the investigation and prosecution of sexual and gender-based violence as an integral part of investigating and prosecuting war crimes, not as an aside,” Ms. Marchi-Uhel said. “Investigation assures that sexual and gender-based violence is not marginalized or treated as collateral crimes, but is placed firmly within any case against an accused.”

To continue the critical work of investigating and documenting cases of sexual and gender-based violence in conflict, the Justice Rapid Response – UN Women partnership has resulted in a Justice Experts Roster on sexual and gender-based violence comprised of more than 230 experts from over 70 nationalities, who are specifically trained to investigate and document sexual and gender-based violence as an international crime.

According to Georgina Mendoza, Sexual and Gender-Based Violence Programme Coordinator at OHCHR and Federica Tronchin, Head of Office JRR USA and Sexual and Gender-Based Violence Programme Manager, some of the major gains of including gender-expertise have included: understanding the gender dynamics of conflict and violence; gender-sensitive legal analysis and accountability for sexual and gender-based violence; broader understanding of sexual and gender-based violence beyond just rape, and including men and boys and LGBTI persons as victims; fully capturing the experiences of women and recognizing the harm they suffered; and giving a voice to those who otherwise would not have access to justice.

UN Women Policy Specialist on Transitional Justice, Emily Kenney, emphasized the need for the information from the investigations to be available to the UN Security Council to aid in their decision-making, including by hearing directly from investigators in both informal and formal briefings.

“I hope that Security Council members will see a utility in hearing directly from investigations. Hearing directly from investigations themselves is incredibly powerful and useful,” said Ms. Kenney. “We can do more to use these investigations to enhance implementation of the women, peace and security agenda and address gender inequality as a root cause of conflict.”

Set in Stone: Memorializing World War II’s forgotten “comfort women” (The Politic) By Isabelle Rhee
May 3, 2019

Bronze-skinned, barefoot, and dressed in a hanbok, she is seated in a chair facing the congested streets of downtown Seoul. She is decorated in flowers and guarded by a security rope. A small bronze bird rests on her left shoulder. Positioned across the street from the city’s Japanese Embassy, her carefully sculpted face gazes straight ahead with a hint of expectancy. She is a survivor of war and a witness of history. She is the Statue of Peace.

Known as Sonyeosang in Korean, the Statue of Peace was installed in Seoul in 2011 to memorialize the hundreds of thousands of women and girls forced into sex slavery for the Japanese Imperial Army during the Second World War. These women, who hailed from countries and territories under Japanese rule, were treated as objects of military conquest and coerced into “comfort stations,” military brothels established across Asia.

The term “comfort women” is a euphemism for the women and girls whose dignity and human rights were trampled upon during the war. Seoul’s Statue of Peace, which depicts a teenage girl, was the first-ever statue built to commemorate the “comfort women” and remind the public of the sexual violence perpetrated against women in Asia during World War II.

Kim Bok-dong, who in the 1990s became one of the first women to publicly identify as a “comfort woman,” reminded the world of this past and ongoing wartime degradation when she passed away this January at the age of 92. Widely admired by her fellow activists, Kim inspired hundreds of survivors to share their stories.

Kim’s death was covered extensively by international news outlets, sending a shockwave through the network of women’s rights activists around the world. Today, the Statue of Peace stands as a powerful reminder that the generation of women and girls that it represents will soon be lost: Fewer than 30 “comfort women” are still alive, with most already in their 90s.

“Comfort women” advocacy is a movement with no national bounds. And it is gaining traction not only on the streets of Seoul but through the construction of statues and memorials in cities across the U.S.—and even through student activism at Yale.

In 2017, Hyun Soo Lim LAW ’18 founded Yale’s “Comfort Women” Task Force, a student-led effort that aims to foster productive conversations on survivors through educational projects. For Lim, current discussions help break decades-old patterns of shaming and stigmatization that the victims endured until the 1990s, when the redress movement took off and the experiences of “comfort women” were revealed publicly for the first time.

“We should always prioritize victims who tend to have the smallest voices,” Lim said. “The fact that the majority of ‘comfort
women’ are women of color is a large part of the reason this issue wasn’t addressed for decades.”

“If we’re really serious about being a voice for the marginalized people, I think this issue is really something we can’t ignore,” she added.

Lim, a Korean Canadian, became involved with advocacy for “comfort women” in high school, when she volunteered for the Association for Learning and Preserving the History of World War II in Asia, a Chinese-Canadian group advocating for the inclusion of the Nanking Massacre and other Japanese war crimes in Canadian social studies textbooks. This desire to re-examine wartime histories and injustices eventually led Lim to spearhead awareness efforts at Yale.

As a first-year law student, Lim organized an event at Yale in April 2016 that featured a movie about “comfort women” and the testimonies of two survivors. The event was organized in partnership with the House of Sharing, one of two major “comfort women” advocacy groups in Korea. To Lim’s surprise, more than 500 people from the Yale and Greater New Haven communities showed up.

The Connecticut branch of Hope Butterflies, an international network of “comfort women” advocates, reached out to Lim after the event and inspired her to assemble a student task force to educate the Yale community on issues of wartime human rights violations. Since then, Lim and the task force have hosted a number of events to raise awareness, the most recent of which was a discussion with Dimo Kim, the director of “Comfort Women: A New Musical.”

One of the main goals of the task force is to show the Yale community that the issue reaches far beyond South Korea. While the topic of “comfort women” is often depicted in the media exclusively as a political conflict between Korea and Japan, in reality, many Korean men played a role in trafficking young women and were complicit in these wartime atrocities.

“War results in excessive violence towards people who are not involved. It’s really not about Korea-Japan relations,” Clint Yoo ’20, one of the task force’s founding members, said. He continued, “Unfortunately, the only country that is nationally active in figuring out a resolution for this issue is Korea. This is why people perceive this to be a very Korean issue.”

However, the diverse backgrounds of the task force’s members point to the necessity of intersectional advocacy.

To Lillian Hua ’21, who joined the task force during spring 2018, the “comfort women” issue is “a gateway analysis into a bunch of awful gender dynamics that were going on during World War II.”

After attending the task force’s screening of the documentary film The Apology, which follows the lives of three survivors from Korea, China, and the Philippines, and the decades-long sexual trauma they faced after the war, Hua was reminded of her own Chinese grandmother, who lived close to Nanking when the Imperial Japanese Army invaded China. While her grandmother was not directly affected by military violence, Hua said, “I thought, ‘That could have been her.’”

Keigo Nishio ’21, another Task Force member, is a native of Japan and the cultural chair of Yale’s Japanese American Students Union. To Nishio, “comfort women” remembrance and redress “has a universal aspect” encompassing issues of women’s rights and the rights of sexual minorities.

“I don’t think it’s an issue of nationality or a conflict between governments. From a universal standpoint, I think that the Japanese government should apologize for it,” Nishio said.

Yale’s “Comfort Women” Task Force is part of a trend. “Comfort women” advocacy is gaining momentum across the United States, and generally reaching a larger audience beyond Asia. In 2010, the United States' first memorial commemorating the “comfort women” was installed in Palisades Park, New Jersey, which has one of the country’s largest Korean immigrant communities. And in 2013, a replica of Seoul’s original Statue of Peace was installed in Glendale, California. A grassroots organization called the Korean American Forum of California (Kafc) advocated for the Glendale statue’s installation. It was the first memorial depicting an actual “comfort woman” installed in the United States.

In 2007, Kim Hyun Jung, the current director of the K AFC, was involved in the effort to pass U.S. House Resolution 121, which urged the Japanese government to accept full responsibility for the history of “comfort women.” After Kim and other supporters lobbied successfully for the resolution—which was approved unanimously in Congress in July 2007—they decided to form an organization aimed at bringing a “comfort women” memorial to California. The K AFC was formed in 2012.

To Kim, installing a statue in a public area was critical to expanding the breadth of education on the issue and challenging the often-Eurocentric approach to studying history. “The reason why we need to understand, remember, and educate about this issue is no different from the reason why we need to remember the Holocaust,” she explained.

After the K AFC revealed its plans to install the Statue of Peace in Glendale, the city held a special hearing to seek citizen input. While dozens of right-wing Japanese groups showed up at the hearing to oppose the installation of the statue, Glendale’s city
council members ultimately demonstrated solidarity with the victims rather than their deniers. Eventually, the memorial was approved at a city council meeting and placed in Glendale Central Park in 2013.

In San Francisco, activists engaged in a similar, eventually successful effort to install a “comfort women” memorial. Lillian Sing, retired state judge and the first Asian-American female judge in Northern California, described her experience founding the multi-ethnic and multi-national Comfort Women Justice Coalition in August 2015 along with retired judge Julie Tang. Both women stepped down from their judge positions to lead the coalition and advocate for the memorial full-time.

“I feel that I dispense a great deal of justice on the court, but there was so much injustice connected to the ‘comfort women’ issue, so I needed to spend all my time and energy and resources trying to find some justice for these girls,” Sing explained in an interview with The Politic.

Bringing the memorial to San Francisco took two years and required over 30 appearances before public bodies. Some conservative Japanese groups lobbied hard against the memorial at hearings, eventually demanding that the memorial at least be installed in a private area. However, in September 2017, Sing, Tang, and their colleagues ultimately succeeded in bringing the memorial—the Pillar of Strength—to Saint Mary’s Park in San Francisco’s historic Chinatown.

The Pillar of Strength, sculpted by artist Steven Whyte, depicts young Chinese, Korean, and Filipina women standing on a metallic pillar and holding hands while the likeness of Kim Hak Sun—the first “comfort woman” to come forward publicly about her experiences—looks up at the girls from below. It is both a multi-ethnic and intergenerational symbol of survival and strength.

The successful installation of memorials in Glendale and San Francisco would not have been possible without the presence of surviving “comfort women,” many of whom traveled to sites across the United States to share their stories.

Kim Hyun Jung, who had invited Ms. Kim to Glendale twice and recalled Ms. Kim’s pivotal efforts in helping to rally support for the installation of Glendale’s statue, reaffirmed the mark that surviving “comfort women” have left on the movement.

“All the city council members of Glendale met with Grandma Kim, and they were really inspired by her,” Kim Hyun Jung explained. During Kim Bok-dong’s visit to Glendale, the KAFC organized an event at Los Angeles’ Museum of Tolerance that featured her testimonies as well as those of Holocaust survivors and modern-day human trafficking victims.

“The death of Kim Bok-dong shows that many of these women have died without receiving any apology or justice from Japan,” explained Sing. “What her death did do was help other comfort women come out and break their silence. Two Chinese ‘comfort women’ recently broke their silence two months ago,” she maintained.

“It was the grandmas who broke the silence in the early 1990s to tell the whole world that they want justice,” Kim explained. “I think they were the pioneers of the #MeToo movement, actually.”

At Yale, the “Comfort Women” Task Force continues to spread the stories of these women and the messages of resilience and hope promoted by advocacy organizations like the Comfort Women Justice Coalition and the KAFC.

Eui Young Kim ’21, a “Comfort Women” Task Force member from Korea, described the history of “comfort women” as a “basic part of education for every Korean.” She explained: “It was jarring for me talking to people about ‘comfort women’ because a lot of people have no knowledge whatsoever about the issue at Yale.”

Memorials serve as a means to remember. Young people who pass by the Statues of Peace in Seoul and Glendale or the memorials in San Francisco and Palisades Park will be reminded of their grandparents’ generation who, like many “comfort women,” came of age during the 1940s. They may wonder if the young women depicted in these monuments could have been their very own grandmothers if circumstances had lined up differently. They will witness the tangible persistence of the activists who have gathered in front of Seoul’s Japanese Embassy every Wednesday since 1992 to demand full redress. They will remember an era of history that remained in the dark for far too long and the women who continue to fight for the remembrance they deserve.

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Dam(n) Displacement: Compensation, Resettlement, and Indigeneity
Stephen R. Munzer
51 Cornell International Law Journal 823
April 30, 2019

Hydroelectric dams produce electricity, provide flood control, and improve agricultural irrigation. But the building and operation of these dams frequently involve forced displacement of local communities. Displacement often has an outsized impact on indigenous persons, who are disproportionately poor, repressed, and politically marginalized. One can limit these adverse effects in various ways:

(1) taking seriously the ethics of dam-induced development,

(2) rooting out corruption,

(3) paying compensation at or near the beginning of dam projects,

(4) using land-for-land exchanges,

(5) disbursing resettlement funds as needed until displaced persons are firmly established in their new locations, and

(6) having entities that loan money to foreign governments for power dams insist that a percentage of the loan be sequestered to cover compensation and resettlement costs.

This sextet of sensible measures must, however, be applied to highly different countries and indigenous persons. This application will be unsuccessful unless these measures fit the local situations on the ground. This Article shows how one can succeed in two quite different countries – China and Guatemala – in which past efforts have proved inadequate.

Maya Achi displaced by the Chixoy Dam in Guatemala are an “indigenous people” under any traditional definition. Ethnic minorities displaced by dams in China are not traditional indigenous peoples because historical narratives of outsider conquest and colonization do not apply to them. They are, however, indigenous ethnic minorities. The Han Chinese super-majority dominates, represses, and discriminates against them. China ought to treat them in basically the same way that other countries ought to treat their indigenous peoples.
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