



**TRIAL**  
International

# Universal Jurisdiction Annual Review

---

UJUR 2025

In collaboration with





# Universal Jurisdiction Annual Review 2025

---

#UJAR



This publication was carried out in collaboration with the Center for Justice and Accountability, Civitas Maxima, the European Center for Constitutional and Human Rights, the International Federation for Human Rights and REDRESS. It has been researched and written by UpRights.

UpRights<sup>1</sup>

Photo credits: *Israeli warplanes target Palestine Tower in the center of Gaza City*, Photo by Bashar Taleb, 7 October 2023

# TABLE OF CONTENTS

<b>Methodology and Acknowledgements</b>	8
<b>2024 Highlights in the Domestic Prosecution of International Crimes under Extraterritorial and Universal Jurisdiction</b>	9
<b>2024 Key Findings</b>	13
<b>Cases in 2024</b>	15
<b>ARGENTINA</b>	16
Victims and NGOs granted civil party status in investigation of “false positives” crimes allegedly committed by former Colombian president Álvaro Uribe Vélez	16
Arrest warrants requested for Aung San Suu Kyi and 25 other Myanmar officials	17
Investigation into crimes against humanity allegedly committed by Nicaraguan president and vice president during 2018 protests continues	18
Arrest warrants issued for Venezuelan president Nicolás Maduro, Minister of the Interior Diosdado Cabello, and 30 other officials	19
Request rejected to terminate investigation into responsibility of Rodolfo Martín Villa for crimes against humanity allegedly committed during Franco dictatorship	20
Investigation opened into genocide and crimes against humanity allegedly committed against the Uyghur people by members of the Chinese authorities	21
Follow-up on other cases	22
<b>AUSTRALIA</b>	23
New evidence submitted in the case of the Australian soldier charged with a war crime in Afghanistan	23
<b>AUSTRIA</b>	23
Follow-up on cases	23
<b>BELGIUM</b>	24
Investigation opened into Belgian-Israeli national for alleged war crimes committed in Gaza	24
Rwandan national arrested for suspected participation in Rwandan genocide	24
Rwandan national convicted of genocide and war crimes while another Rwandan national is awaiting trial	25
Passing of one of the two suspects during ongoing investigation into the murder of Patrice Lumumba in the Democratic Republic of the Congo	25
Alleged leader of a former Syrian regime-affiliated militia indicted in Belgium on charges of crimes against humanity and war crimes	26
Investigation of alleged former Liberian armed group commander completed	27
Conviction of two Rwandan nationals for genocide and war crimes confirmed on appeal	28
Investigation completed of Belgian national identified during structural investigation of crimes committed against the Yazidis	29
Investigation of Rwandan national suspected of participation in Rwandan genocide	29
Rwandan businessman arrested over genocide and war crimes charges released from pre-trial detention while investigation continues	29
Follow-up on other cases	30
Ongoing structural investigation	30

<b>CANADA</b> .....	<b>31</b>
Canadian alleged former member of ISIS charged with war crimes in Iraq .....	31
<b>FINLAND</b> .....	<b>32</b>
Russian citizen on trial for war crimes allegedly committed in Ukraine .....	32
<b>FRANCE</b> .....	<b>34</b>
Functional immunity denied to the former governor of the Syrian Central Bank for charges of complicity in crimes against humanity and war crimes .....	34
Sentence of life imprisonment for three high-ranking Syrian officials complicit in crimes against humanity and war crimes .....	35
Technical expert appointed to carry out expert analysis on surveillance technology capacities within corporate accountability case of torture in Libya .....	36
Confirmation by the Court of Appeal of the arrest warrant against Bashar al-Assad for complicity in war crimes and crimes against humanity following 2013 chemical attacks .....	37
New civil party heard in case against the French bank BNP Paribas accused of complicity in international crimes in Sudan .....	38
Former Rwandan head of the Butare Center of Public Health sentenced to 27 years of imprisonment for complicity in genocide and crimes against humanity .....	38
Three additional international arrest warrants issued against Syrian officials for complicity in war crimes .....	39
Verdict confirmed on appeal for the first crimes against humanity conviction in the context of the Liberian civil wars .....	40
Multinational Lafarge and its former executives to stand trial for financing terrorism in Syria, investigation into complicity in crimes against humanity continues .....	41
French alleged former member of ISIS indicted for complicity in genocide and crimes against humanity committed against Yazidis .....	43
Rwandan national charged with genocide and crimes against humanity .....	44
Dismissal of case against former Chadian rebel armed group leader .....	44
Former spokesperson of Syrian opposition armed group Jaysh al-Islam to be tried on complicity in war crimes charges .....	45
Dismissal of the case against former head of IT at the United Nations Development Programme in Kigali, Rwanda .....	46
Request for new investigative acts against a French alleged former member of ISIS suspected of genocide and crimes against humanity against Yazidis .....	47
Submission filed by civil parties to request new indictments in a case against French surveillance company accused of complicity in torture and enforced disappearances in Egypt .....	47
Conviction and life sentence for a Rwandan former police officer for crimes against humanity and genocide confirmed on appeal .....	48
Upcoming trial of Congolese former minister and rebel armed group commander for crimes against humanity committed in 2002-2003 in DRC .....	49
French alleged former member of ISIS sent to trial for genocide and crimes against humanity committed against Yazidi women and children .....	50
Appeal filed against the discontinuation of the investigation against several multinational garment companies targeted for forced labor of Uyghurs .....	51
French couple, alleged members of ISIS, to be tried for genocide and crimes against humanity committed against Yazidis .....	52
Appeal trial dates set for Butare doctor convicted of genocide and crimes against humanity in Rwanda .....	52
Investigation opened into killing of two French humanitarians in Ukraine .....	53
Investigations opened into war crimes in Ukraine following the deaths of French journalists .....	54
Referral to the Supreme Court of the dismissal of the case against the French military for its responsibility in the Rwandan genocide .....	54
Follow-up on other cases .....	55
Ongoing structural investigations .....	55

<b>GERMANY</b> .....	<b>56</b>
Member of a former Syrian regime-affiliated militia convicted of crimes against humanity and war crimes .....	56
Trial against Syrian doctor for crimes against humanity continues into its fourth year .....	57
Trial of alleged former Hezbollah member for crimes against humanity and war crimes in Syria started .....	58
First two convictions for Syrian State torture upheld by Federal Court of Justice .....	58
German Supreme Court confirms life sentence of former member of Gambian paramilitary group for crimes against humanity .....	60
Arrest of four suspected members of a former Syrian regime-affiliated militia and one suspected Syrian Intelligence Officer for crimes against humanity and war crimes .....	61
Federal public prosecutor general refrains from opening investigation into crimes under international law for the killing of German-Palestinian family in Gaza .....	62
Investigation opened into war crimes for the shooting of civilians in Ukraine .....	63
Conviction of a former member of a former Syrian regime-affiliated militia for the war crime of degrading or humiliating treatment in Syria .....	63
Updates on various proceedings against alleged former ISIS members .....	64
Follow-up on other cases .....	71
Ongoing structural investigations .....	71
<b>LITHUANIA</b> .....	<b>72</b>
Suspects identified in investigation of killing of Lithuanian filmmaker in Mariupol, Ukraine .....	72
Follow-up on other cases .....	72
<b>NETHERLANDS</b> .....	<b>73</b>
Acquittal for war crimes of an Afghan prison commander by Court of Appeal is now before the Supreme Court .....	73
Dutch national arrested for recruiting her minor son to join ISIS as a child soldier .....	74
Call for witnesses issued during war crimes investigation of alleged security chief for Jabhat al-Nusra and ISIS .....	74
First conviction for international crimes against the Yazidis in the Netherlands .....	75
Dutch former member of ISIS convicted for taking her children to a war zone .....	76
First conviction in the Netherlands of a member of a former Syrian regime-affiliated militia under appeal .....	76
Former Rwandan military official arrested in the Netherlands .....	77
Dutch former member of ISIS convicted for membership in a terrorist organization .....	77
Dutch former member of ISIS acquitted of war crimes but convicted of other offenses on appeal .....	78
Dutch police arrest Suriname-born Dutch national on suspicion of war crimes during Surinamese Interior War .....	79
Dutch national arrested for his alleged involvement in Rwandan genocide .....	79
Investigations continue in first-ever sexual violence charges brought against Syrian former member of pro-regime paramilitary group .....	80
Follow-up on other cases .....	80
<b>PORTUGAL</b> .....	<b>81</b>
First conviction in Portugal for war crimes committed by an alleged member of ISIS in Iraq .....	81
<b>SPAIN</b> .....	<b>82</b>
Investigation opened into Spanish businessman for alleged participation in the illegal trade of blood diamonds during the civil war in Sierra Leone .....	82
<b>SWEDEN</b> .....	<b>83</b>
Trial continues of Swiss and Swedish oil businessmen for complicity in Sudanese war crimes .....	83
Former Iranian official convicted of war crimes released in prisoner swap .....	84

Swedish national on trial for genocide, crimes against humanity and war crimes against Yazidis in Syria .....	85
Stockholm District Court acquits former Syrian general of war crimes .....	86
Former member of Syrian opposition armed group convicted of war crimes for using a child under 15 in a propaganda video .....	87
Syrian national acquitted of war crimes on the basis of insufficient evidence .....	88
Three Swedish nationals detained on suspicion of war crimes and crimes against humanity in Syria .....	88
Follow-up on other cases .....	89
<b>SWITZERLAND</b> .....	90
Former Liberian rebel armed group commander files a petition with the Federal Supreme Court .....	90
Former Gambian Minister of Interior convicted of crimes against humanity .....	91
Former Syrian vice president indicted for war crimes and crimes against humanity .....	92
Follow-up on other cases .....	93
<b>UNITED KINGDOM</b> .....	94
Five British soldiers investigated on suspicion of war crimes while on operations in Syria in 2022 .....	94
Rwandan national investigated on suspicion of genocide and crimes against humanity committed in Rwanda in 1994 .....	95
Follow-up on other cases .....	95
Ongoing structural investigations .....	95
<b>UNITED STATES OF AMERICA</b> .....	96
First United States indictment for war crimes committed in Ukraine .....	96
Former Syrian intelligence officers charged with war crimes .....	96
Upcoming trial of alleged former member of the Junglers on suspicion of torture committed in The Gambia .....	97
Former United States contractor convicted and sentenced for torture committed in Iraq .....	98
Former head of Damascus Central Prison and governor of Deir ez-Zor charged with torture .....	99
Follow-up on other cases .....	100
<b>Table of Cases</b> .....	103
<b>Who We Are</b> .....	112

# Methodology and

# Acknowledgements

The present report reviews cases brought under three grounds of extraterritorial jurisdiction: the principle of universal jurisdiction and the principles of active and passive personality. Most cases included in this report have been launched under the principle of universal jurisdiction, hence the title of this report.

Extraterritorial jurisdiction refers to cases in which crimes have been committed outside the territory of the prosecuting country. In such cases, universal jurisdiction applies when neither the suspects nor the victims are nationals of the prosecuting country, while active and passive personality apply when suspects and victims are nationals of the prosecuting country, respectively. The term “universal jurisdiction” is used in the report according to this definition, even when it is not labeled as such within the national legislation of the relevant prosecuting country.

8 The report covers public developments that occurred during the year 2024 and does not claim to be exhaustive as a large number of cases are subject to the confidentiality of criminal investigations. It only reports cases where judges or prosecutors have initiated criminal investigations into international crimes, namely genocide, crimes against humanity, war crimes, torture and enforced disappearances. It does not, therefore, include complaints that victims, lawyers, or NGOs filed under universal and extraterritorial jurisdiction that did not result in the opening of a judicial investigation or that have been dismissed by the relevant national authorities. Cases marked as “new” are those in which an investigation was opened or made public in 2024.

The Universal Jurisdiction Annual Review is a project by TRIAL International, carried out in collaboration with the Center for Justice and Accountability, Civitas Maxima, the European Center for Constitutional and Human Rights, the International Federation for Human Rights and REDRESS. This report has been researched and written by UpRights on behalf of the above-mentioned organizations.

TRIAL International is grateful to all the civil society organizations, lawyers, prosecutors and investigative judges who assisted in collecting the information compiled in this report. While every attempt was made to ensure accuracy, information is subject to change without notice.

This publication benefited from the generous support of the European Union within the scope of the “Global Initiative Against Impunity for International Crimes and Serious Human Rights Violations: Making Justice Work” project, the Taiwan Foundation for Democracy, the City of Geneva and the Oak Foundation.



**2024 Highlights**

**in the Domestic**

**Prosecution of**

**International**

**Crimes under**

**Extraterritorial**

**and Universal**

**Jurisdiction**

With more than 130 matters under investigation or in different stages of judicial proceedings over the course of the year, extraterritorial and universal jurisdiction cases continued to be a central pillar of the global fight against impunity in 2024. At least 36 new cases were opened or made public over the course of 2024, and 27 convictions were entered.

In 2024, Portugal joined the list of jurisdictions prosecuting international crimes extraterritorially, prosecuting and convicting two Iraqi brothers and former ISIS supporters of membership in a terrorist organization, with one of the brothers also convicted of war crimes for kidnapping and whipping an Iraqi citizen in a public square in Mosul (see p. 81).

Important legal reforms concerning universal jurisdiction were adopted in Germany and Denmark. On 6 June 2024, the German parliament passed the Act on the Further Development of International Criminal Law, which serves to reform the German legal framework for the prosecution of international crimes. Among other things, the new legislation closes gaps in the prosecution of sexual and gender-based violence, improves opportunities for trial documentation and ensures that survivors of certain international crimes can obtain joint plaintiff status, including the right to legal assistance and psychosocial support during trial.

On 17 December 2024, the Danish parliament adopted a [legislative reform](#) adding a new chapter on core international crimes to the Danish Penal Code. The amendment entered into force on 1 January 2025 and criminalizes war crimes, torture and crimes against humanity. Although Denmark can only exercise jurisdiction over persons present on Danish territory for these offenses, if effectively implemented, the legislation will enable Danish authorities to better contribute to European and international cooperation in investigating and prosecuting international crimes.

There were also a number of positive developments in specific cases over the course of 2024. A French Court of Appeal confirmed an arrest warrant against former Syrian president Bashar al-Assad (see p. 39), agreeing with civil parties that immunity did not prevent the issuance of the warrant although he was still then in office. In two other cases in France, against Adib Mayaleh (see p. 34) and against Ali Mamlouk, Jamil Hassan and Abdel Salam Mahmoud (see p. 35), French judicial authorities confirmed that functional immunities do not apply in international crimes cases and entered convictions *in absentia* against Mamlouk, Hassan and Mahmoud. These cases reflect the continued evolution of the legal framework around immunities and demonstrate that obstacles to accountability can be eroded through legal precedents.

In Switzerland, Ousman Sonko, former minister of the interior of The Gambia, was convicted of crimes against humanity and sentenced to 20 years in prison, marking the highest-ranking State official tried under the universal jurisdiction principle before a European court to date (see p. 91).

## CURRENT CHALLENGES FOR UNIVERSAL JURISDICTION

Not all developments were positive. The release by Sweden of Hamid Noury to Iran in a prisoner exchange (see p. 84) showed that political and diplomatic decisions may override accountability. The acquittal of Walid Al Zaytun (see p. 88), based in part on the limited probative value the Swedish court was willing to give to written witness statements taken by the Commission for International Justice and Accountability (CIJA), demonstrates the difficulty of prosecuting cases where witnesses may not be available to provide oral testimony or be interviewed by national authorities.

Indeed, other developments demonstrated some of the main challenges faced in the pursuit of justice through extraterritorial or universal jurisdiction. These include the failure of domestic prosecution authorities to investigate, so far, international crimes in Palestine despite widespread documentation, the lack of tangible results from the exercise of extraterritorial jurisdiction over the last two years with respect to Ukraine and the discrepancy between political statements in favor of accountability and the willingness to investigate, as demonstrated in the example of Belarus.

### *Double standards in relation to Gaza...*

In 2024, the failure of States exercising extraterritorial jurisdiction to open investigations on alleged international crimes committed in the war in Gaza has largely been perceived as a major threat to the legitimacy of international criminal justice. Unlike the welcome and standard-setting accountability responses by prosecuting authorities of various countries to the conflict in Syria and following Russia's full-scale invasion of Ukraine, the war in Gaza has so far not resulted in coordinated investigative efforts.

Following Hamas's brutal attack on Israel on 7 October 2023, which included numerous war crimes and crimes against humanity, there has been mounting evidence and findings of international crimes committed by Israeli forces. In November 2024, the International Criminal

Court (ICC) issued three arrest warrants against Israeli government and Hamas leaders.

Local and international NGOs, United Nations human rights mechanisms and the ICC have comprehensively documented widespread international crimes committed in Gaza by the Israeli Defense Forces. Despite this documentation and the readiness of NGOs to engage with national prosecutors, there has, thus far, been almost no response from State-level justice actors. To date, no State has announced the opening of a structural investigation into the situation in Gaza.

On the contrary, prosecutors in at least two instances have rejected requests to investigate alleged international crimes committed in the conflict. In September 2024, French judicial authorities dismissed a complaint brought by NGOs alleging that a French Israeli soldier was responsible for torture and complicity in torture as war crimes based on video evidence of mistreatment of Palestinian prisoners in Gaza. In December 2024, a different group of NGOs – composed of the International Federation for Human Rights (FIDH), Al-Haq, Al Mezan, the Palestinian Center for Human Rights and *Ligue des droits de l'Homme* (LDH) – filed a civil party complaint against the same French-Israeli soldier to fight the inertia of the public prosecutor. Similarly, Norwegian authorities dismissed a complaint filed by NGOs against three Israeli officials for complicity in crimes against humanity. The German Federal Public Prosecutor's Office refused to investigate the killing of a German-Palestinian family by an Israeli air strike as a possible war crime, and referred the case to the local Dortmund Public Prosecutor's Office for investigation as a domestic crime (see Abujadallah case, p. 62).

At the end of 2024, there was only one publicly known extraterritorial investigation for international crimes committed in Gaza, in Belgium (see A.B. case, p. 24). In Poland, national authorities opened a domestic murder investigation into the death of Damian Sobol, a Polish national who was killed in Gaza in an attack on a convoy of the humanitarian organization, World Central Kitchen.

### ... compared to Ukraine

The lack of effective investigations into international crimes committed in Gaza stands in stark contrast to the welcome judicial response to Russia's full-scale invasion of Ukraine, which raised hopes that similar efforts would be made in other situations of mass atrocities. While Russia's war in eastern Ukraine from 2014 onwards initially received little attention, the aggression of February 2022 sparked an unprecedented commitment to the prosecution of international crimes.

As already mentioned in the 2023 UJAR, numerous States, including States that did not have a prior universal jurisdiction practice, mobilized specialized prosecutorial units very soon after the invasion, opened structural investigations to collect evidence of crimes committed during the conflict for potential future prosecutions and began investigations of specific incidents and perpetrators. To date, over 20 national authorities have announced investigations on cases related to crimes in Ukraine.

The response also resulted in legal innovations at the national and regional levels. At the regional level, Eurojust and the Genocide Network Secretariat held special sessions on Ukraine; supported the setting up of a Joint Investigation Team (JIT) that consists of Ukraine, six European Union Member States, the ICC, and Europol; and initiated the NGO Atlas, aimed at enhancing collaboration between national authorities and NGOs documenting crimes in Ukraine. At the national level, the United States and, as mentioned above, Denmark and Germany, introduced legal reforms that were triggered by the Russian invasion of Ukraine. While these efforts have yielded surprisingly few results (see below), they send a clear signal against impunity.

In relation to the situation in Gaza, the different responses to crimes appear, at least to some observers, to echo the political support of some countries (often the same that exercise universal jurisdiction) to Israel. The result is a serious risk to the perceived legitimacy of international justice. Adherence to the same standards for all cases is important for victims and crucial to the legitimacy and integrity of the broader international justice system. To gain victims' and survivors' trust, States must avoid not only actual bias but also the appearance of bias in the exercise of extraterritorial jurisdiction.

Although prosecutors will often be called upon to balance a number of considerations when selecting cases, including their own limited resources and the likelihood of success, it is crucial for their perceived legitimacy that prosecutorial discretion is not used as a political tool. The victims of atrocity crimes deserve equal access to justice, and prosecuting authorities working on the basis of extraterritorial, including universal, jurisdiction should apply the same standards of case selection to all potential international crimes cases that come before them. When certain victims and regions receive comparatively less attention, it sends a message that some lives matter more than others, that the fight against impunity has borders after all. Such double standards in case selection can undermine the claimed universality of jurisdiction over international crimes.

## *Even in relation to Ukraine, a lack of tangible results thus far*

While the efforts to investigate international crimes committed in Russia's war of aggression against Ukraine have set standards that should be used as a baseline for other situations and have clearly stood out as compared to Gaza, they too have yet to produce tangible results. Based on publicly available information, these efforts have been limited to third States bringing passive personality cases involving crimes against their own nationals, including a German investigation into the shooting of civilians in Hostomel (see p. 63), a Lithuanian investigation into the killing of filmmaker Mantas Kvedaravičius (see p. 72), the first ever prosecution under the War Crimes Act in the United States (see p. 96) and, in France, an investigation into the killings of journalists (see p. 54) as well as an investigation into the killings of two French employees of a humanitarian aid organization (see p. 53). In addition to this, many countries have secured testimonies from Ukrainian refugees who have fled the war and settled on their territory.

## *Discrepancy between political statements and willingness to investigate*

Calls for accountability do not always translate to widespread willingness to investigate, as has been the case for the documented crimes of the Belarusian regime. Despite international efforts to combat impunity through the launching of the International Accountability Platform for Belarus (IAPB) in 2021 by 19 States and documentation efforts under the auspices of the United Nations Human Rights Council and United Nations High Commissioner for Human Rights (OHCHR), only Lithuania is known to be actively collecting and analyzing information on alleged international crimes in Belarus. In Germany, following a criminal complaint filed by the European Center for Constitutional and Human Rights (ECCHR), together with the World Organisation Against Torture (OMCT), the Federal Prosecutor's Office refused to request information from the IAPB and the OHCHR. The criminal complaint was filed for crimes against humanity against six named high-ranking members of the Belarusian security apparatus on behalf of a German survivor in November 2021. While the German authorities interviewed the survivor and conducted some open-source intelligence (OSINT) research, they stopped short of contacting either the IAPB or OHCHR, although the former had collected information on the detention facilities where the survivor had been held. The Federal Prosecutor's Office thus failed to take possible investigative steps required by law in cases of German victims, revealing a too-common discrepancy between political statements in favor of accountability and willingness to take investigative measures.

## *Meeting these challenges*

There are a number of steps that States, including their national prosecution authorities, can take to ensure that victims and survivors of international crimes across all situations have access to justice. For many States, an important first step remains the strengthening of domestic legal frameworks, to ensure they allow the prosecution of international crimes on the basis of universal jurisdiction. There is also a need for increased training and resources for specialized international crimes units within domestic prosecution authorities. These types of cases are inevitably expensive, and units require sufficient financial and technical resources to meet the unique challenges of extraterritorial investigations.

The response to crimes committed in Syria demonstrates the importance of structural investigations and of the collaboration between civil society organizations, especially victims' groups, and prosecuting authorities. The response to crimes committed in Ukraine following the full-scale Russian invasion, at least in its initial phase, demonstrates the potential of coordinated, mobilized and cooperative international criminal justice. To ensure that victims and survivors have access to justice free from political bias, lessons learned from those responses can and should be applied across all regions affected by international crimes. In all contexts alike, collaboration efforts between prosecuting authorities and civil society actors are an important piece of the puzzle and need to be further deployed to build an effective and fair international justice system.

# 2024

## Key Findings



**32**

countries of  
commission



**16**

countries of  
prosecution



**36**

new cases



**297**

suspects at least  
(20 women)



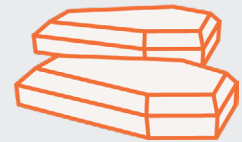
**83**

war crimes  
charges



**107**

crimes against  
humanity charges



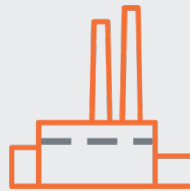
**25**

genocide  
charges



**14**

sexual violence  
charges



**32**

suspects are  
economic actors  
(business people or  
companies)



**27**

convictions  
(first instance  
or appeal)

# Universal Jurisdiction Interactive Map

## Tracking the Fight Against Impunity

*Dive into a **global overview** of international crimes cases based on universal jurisdiction and discover key data*



**Country of prosecution** ⓘ

Country of prosecution ▼

---

**Alleged crimes / charges** ⓘ

Alleged crimes / charges ▼

Sexual crimes 38

Convicted of  Acquitted of

---

**Status of the procedure** ⓘ

Status of the procedure ▼

---

**Verdict / decision** ⓘ

Verdict / decision ▼

---

**Individual / company** ⓘ

Individual / company ▼

Economic actor 21

---

**Jurisdictional basis** ⓘ

Jurisdictional basis ▼

---

**Year of the verdict (First instance) / decision** ⓘ

---

**Year of the verdict (Second instance)** ⓘ

---

**Year of the verdict (Third instance)** ⓘ

---

**Length of the procedure (in years)** ⓘ

---

**Nationality of the suspect** ⓘ

Nationality of the suspect ▼

Multiple nationalities

\* The Universal Jurisdiction Interactive Map (UJIM) is an online tool that provides a global overview of criminal cases brought before national courts on the basis of the principle of universal jurisdiction and the principles of active and passive personality jurisdiction. Cases included in the map relate to international crimes. The interactive map enables the user to access quantitative data on investigations and prosecutions of universal jurisdiction cases worldwide. Cases can be filtered by a variety of factors, and for each case a summary of the facts and of the procedure is available.

**Cases in**

**2024**

# ARGENTINA



## VICTIMS AND NGOS GRANTED CIVIL PARTY STATUS IN INVESTIGATION OF “FALSE POSITIVES” CRIMES ALLEGEDLY COMMITTED BY FORMER COLOMBIAN PRESIDENT ÁLVARO URIBE VÉLEZ

Álvaro Uribe Vélez

**Country of commission**  
Colombia

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Álvaro Uribe Vélez, Colombian national, former president of Colombia (2002-2010)

**Country of residence of suspect**  
Colombia

**Charges**  
As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on the crimes against humanity of murder and enforced disappearances and the war crime of murder.

**Current status**  
Under investigation

**Facts**  
Between 2002 and 2008, the armed conflict in Colombia (1958-2016) was characterized by an increase in militarization, an escalation of paramilitary violence, and attacks against the civilian population. During this period, State agents, in particular members of the national army, executed and enforced the disappearances of at least 6402

civilians and other persons protected under international humanitarian law. Victims were mostly young men from modest backgrounds who were lured with promises of work and then executed by soldiers. They were later dressed in guerrilla fatigues and/or had weapons placed in their hands and were illegitimately presented as combatants of the leftist guerrillas killed during fighting. These crimes were committed with the aim of boosting statistics and creating the impression that the army was winning the war.

These crimes, publicly known as “false positives” were allegedly committed in 31 of Colombia’s 32 departments, by all army divisions, with the same *modus operandi*. They allegedly involved a wide range of members of the armed forces, including the lower, middle and high command.

Uribe was president of the Republic of Colombia from 2002 to 2010. As the Supreme Commander of the Armed Forces, he implemented a “Democratic Security” aimed at an increased militarization of the country to confront guerrilla groups, thus pressuring armed forces to boost their operational results. Uribe is suspected of having had knowledge of the criminal practice of false positives, but having failed to prevent, investigate or punish those crimes. He also allegedly dismissed numerous complaints that were filed against these crimes and continued to pressure his troops to report a significant number of kills in combat, despite reportedly knowing that the victims were civilians.

The *Jurisdicción Especial para la Paz* (Special Jurisdiction for Peace), a transitional tribunal established in 2017 to judge crimes committed during the internal armed conflict, has so far indicted a total of 99 members of the Colombian armed forces, including eight generals, for war crimes and the crimes against humanity of murder and enforced disappearance. It does not, however, have jurisdiction over former presidents.

A preliminary examination of the situation in Colombia by the Office of the Prosecutor of the International Criminal Court (ICC) focused on false positive crimes since 2012. However, the examination was closed in 2021 after a cooperation agreement was reached with the Colombian government.

**Procedure**  
On 7 November 2023, 11 victims and three Colombian NGOs – the *Comité de Solidaridad con los Presos Políticos (CSPP)*, the *Colectivo de Abogados José Alvear Restrepo (CAJAR)* and the *Corporación Jurídica Libertad (CJL)* – filed a complaint against the former Colombian president for the false positive crimes as war crimes and crimes against humanity before the Argentinian prosecuting authorities.

The case was assigned to an investigating judge of Federal Court N°2 in Buenos Aires and a federal prosecutor. On 9 November 2023, the judge asked the ICC to share with the Argentinian authorities information on any investigations into the crimes denounced.



On 19 December 2023, the prosecutor assigned to the case announced the opening of an investigation and requested several additional acts of mutual assistance from Colombia.

## DEVELOPMENTS IN 2024

In June 2024, the investigative judge received a response from the ICC stating that it had no active proceedings against Uribe.

On 1 July 2024, the investigative judge granted standing as civil parties to the 11 Colombian victims and the three Colombian organizations, CSPP, CAJAR and CJL. As civil parties, they can participate in the proceedings, request evidence, and request an indictment if the prosecution does not do so. To date, no testimonies have been heard by the Argentinian authorities.

## ARREST WARRANTS REQUESTED FOR AUNG SAN SUU KYI AND 25 OTHER MYANMAR OFFICIALS

Aung San Suu Kyi and others

**Country of commission**  
Myanmar

**Jurisdictional basis**  
Universal jurisdiction

**Suspects**  
Military and civilian leaders, including former state counsellor Aung San Suu Kyi, acting president and commander-in-chief of the armed forces Min Aung Hlaing, and former president of Myanmar Htin Kyaw

**Country of residence of suspects**  
Myanmar

**Charges**  
As the case is at the investigation stage, the suspects have not yet been formally charged. The investigation focuses on genocide and crimes against humanity, including sexual violence.

**Current status**  
Under investigation

**Facts**  
On 25 August 2017, a military crackdown started in Myanmar against the Rohingya people after militants allegedly attacked police posts in Rakhine State. The violent repression forced more than 740 000 civilians to flee massacres, extrajudicial executions and sexual violence. The United Nations' Independent International Fact-Finding Mission on Myanmar concluded that soldiers systematically used rape, gang rape and other violent and forced sexual acts against women, girls, boys, men and transgender people.

The United Nations investigators qualified this severe crackdown as genocide and declared that the generals at the head of the country's

army must answer charges of genocide in northern Rakhine State as well as crimes against humanity and war crimes in the states of Rakhine, Kachin and Shan.

### Procedure

On 13 November 2019, the Burmese Rohingya Organisation UK (BROUK) filed a complaint before the Argentinian authorities for alleged genocide and crimes against humanity committed against the Rohingya people, including mass killings allegedly committed in August 2017.

On 29 May 2020, Argentina's Federal Criminal Chamber 1 opened an investigation into Myanmar's leader Aung San Suu Kyi and senior military officials for genocide and other crimes allegedly committed against the Rohingya people.

On 12 July 2021, the Argentinian lower court dismissed the case based on the existence of an ongoing investigation by the International Criminal Court (ICC) of crimes committed against the Rohingya. The plaintiff appealed the decision.

On 26 November 2021, the Federal Court of Argentina ordered the judicial authorities to investigate the crimes against humanity and genocide allegedly committed against the Rohingya people. The court stated that by virtue of the nature of such crimes, it is the obligation of all States, under peremptory norms of international law, to conduct a preliminary investigation into harmful acts that violate the peace, security and welfare of mankind.

The Federal Court underlined that the existence of the Independent Investigation Mechanism for Myanmar for the collection of evidence would facilitate the complex task of collecting evidence in this case.

## DEVELOPMENTS IN 2024

On 28 June 2024, the federal prosecutor submitted a request to the Federal Court to issue arrest warrants and Interpol Red Notices for 25 officials, military personnel and police officers, including former state counsellor Aung San Suu Kyi, acting president and commander-in-chief of the armed forces Min Aung Hlaing and former president of Myanmar Htin Kyaw. The Federal Court will now decide whether to grant the request and issue arrest warrants.

On 27 November 2024, the prosecutor of the ICC filed an application to the pre-trial chamber for a warrant of arrest for Min Aung Hlaing. The pre-trial chamber will now determine whether to issue an arrest warrant.

## INVESTIGATION INTO CRIMES AGAINST HUMANITY ALLEGEDLY COMMITTED BY NICARAGUAN PRESIDENT AND VICE PRESIDENT DURING 2018 PROTESTS CONTINUES

Daniel Ortega, Rosario Murillo and 14 other high-ranking officials

**Country of commission**  
Nicaragua

**Jurisdictional basis**  
Universal jurisdiction

### Suspects

Nicaraguan nationals: Daniel Ortega, president of Nicaragua (1985-1990, and since 2007); Rosario Murillo, vice president of Nicaragua; Francisco Javier Díaz Madriz, chief of the Nicaraguan police; Julio César Avilés Castillo, chief of the armed forces; and twelve other high-ranking officials

**Country of residence of suspects**  
Nicaragua

### Charges

As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on crimes against humanity, including torture, enforced disappearance, rape and other forms of sexual violence.

### Current status

Under investigation; arrest warrants issued

### Facts

On 18 April 2018, a series of reforms to the social security system triggered the outbreak of social protests against the government of Nicaragua. Thousands of people across the country took to the streets daily to demonstrate. Protests were repressed by the National Police and its anti-riot forces, with the support of "Sandinista mobs" (*turbas sandinistas*), pro-government armed groups allegedly used to generate disorder and quash protests.

According to a 2021 report of the Inter-American Commission of Human Rights, at least 355 people died, including 27 children, and 2000 were injured. Health professionals were reportedly ordered not to treat injured people as a result of their participation in the mobilizations, and those who disregarded this order were allegedly dismissed. In addition, more than 1614 were allegedly imprisoned; hundreds of health professionals, journalists, teachers and students were fired or expelled; and over 100 000 people fled Nicaragua.

Since 2018, Ortega's government allegedly intensified the persecution of its political opponents, in particular due to the 2021 disputed elections in which Ortega was re-elected for a fourth consecutive term. It is reported that thousands have been detained and sentenced to lengthy prison terms, including presidential aspirants, public figures, former workers of civil society organizations and church representatives.

### Procedure

In September 2022, a complaint against Ortega, Murillo and other high-ranking Nicaraguan officials was filed for the crimes against humanity of enforced disappearances, torture, murder and deprivation of liberty, among other crimes committed since 2018. The complaint alleges that the highest political command ordered a systematic attack against the civilian population.

In October 2022, an investigation was opened under universal jurisdiction into crimes against humanity. As an initial investigative measure, the Argentinian prosecuting authorities sent a rogatory letter to Nicaragua to ask whether it was already investigating and prosecuting those crimes. Public reports by international and non-governmental organizations regarding the repression of protesters were added to the investigation file, including reports

of the Inter-American Commission on Human Rights, the United Nations Human Rights Council, the United Nations Group of Human Rights Experts on Nicaragua, Amnesty International, the Center for Legal and Social Studies, the International Federation for Human Rights (FIDH) and the Nicaraguan Center for Human Rights.

A second complaint was added in early November 2022 by the Argentina-based NGO *Centro de Asistencia Legal Interamericano en Derechos Humanos*.

On 24 November 2023, the National Prosecutor's Office formally requested statements from Ortega and Murillo.

#### DEVELOPMENTS IN 2024

In August 2024, the plaintiffs' lawyers submitted a request to a federal judge for a summons to appear and international arrest warrants against Daniel Ortega, Rosario Murillo and other officials.

In October 2024, a hearing took place before the National Criminal and Correctional Court in Buenos Aires, during which the plaintiffs' lawyers presented evidence of statements made by Francisco Díaz Madriz, head of the Nicaraguan police, in which he is reported to have attributed responsibility to Ortega and Murillo for the orders to repress the protests that took place in 2018.

On 30 December 2024, a federal judge issued arrest warrants and summoned President Daniel Ortega, Vice President Rosario Murillo and fourteen other officials for questioning.

## ARREST WARRANTS ISSUED FOR VENEZUELAN PRESIDENT NICOLÁS MADURO, MINISTER OF THE INTERIOR DIOSDADO CABELLO, AND 30 OTHER OFFICIALS

Nicolás Maduro, Diosdado Cabello and 30 other officials

**Country of commission**  
Venezuela

**Jurisdictional basis**  
Universal jurisdiction

**Suspects**  
Nicolás Maduro, president of Venezuela, Diosdado Cabello, minister of the interior of Venezuela, and 30 other Venezuelan officials

**Country of residence of suspects**  
Venezuela

**Charges**  
As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on crimes against humanity, including murder, torture, enforced disappearance and persecution.

**Current status**  
Under investigation; arrest warrants issued

**Facts**  
An ongoing political and economic crisis in Venezuela led to protests in February 2014 against the Maduro regime. Venezuelan authorities violently repressed individuals associated or perceived to be associated with the government's political opposition. The United Nations Independent International Fact-Finding Mission on Venezuela documented extrajudicial executions, enforced disappearances, arbitrary detentions, torture and cruel, inhuman or degrading treatment, including sexual and gender-based violence. It concluded in 2022 that crimes against humanity were committed in Venezuela to suppress dissent.

### Procedure

In January 2023, the Argentine Forum for the Defense of Democracy (FADD) filed a criminal complaint before the Federal Court of Argentina against members of the government of Venezuela for crimes against humanity.

In June 2023, the Clooney Foundation for Justice filed a complaint before the Federal Court of Argentina, representing family members of two victims of indiscriminate violence and killings in Venezuela in 2014. The complaint relied on over 15 000 pages of evidence of crimes against humanity alleged to have taken place in Venezuela.

Both complaints were consolidated into a single case by the federal prosecutor.

In July 2023, the federal prosecutor opened an investigation into crimes against humanity allegedly committed by Venezuelan security forces. The prosecutor subsequently requested a series of measures, including requests to the Venezuelan justice system to send copies of judicial proceedings and to the hospitals where the victims were treated in order to access medical records, a list of professionals who treated them and death certificates. He also called for documents to be requested from the United Nations, the Organization of American States, the Inter-American Commission on Human Rights and the International Criminal Court (ICC), which opened an investigation into the situation in Venezuela in November 2021.

On 26 September 2023, Argentinian prosecutors received a response from the ICC indicating that the scope of the ICC investigation encompasses any crimes within the Court's jurisdiction alleged to have occurred in Venezuela since 12 February 2014, but that it does not currently have any cases opened against specific identified individuals.

## DEVELOPMENTS IN 2024

In February 2024, the FADD submitted an extension of its initial complaint to the Office of the Federal Prosecutor. The extension included, among others, the case of human rights defender Rocío San Miguel, who was allegedly arbitrarily detained by agents of the Bolivarian Intelligence Service (SEBIN) on 9 February 2024 at the Maiquetía International Airport in Venezuela, and has been imprisoned at the El Helicoide detention center since then.

Also in February 2024, Amnesty International submitted an *amicus curiae* to the National Criminal and Federal Correctional Court N°2, supporting the request for the Federal Court to investigate the serious human rights violations allegedly perpetrated by the Maduro regime and submitting that the Argentine justice system is fully competent to investigate, prosecute and punish the perpetrators of crimes against humanity committed in Venezuela.

In March 2024, the federal judge ordered that the case be dismissed, on the basis that an investigation by the ICC into crimes committed in Venezuela is ongoing. The judge ordered that the records of the investigation and the testimonies of victims be sent to the ICC.

On 6 April 2024, Chamber I of the Federal Court of Buenos Aires overturned the decision to dismiss the investigation and ordered its re-opening.

On 17 September 2024, a hearing took place at the Federal Court of Buenos Aires, during which five Venezuelan victims testified, describing the persecution, arbitrary detentions, forced disappearances and torture that they had experienced.

On 23 September 2024, the Federal Court of Buenos Aires issued arrest warrants for President Nicolás Maduro, Minister of the Interior Diosdado Cabello and 30 other officials for alleged crimes against humanity, including murder, torture, enforced disappearance and persecution.

## REQUEST REJECTED TO TERMINATE INVESTIGATION INTO RESPONSIBILITY OF RODOLFO MARTÍN VILLA FOR CRIMES AGAINST HUMANITY ALLEGEDLY COMMITTED DURING FRANCO DICTATORSHIP

Rodolfo Martín Villa

**Country of commission**  
Spain

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Rodolfo Martín Villa, Spanish national, civil governor and provincial chief of Barcelona from 1974 to 1975, former minister from 1975 to 1979

**Country of residence of suspect**  
Spain

**Charges**  
Initial indictment for crimes against humanity dismissed; ongoing investigation focuses on crimes against humanity

**Current status**  
Under investigation

**Facts**  
After the 1930 civil war in Spain, Francisco Franco established a bloody dictatorship and proclaimed himself head of State. Enforced disappearances, extrajudicial executions, torture and inhuman and degrading treatments of perceived political opponents were committed on a large scale. Franco maintained a tight grip on power until his death in 1975, after which Spain transitioned to democracy.

In 1977, an amnesty law was passed to cover crimes committed during the dictatorship, preventing the prosecution in Spain of human rights violations perpetrated under Franco's regime.

Martín Villa was appointed civil governor and provincial chief of Barcelona from 1974 to 1975 and then minister from 1975 to 1979.

## Procedure

On 14 April 2010, Spanish and Argentinian human rights organizations filed a criminal complaint on behalf of Spanish victims. On 18 September 2013, Judge María Romilda Servini de Cubría issued arrest warrants against four former officials of the Franco dictatorship, including Antonio González Pacheco, Jesús Muñecas Aguilar and Martín Villa, and requested their extradition in order to stand trial for crimes against humanity, including acts of torture, allegedly committed in Spain between July 1936 and June 1977. On 24 April 2014, the Spanish National Court rejected the extradition request, and the case was closed.

In August 2016, another investigation was opened into the death of Spanish poet Federico García Lorca, pursuant to a complaint filed by the *Asociación para la Recuperación de la Memoria Histórica*.

In July 2017, an international arrest warrant was issued for crimes against humanity and murder against Martín Villa for the death of five workers in Vitoria in 1976.

On 21 June 2018, two victims joined the proceedings: the grandson of José Salmerón Céspedes who was forcibly disappeared, tortured and executed in 1936 and a relative of Gustavo Adolfo Muñoz de Bustillo, a 16-year-old executed on 11 September 1978 during violent riots in the transitional period in Barcelona. On 26 October 2018, the investigative judge admitted a complaint filed two years earlier by the NGO Women's Link Worldwide on behalf of six women victims of sexual assault, murder, forced abortion and the theft of children under Franco's regime.

Martín Villa was interrogated on 3 September 2020 in the Argentinian embassy in Madrid, Spain in a five-hour video conference.

On 15 October 2021, Martín Villa was indicted for crimes against

humanity. He appealed this decision. On 23 December 2021, the Appeals Chamber dismissed the indictment considering that there was not enough evidence to prove that the killings for which he was indicted constituted crimes against humanity, which is the legal basis allowing for universal jurisdiction. The prosecutor challenged the Appeals Chamber's decision before the Federal Chamber.

On 20 September 2022, the Federal Chamber declared the appeal inadmissible because the indictment is not a final judgment.

In March 2023, a hearing took place before the Federal Court N°1 of Buenos Aires, during which a group of plaintiffs and witnesses provided testimony and submitted expert reports to support the ongoing investigation.

## DEVELOPMENTS IN 2024

In July 2024, Martín Villa submitted an appeal to terminate the investigation proceedings against him on the grounds that the events exceeded the statute of limitations and that he had not been tried within a reasonable period of time.

In September 2024, the Federal Criminal and Correctional Court N°1 of Buenos Aires rejected Martín Villa's request to terminate the investigation. The court determined that, as the facts under investigation have been classified as crimes against humanity, no statute of limitations applies. The court further rejected the argument that the investigation had violated Martín Villa's right to be heard within a reasonable time and to be judged without undue delay. The court noted that the complexity of the case, involving a large number of victims and family members and the incorporation of numerous new complaints, justifies the duration of the investigation. The investigation is ongoing.

## NEW CASE!

### INVESTIGATION OPENED INTO GENOCIDE AND CRIMES AGAINST HUMANITY ALLEGEDLY COMMITTED AGAINST THE UYGHUR PEOPLE BY MEMBERS OF THE CHINESE AUTHORITIES

Unknown members of the Chinese authorities

Country of commission  
China

Jurisdictional basis  
Universal jurisdiction

Suspects  
Unknown members of the Chinese authorities

Country of residence of suspects  
Unknown

Charges  
As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on genocide and crimes against humanity.

Current status  
Case dismissed; under appeal

Facts  
Since at least 2014, the Chinese government has engaged in what it describes as a campaign to combat terrorist threats in Xinjiang province, which it has linked to "extremism" and separatism in the province. This campaign has primarily targeted the Uyghur ethnic group and other predominantly Muslim communities, who have been subjected to large-scale arrests and detention in so-called "re-education" camps, where cultural and religious persecution, torture and other forms of ill-treatment, including forced labor, sexual violence and violations of reproductive rights, are reported to have taken place.

In 2022, the Office of the United Nations High Commissioner for Human Rights concluded that serious human rights violations have been committed against Uyghur and other predominantly Muslim communities in Xinjiang, which may amount to crimes against humanity.

#### Procedure

In August 2022, a complaint involving allegations of genocide and crimes against humanity against unknown members of the Chinese authorities was filed in Buenos Aires by lawyers acting on behalf of the World Uyghur Congress, the Uyghur Human Rights Project and Lawyers for Uyghur Rights. This complaint was dismissed by the prosecutor on the basis of reports of a similar complaint filed by Uyghur victims in Türkiye.

In December 2023, the Court of Appeal of Buenos Aires rejected an appeal by the victims against the prosecutor's decision to dismiss the case.

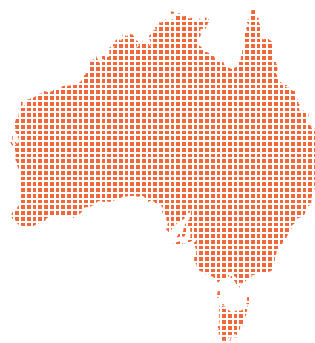
On 11 July 2024, the Argentinian Federal Court of Cassation overturned the decision of the Court of Appeal, finding that it had been wrong to agree with the prosecutor's decision to dismiss the complaint. The Court of Cassation therefore ordered the prosecutor to open an investigation and granted the victims civil party status, enabling them to participate in the proceedings.

Following the decision of the Court of Cassation, the case was remitted to the Court of Appeal. However, the Court of Appeal refused to re-open the investigation. In November 2024, the plaintiffs requested a further ruling from the Court of Cassation to re-open the investigation.

#### Follow-up on other cases

- Mohammed bin Salman (UJAR 2024 p. 22): the investigation is ongoing.

# AUSTRALIA



## NEW EVIDENCE SUBMITTED IN THE CASE OF THE AUSTRALIAN SOLDIER CHARGED WITH A WAR CRIME IN AFGHANISTAN

Oliver Schulz

**Country of commission**  
Afghanistan

**Jurisdictional basis**  
Active personality

**Suspect**  
Oliver Schulz, Australian national, former member of the Australian Defense Force

**Country of residence of suspect**  
Australia

**Charges**  
War crime of murder

**Current status**  
Indicted; awaiting confirmation of the charges

**Facts**  
In 2012, Schulz was deployed in Afghanistan with the Australian Defense Force. He is accused of shooting an Afghan civilian in the head and the heart while the civilian was lying on the ground in a wheat field, after being mauled by a dog in the Afghan province of Uruzgan.

Schulz was awarded the Commendation for Gallantry for his service in Afghanistan.

In March 2020, ABC News released footage of the Afghan civilian being shot by an Australian soldier in a wheat field in Uruzgan.

**Procedure**  
In 2016, the inspector-general of the Australian Defense Force started an inquiry regarding alleged war crimes by Australian forces in Afghanistan.

In November 2020, the inspector-general released his report (known as the Brereton Report), which found credible information that members of the Australian Special Forces had committed war crimes during their operations in Afghanistan between 2005 and 2016. In particular, it recommended that 19 current or ex-special forces soldiers be investigated by police over killings of prisoners or civilians from 2009 to 2013.

These accusations led to the establishment in 2021 of the Office of the Special Investigator, responsible for reviewing the potential criminal matters raised in the Brereton Report and investigating together with the Australian Federal Police any breaches of the laws

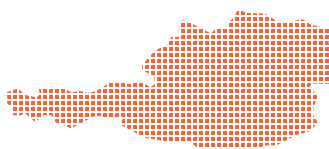
of armed conflict by members of the Australian Defense Force in Afghanistan from 2005 to 2016.

In March 2023, the Office of the Special Investigator announced that a joint investigation with the police resulted in Schulz being charged with the war crime of murder. Investigators arrested him in New South Wales and he was initially remanded in custody. On 28 March, Schulz was granted bail.

### DEVELOPMENTS IN 2024

During a hearing on 14 May 2024, additional evidence was submitted to the magistrate, resulting in adjournment until September. At the September 2024 hearing, prosecutors informed the local court that they would file an application for witnesses to be called for the case's committal stage, during which the magistrate will determine whether the defendant should be committed to trial. A five-day hearing has been set for April 2025.

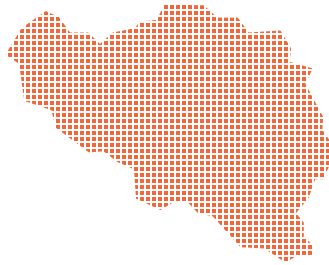
# AUSTRIA



### Follow-up on cases

- Khaled H. and others (UJAR 2024 p. 26): the investigation is ongoing.

# BELGIUM



## NEW CASE!

### INVESTIGATION OPENED INTO BELGIAN-ISRAELI NATIONAL FOR ALLEGED WAR CRIMES COMMITTED IN GAZA

A.B.

#### Country of commission

Palestine

#### Jurisdictional basis

Active personality

#### Suspect

A.B., Belgian-Israeli dual national, alleged member of the "Refaim" sniper unit of the Israel Defense Forces (IDF)

#### Country of residence of suspect

Israel

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on war crimes.

#### Current status

Under investigation

#### Facts

The *Refaim* sniper unit of the Israel Defense Forces (IDF) is reported to have been active in Gaza since October 2023. According to reports, the unit has been implicated in the killings of numerous unarmed civilians. In an interview, a leading member of the unit is reported to have described its operational instructions as being to shoot on sight any man of weapon-bearing age present within certain perimeters. The unit is also reported to have been instructed to shoot any person searching or attempting to evacuate the body of a targeted person.

A.B. is a dual Belgian-Israeli citizen in his twenties from the Brussels municipality of Uccle, who reportedly serves in the IDF as part of the *Refaim* sniper unit.

#### Procedure

On 17 October 2024, the *Association Belgo-Palestinienne* (Belgian-Palestinian Association) filed a criminal complaint for war crimes against A.B.

On 18 October, the Federal Prosecutor's Office confirmed that it had opened an investigation into the allegations. The case has been transferred to an investigating judge.

## NEW CASE!

### RWANDAN NATIONAL ARRESTED FOR SUSPECTED PARTICIPATION IN RWANDAN GENOCIDE

E.K.

#### Country of commission

Rwanda

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

E.K., Rwandan national

#### Country of residence of suspect

Belgium

#### Charges

War crimes

#### Current status

Indicted; awaiting trial

#### Facts

E.K. is suspected of having participated in the 1994 genocide of the Tutsi in Kibuye, Rwanda.

#### Procedure

On 26 January 2024, an arrest warrant was issued for E.K. He was placed in preventative detention under electronic tag. During 2024, the investigation was completed.

On 21 November 2024, the pre-trial chamber issued an arrest order (*ordonnance de prise de corps*) and referred the case to the Court of Assizes (*Cour d'assises*).



## RWANDAN NATIONAL CONVICTED OF GENOCIDE AND WAR CRIMES WHILE ANOTHER RWANDAN NATIONAL IS AWAITING TRIAL

Ernest Gakwaya and Emmanuel Nkunduwimye

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspects**  
Ernest Gakwaya and Emmanuel Nkunduwimye, Rwandan nationals, alleged members of the *Interahamwe* militia (the youth organization of the National Republican Movement for Democracy and Development)

**Country of residence of suspects**  
Belgium

**Charges**  
Genocide and war crimes, including murder and rape

**Current status**  
Emmanuel Nkunduwimye convicted; sentenced to 25 years in prison; awaiting appeal  
Ernest Gakwaya indicted; awaiting trial; detained

**Facts**  
Gakwaya and Nkunduwimye were allegedly members of the *Interahamwe* militia, which was heavily implicated in the 1994 genocide. They allegedly participated in the 1994 genocide in Rwanda by murdering and raping Tutsis and moderate Hutus.

**Procedure**  
Gakwaya and Nkunduwimye were arrested in March 2011 in Brussels.

On 9 October 2019, the Criminal Court decided to sever the cases against Gakwaya and Nkunduwimye from the case against another accused, Fabien Neretsé (see [UJAR 2021](#), p. 21), considering that there was no connection between the offenses.

## DEVELOPMENTS IN 2024

On 8 April 2024, Nkunduwimye's trial began before the Brussels Court of Assizes (*Cour d'assises*).

During the trial, approximately one third of the witnesses withdrew or were unable to testify, including key witnesses Paul Rusesabagina and former *Interhamwe* leaders Eugène Mbarushimana and Dieudonné Niyitegeka. Other witnesses had died in the period between the dispatch of summons and the beginning of the trial, while some elderly witnesses were unable to testify due to frail health. The Belgian prosecutor requested a sentence of 30 years, while the defense requested acquittal on the basis of unreliable evidence.

On 10 June, the court convicted Nkunduwimye of genocide and war crimes, including murder and rape. He was sentenced to 25 years imprisonment.

Nkunduwimye has appealed the decision to the Court of Cassation.

Ernest Gakwaya had been expected to participate in the same trial. However, having previously been convicted and detained in Burundi for falsifying papers, he was not released and transferred to Belgium in time for the beginning of the trial. Since then, Gakwaya has been transferred to Belgium. A new date has not yet been set for his trial.

## PASSING OF ONE OF THE TWO SUSPECTS DURING ONGOING INVESTIGATION INTO THE MURDER OF PATRICE LUMUMBA IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Etienne Davignon and Jacques Brassinne de la Buisnière

**Country of commission**  
Democratic Republic of the Congo (DRC)

**Jurisdictional basis**  
Active personality

**Suspects**  
Etienne Davignon, Belgian national, former Belgian diplomat and former vice president of the European Commission, and Jacques Brassinne de la Buisnière, Belgian national, former Belgian senior civil servant

**Country of residence of suspects**  
Belgium

**Charges**  
As the case is at the investigation stage, the suspects have not yet been formally charged. The investigation focuses on murder as a war crime.

**Current status**  
Investigation into Etienne Davignon completed  
Jacques Brassinne de la Buisnière passed away

**Facts**  
On 30 June 1960, the DRC gained its independence from Belgium. Patrice Lumumba, an important figure in the DRC's struggle for independence, was appointed as the first prime minister after winning the elections. The new government faced an army mutiny and a Belgian-supported movement of secession in the strategic mineral-rich province of Katanga.

In December 1960, Lumumba was arrested by the military. On 17 January 1961, he was transferred to the Katanga region, where he was beaten allegedly by both Belgian and Congolese forces. He was murdered on the same day, and his body dissolved in acid.

#### Procedure

In 2010, a Belgian parliamentary commission of inquiry was set up to investigate Lumumba's murder. After 18 months of investigation, the commission revealed that the Belgian government supported Lumumba's arrest and transfer to the Katanga region. It stated that, while there is no evidence that the Belgian government gave the order to physically eliminate Lumumba, Belgium bears responsibility for not having taken action to prevent the murder. The Commission therefore concluded that *"by not considering the possible risks of the transfer, not asking guarantees for his physical safety or insisting on humane treatment and a trial, the Belgian government and especially the Minister of African Affairs showed a lack of forethought and a lack of respect for the constitutional state."*

In 2011, Lumumba's son filed a complaint for the murder of his father. He argued that an international armed conflict was going on between Belgium and the DRC, and that this targeted killing was constitutive of a war crime.

In 2012, a criminal investigation was opened.

On 6 October 2022, the Brussels Criminal Chamber decided on the inclusion in the investigation file of the findings of the parliamentary commission of inquiry on Lumumba's death. All the testimonies collected by the commission were therefore included, except the transcript of the interviews of the two suspects, due to the fact that they had not been heard in the presence of their lawyers.

## DEVELOPMENTS IN 2024

On 31 January 2024, Jacques Brassinne de la Buisnière passed away at the age of 93.

The investigation of Etienne Davignon has been completed. The Federal Prosecutor's Office will now examine the case to consider possible prosecution before a court of first instance or the Court of Assizes (*Cour d'assises*).

## NEW CASE!

### ALLEGED LEADER OF A FORMER SYRIAN REGIME-AFFILIATED MILITIA INDICTED IN BELGIUM ON CHARGES OF CRIMES AGAINST HUMANITY AND WAR CRIMES

Hossin A.

Country of commission  
Syria

Jurisdictional basis  
Universal jurisdiction

Suspect  
Hossin A., Syrian national, alleged leader of a militia affiliated with the former regime of Bashar al-Assad

Country of residence of suspect  
Belgium

Charges  
War crimes and crimes against humanity

Current status  
Charged while under investigation

Facts  
Hossin A. was reportedly one of the leaders of the National Defense Forces, a militia affiliated with the former regime of Bashar al-Assad, in Salamiyah, a city in the west of Syria. Between 2011 and 2016, he was allegedly involved in the violent suppression of opposition protests and the abduction, torture and murder of numerous individuals.

He is alleged to have participated personally in numerous abuses and also to have organized and coordinated the repression of opponents in the city of Salamiyah and ensured the transport of civilians to places of detention and torture, including Deir Shmail prison.

Hossin A. is reported to have been living in Belgium for seven to eight years prior to his arrest.

### Procedure

The Belgian Federal Prosecutor's Office opened an investigation into Hossin A. in 2021. On 24 January 2024, he was detained and brought before an examining judge in Brussels, where he was charged with war crimes and crimes against humanity.

On 26 March 2024, the Court of Appeal ordered his release from pre-trial detention. The investigation is ongoing.

## INVESTIGATION OF ALLEGED FORMER LIBERIAN ARMED GROUP COMMANDER COMPLETED

Martina Johnson

### Country of commission

Liberia

### Jurisdictional basis

Universal jurisdiction

### Suspect

Martina Johnson, Liberian national, alleged former frontline commander of the National Patriotic Front of Liberia (NPFL)

### Country of residence of suspect

Belgium

### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focused on war crimes and crimes against humanity, including mutilation and mass killings.

### Current status

Investigation completed; awaiting confirmation of the charges; on conditional release

### Facts

The National Patriotic Front of Liberia (NPFL) was an armed group active during the Liberian civil war between 1989 and 1997. In October 1992, the NPFL, under the direction of Charles Taylor, was involved in "Operation Octopus", a four-month long attack against Monrovia, which resulted in the deaths of hundreds of civilians, many of whom were targeted for ethnic reasons.

Martina Johnson was allegedly Taylor's chief of artillery during "Operation Octopus" and was instrumental in the planning and execution of the operation. Johnson is also suspected of having herself killed, tortured and maimed several people at a military checkpoint on the edge of the city.

Johnson has resided in Belgium since 2003.

### Procedure

In 2012, three Liberian victims, assisted by the NGOs Civitas Maxima and its Liberian sister organization the Global Justice and Research Project, filed a complaint in Belgium against Johnson for her alleged direct participation in mutilations and mass killings during Operation Octopus in October 1992.

Johnson was arrested on 17 September 2014 in Gent, Belgium based on documentation collected by the two NGOs. She was released on 4 May 2015 and placed under house arrest.

Since then, several procedural acts were undertaken during the course of the investigation.

### DEVELOPMENTS IN 2024

The investigation has been completed. The Federal Prosecutor's Office will pursue charges of crimes against humanity and war crimes. The next step will be a hearing of the pre-trial chamber to formally close the investigation. The date for the hearing is still to be set. The investigating courts (pre-trial chamber and criminal chamber) are expected to decide in early 2025 whether the case should be referred to the Court of Assizes (*Cour d'assises*).

## CONVICTION OF TWO RWANDAN NATIONALS FOR GENOCIDE AND WAR CRIMES CONFIRMED ON APPEAL

Pierre Basabosé and Séraphin Twahirwa

### Country of commission

Rwanda

### Jurisdictional basis

Universal jurisdiction

### Suspects

Pierre Basabosé, Rwandan national, businessman close to the 1994 Rwandan government, and Séraphin Twahirwa, Rwandan national, leader of an *Interahamwe* (the youth organization of the National Republican Movement for Democracy and Development) militia

### Country of residence of suspects

Belgium

### Charges

Basabosé convicted of war crimes and genocide through murder and deliberate attacks on civilians

Twahirwa convicted of war crimes and genocide through murder, deliberate attacks on civilians and rape

### Current status

Basabosé committed to indefinite internment in a medical establishment; sentence confirmed on appeal

Twahirwa sentenced to life imprisonment; sentence confirmed on appeal; detained

### Facts

Basabosé was a businessman and a retired member of the Rwandan army who ran a foreign exchange office with the support of the presidential family. In 1993, he became the second largest shareholder in the *Radio Télévision Libre des Mille Collines*, known for its calls for ethnic hatred before and during the genocide. He was

convicted for having financed genocidal propaganda. According to the sentence, he distributed money and weapons to the *Interahamwe* militia in Gatenga and Gikondo and encouraged them to kill Tutsis.

After the genocide, he fled Kigali to Zaire (now the Democratic Republic of the Congo), Kenya, Kazakhstan and Germany before arriving in Belgium, where he was granted refugee status.

Twahirwa is a relative of the former presidential family. He led an *Interahamwe* militia responsible for massacres of Tutsis in a central region of Rwanda. He also fled to Zaire and Uganda, and eventually reached Belgium.

### Procedure

The two individuals were arrested on 30 September 2020 and charged with genocide and war crimes while the investigation was ongoing. Twahirwa was placed under judicial surveillance through the use of an electronic tag. Basabosé was released under investigation in May 2021.

On 19 September 2022, Basabosé and Twahirwa were sent to trial on genocide and war crimes charges.

On 12 June 2023, Basabosé's lawyer argued that the proceedings were inadmissible on the grounds of his 76-year-old client's deteriorated mental health.

On 21 June, the court ruled that the trial would go ahead despite Basabosé's fragile mental health and memory problems. The court stated that "*the oral hearings at the Assizes Court will likely enable Pierre Basabosé to recall the facts in question, understand what he is accused of, and defend himself.*" The prosecutor stated that at the end of the trial she would request for him to be put in a medical establishment in any case.

On 9 October, the trial began before the Brussels Criminal Court. Around 100 witnesses testified before the court, including 40 who came from Rwanda especially for the trial. The Belgian prosecutor called for a life sentence for Twahirwa and for the internment in a medical establishment for Basabosé. Basabosé and Twahirwa's lawyers denied the accusations and argued for acquittals, questioning the credibility of the witness testimonies. Basabosé could not be interrogated by the court due to his diagnosed senile dementia and could only provide one oral statement at the end of the trial.

On 19 December, the popular jury of the Brussels Criminal Court convicted Basabosé and Twahirwa of war crimes and genocide for dozens of murders and deliberate attacks on civilians. Twahirwa's conviction also included counts of rape constitutive of genocide and war crimes. He was found responsible for at least 11 cases of rape, committed either directly by himself or through militiamen under his command.

Basabosé was committed to indefinite internment in a medical facility and Twahirwa was sentenced to life imprisonment.

Both accused appealed the decision before the Supreme Court (*Cour de Cassation*).

### DEVELOPMENTS IN 2024

On 11 September 2024, the Supreme Court (*Cour de Cassation*) dismissed both appeals. The sentences are now final.

## NEW CASE!

### INVESTIGATION COMPLETED OF BELGIAN NATIONAL IDENTIFIED DURING STRUCTURAL INVESTIGATION OF CRIMES COMMITTED AGAINST THE YAZIDIS

S.D.

#### Country of commission

Unknown – Syria or Iraq

#### Jurisdictional basis

Active personality

#### Suspect

S.D., Belgian national

#### Country of residence of suspect

Unknown

#### Charges

Unknown

#### Current status

Investigation completed; awaiting confirmation of the charges; current location unknown

#### Facts

Between 2014 and 2017, ISIS committed genocide against the Yazidi community in Iraq and Syria. ISIS committed multiple massacres, killing thousands of Yazidis, enslaving more than 6000 women and children and displacing hundreds of thousands.

S.D. was identified during the ongoing structural investigation in Belgium into crimes of genocide committed against the Yazidis in Syria and Iraq.

#### Procedure

In 2024, the Federal Prosecutor's Office made its final submission with a view to referring S.D.'s case to the Brussels Court of Assizes (*Cour d'assises*). The Brussels Pre-Trial Chamber has issued an order *in absentia* for S.D. to be taken into custody. The Criminal Chamber is now expected to refer the file to the Brussels Court of Assizes (*Cour d'assises*).

## NEW CASE!

### INVESTIGATION OF RWANDAN NATIONAL SUSPECTED OF PARTICIPATION IN RWANDAN GENOCIDE

S.M.

#### Country of commission

Rwanda

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

S.M., Rwandan national

#### Country of residence of suspect

Belgium

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on war crimes.

#### Current status

Under investigation; detained

#### Facts

S.M. is suspected of having participated in the 1994 genocide of the Tutsi in Kigali, Rwanda.

#### Procedure

On 28 March 2024, an arrest warrant was issued for S.M. He was placed in detention while the investigation continues.

### RWANDAN BUSINESSMAN ARRESTED OVER GENOCIDE AND WAR CRIMES CHARGES RELEASED FROM PRE-TRIAL DETENTION WHILE INVESTIGATION CONTINUES

V.K.

#### Country of commission

Rwanda

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

V.K., Rwandan national, former businessman

#### Country of residence of suspect

Belgium

#### Charges

Genocide; war crimes

#### Current status

Charged while under investigation

#### Facts

V.K. was working as a businessman in the Butare region in Rwanda. During the 1994 genocide, he allegedly carried out war crimes and crimes of genocide against the Tutsi minority.

#### Procedure

On 21 June 2023, V.K. was arrested and charged with genocide and war crimes. He was placed in pre-trial detention while the investigation took place.

## DEVELOPMENTS IN 2024

On 24 July 2024, V.K. was released from pre-trial detention by the Court of Appeal. The investigation is ongoing.

### Follow-up on other cases

- Christophe Ndangali (UJAR 2023, p. 25): the investigation is ongoing.
- O.Y.T. (UJAR 2024, p. 30): the investigation is ongoing.
- T.K. and M.B. (UJAR 2019, p. 18): no date has been set yet for the opening of their trial.
- Name withheld – Syrian national, alleged former member of ISIS (UJAR 2024, p. 35): the investigation is ongoing.

### Ongoing structural investigation

- Structural investigation regarding the crimes of genocide committed against the Yazidis by Belgian nationals; within the Federal Prosecutor's Office, there are currently 13 open files concerning Belgian nationals suspected of involvement in the Yazidi genocide.

# CANADA



## NEW CASE!

### CANADIAN ALLEGED FORMER MEMBER OF ISIS CHARGED WITH WAR CRIMES IN IRAQ

Ahmed Fouad Mostafa Eldidi

#### Country of commission

Iraq

#### Jurisdictional basis

Active personality

#### Suspect

Ahmed Fouad Mostafa Eldidi, Canadian national, alleged former member of ISIS

#### Country of residence of suspect

Canada

#### Charges

War crimes of murder, torture, mutilation and outrages upon personal dignity; conspiracy to commit murder; terrorism offences

#### Current status

Indicted; awaiting trial; detained

#### Facts

Ahmed Fouad Mostafa Eldidi is alleged to have been a member of ISIS in Iraq during its peak in 2014 and 2015. He is suspected of being the individual who appeared in a propaganda video released by the ISIS branch in northwest Iraq in June 2015. The video shows a person suspended from a cross being dismembered by a man wearing a black robe and a cap bearing the ISIS logo.

In February 2018, Eldidi travelled to Canada and claimed asylum. In May 2024, he received Canadian citizenship.

#### Procedure

On 28 July 2024, Eldidi and his 26-year-old son were arrested for allegedly plotting an ISIS attack in Toronto. Eldidi and his son were charged with several terrorism offences, while Eldidi was also charged with aggravated assault in a foreign country for his alleged involvement in the dismembering of a person in Iraq in 2015.

Following investigation by the Integrated National Security Enforcement Team in Greater Toronto, in December 2024, Eldidi was further indicted for the war crimes of murder, torture, mutilation and outrages upon personal dignity for the same incident.

# FINLAND



## NEW CASE!

### RUSSIAN CITIZEN ON TRIAL FOR WAR CRIMES ALLEGEDLY COMMITTED IN UKRAINE

Yan Petrovsky

#### Country of commission

Ukraine

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Yan Petrovsky, also known as Vojislav Torden, Russian national, alleged former commander of "Task Force Rusich", a far-right paramilitary unit linked to Russian combat operations in Ukraine

#### Country of residence of suspect

Unknown

#### Charges

War crimes

#### Current status

On trial; detained

#### Facts

Task Force Rusich is a Russian far-right paramilitary unit, established in 2014. It fought with pro-Russian separatist forces in the Donbas region of Ukraine in the first phase of the Russo-Ukrainian war, and has subsequently been linked to Russian combat operations since Russia's full-scale invasion of Ukraine in 2022. The unit has developed a reputation for particular brutality and links to neo-Nazi ideology. It has reportedly been implicated in the commission of multiple war crimes, including

abuses inflicted on captured and deceased Ukrainian soldiers, which have been filmed and shared on social media.

Yan Petrovsky is alleged to have served as a co-founder and commander of the unit and to have been responsible for the commission of several war crimes in the autumn of 2014 in eastern Ukraine. In 2022, he was added to the European Union and United States sanctions lists for his role in the unit.

Petrovsky initially entered Finland in August 2022. Having returned to Russia a few days later, he entered Finland again in July 2023. He is reported to have been granted a one-year residence permit, based on family ties, under the name Vojislav Torden.

#### Procedure

In July 2023, Petrovsky was arrested at the Helsinki airport, suspected of having violated European Union sanctions by entering the country under the name Vojislav Torden. The District Court of Helsinki ordered his detention at an immigration detention center on the basis of the Aliens Act. A procedure was also initiated to cancel his residence permit.

In August 2023, the Prosecutor General's Office of Ukraine requested Petrovsky's extradition on charges of participation in a terrorist organization. In order to ensure possible extradition, the District Court of Eastern Uusimaa extended his detention.

In December 2023, the Supreme Court of Finland decided that Petrovsky could not be extradited to Ukraine due to the risk of inhumane prison conditions. Since the conditions for maintaining his detention for possible extradition were therefore no longer applicable, the Supreme Court ordered his immediate release. On the same day, the Finnish Border Guard took him back into custody on the basis of the Aliens Act.

On 15 December 2023, the Deputy Prosecutor General announced the opening of an investigation into Petrovsky's alleged involvement in the commission of war crimes in eastern Ukraine during the period 1 January 2014 to 31 December 2015. On 18 December, the District Court of Helsinki ordered his detention while the investigation took place.

In February 2024, the District Court of Kymenlaakso sentenced Petrovsky to a 40-day suspended prison sentence for two violations of an entry ban.

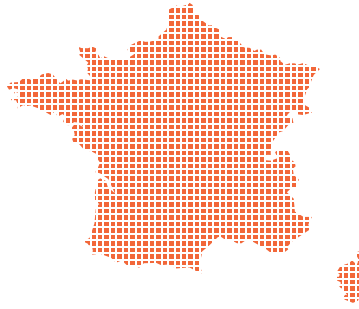
In October 2024, the National Bureau of Investigation announced that it had completed its investigation into Petrovsky's alleged involvement in war crimes in Ukraine. The investigation involved close cooperation with the Ukrainian authorities, Europol, Eurojust and the International Criminal Court.

On 31 October 2024, the Deputy Prosecutor General charged Petrovsky with five counts of war crimes. The charges relate to his



alleged activities as deputy-head of the Russian paramilitary unit Task Force Rusich. According to the indictment, he was involved in the unlawful killing of 22 Ukrainian soldiers and the serious wounding of four. He is further suspected of unlawful conduct amounting to war crimes with respect to acts concerning the conduct of hostilities and the treatment of wounded and killed soldiers. The trial started on 5 December 2024 and is expected to last until the end of January 2025.

# FRANCE



## NEW CASE!

### FUNCTIONAL IMMUNITY DENIED TO THE FORMER GOVERNOR OF THE SYRIAN CENTRAL BANK FOR CHARGES OF COMPLICITY IN CRIMES AGAINST HUMANITY AND WAR CRIMES

Adib Mayaleh (André Mayard)

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspect

Adib Mayaleh (André Mayard), French-Syrian national, former governor of the Syrian Central Bank

#### Country of residence of suspect

France

#### Charges

Complicity in crimes against humanity of willful killing, imprisonment and torture; complicity in war crimes of willful killing, willfully causing serious injury to body or health and deprivation of liberty committed against civilians; laundering of the proceeds of these crimes; participation in a group formed for the purpose of preparing war crimes

#### Current status

Under investigation; placed under the status of assisted witness

#### Facts

Adib Mayaleh is suspected of having provided economic and financial support to the former Syrian regime, which is implicated in numerous war crimes and crimes against humanity, in his capacity as governor of the Syrian Central Bank.

#### Procedure

On 8 December 2016, a preliminary investigation was opened on the charges of crimes against humanity, war crimes, and complicity in these crimes committed since March 2011.

On 5 December 2017, a judicial investigation was opened on the charges of crimes against humanity, war crimes, complicity in these crimes, and laundering of the proceeds of these crimes.

On 16 December 2022, Adib Mayaleh was arrested on French territory.

On 22 December 2022, Adib Mayaleh was charged while under investigation (*mis en examen*).

On 20 June 2023, Adib Mayaleh challenged his indictment and argued his functional immunity precluded any proceedings against him.

On 26 January 2024, the International Federation for Human Rights (FIDH) and the Syrian Center for Media and Freedom of Expression (SCM) joined the case as civil parties.

On 5 June 2024, the Investigative Chamber of the Paris Court of Appeal followed the civil parties' reasoning and found that functional immunities do not apply in cases of international crimes. The defense has referred the case to the Supreme Court (*Cour de Cassation*).

The hearing before the Supreme Court is scheduled on 26 March 2025.

In parallel, on 21 May 2024, following a request from Adib Mayaleh, the investigative judges cancelled his indictment, on the basis that there was insufficient evidence against him at this stage of the proceedings. They placed Adib Mayaleh under the intermediary status of assisted witness.

On 21 May 2024, the prosecutor appealed the decision of the investigative judges. On 15 January 2025, the Court of Appeal confirmed the status of assisted witness for Adib Mayaleh.

## SENTENCE OF LIFE IMPRISONMENT FOR THREE HIGH-RANKING SYRIAN OFFICIALS COMPLICIT IN CRIMES AGAINST HUMANITY AND WAR CRIMES

Ali Mamlouk, Jamil Hassan  
and Abdel Salam Mahmoud

**Country of commission**  
Syria

**Jurisdictional basis**  
Passive personality

**Suspects**  
Three Syrian nationals: Ali Mamlouk, former director of the National Security Bureau; Jamil Hassan, former head of Syrian Air Force Intelligence (SAFI); and Abdel Salam Mahmoud, former director of the SAFI branch in Damascus

**Country of residence of suspects**  
Syria

**Charges**  
Complicity in crimes against humanity of deliberate attacks on life, torture, enforced disappearance and imprisonment or other serious deprivation of liberty; complicity in the war crime of extortion

**Current status**  
Three accused convicted *in absentia*; sentenced to life imprisonment

**Facts**  
In November 2013, Patrick Dabbagh and his father Mazen Dabbagh, both dual French-Syrian nationals, were arrested in their home in Damascus by Syrian Air Force Intelligence (SAFI) agents and detained for interrogation at the al-Mezzeh detention center. Neither one has been seen since. In 2016, the wife and daughter of Mazen Dabbagh were evicted from their family home by the Syrian authorities. In summer 2018, the Dabbagh family received formal notification from the Syrian authorities that Patrick and Mazen Dabbagh had died.

According to the United Nations Commission of Inquiry on Syria, the al-Mezzeh detention center had one of the highest mortality rates in Syria.

**Procedure**  
On 24 October 2016, a complaint was filed before the Paris Tribunal by Obeida Dabbagh, a Syrian-French national, on behalf of his nephew and brother, Mazen and Patrick Dabbagh, together with the International Federation for Human Rights (FIDH) and its member organization in France, the *Ligue des droits de l'Homme* (LDH).

In October 2018, judges of the French specialized unit for the prosecution of international crimes issued international arrest warrants against Mamlouk, Hassan and Mahmoud.

On 31 March 2022, the investigative judges completed the judicial investigation.

On 27 January 2023, the prosecutor requested Mamlouk, Hassan and Mahmoud be sent to trial before the Paris Criminal Court for complicity in the crimes against humanity of deliberate attacks on life, torture, enforced disappearance and imprisonment or other serious deprivation of liberty as well as the war crimes of extortion and concealment of extortion of property committed against Patrick and Mazen Dabbagh.

On 29 March 2023, the investigative judge ordered their indictment before the Paris Criminal Court on the same charges.

## DEVELOPMENTS IN 2024

Ali Mamlouk, Jamil Hassan and Abdel Salam Mahmoud were tried *in absentia* before the Paris Criminal Court from 21 to 24 May 2024.

They were sentenced to life imprisonment for the crimes against humanity of deliberate attacks on life, torture, enforced disappearance and imprisonment or other serious deprivation of liberty as well as the war crimes of extortion of property committed against Patrick and Mazen Dabbagh.

The judges found that Mamlouk, Hassan and Mahmoud's functional immunity could not be invoked given the charges of international crimes brought against them.

## TECHNICAL EXPERT APPOINTED TO CARRY OUT EXPERT ANALYSIS ON SURVEILLANCE TECHNOLOGY CAPACITIES WITHIN CORPORATE ACCOUNTABILITY CASE OF TORTURE IN LIBYA

Amesys and two of its executives

### Country of commission

Libya

### Jurisdictional basis

Universal jurisdiction

### Suspects

French company Amesys; two French executives of the company

### Country of residence of suspects

France

### Charges

Complicity in torture

### Current status

Under investigation; five indictments issued, two dismissed

### Facts

In 2007, the company Amesys signed a contract with the government of Libya to provide surveillance technologies for the purposes of intercepting communications and processing and analyzing data. This technology, called EAGLE, allegedly allowed the Gaddafi regime (1969–2011) to repress dissident voices and to commit serious human rights abuses.

### Procedure

On 19 October 2011, the International Federation for Human Rights (FIDH) and its member organization in France the *Ligue des droits de l'Homme* (LDH) lodged a criminal complaint as civil parties before the investigative judge at the Paris Tribunal against Amesys and its management, denouncing their alleged role as accomplices in acts of torture and other cruel, inhuman or degrading treatment in Libya, on the basis of universal jurisdiction.

On 26 March 2012, the Office of the Prosecutor at the Paris Tribunal considered that there were insufficient grounds to open an investigation. However, the investigative judge decided on 23 May 2012 to open a formal criminal investigation. On 15 January 2013, the Paris Court of Appeal decided to allow the investigation to proceed.

In January 2013, five Libyan victims joined the proceedings as civil parties. They were heard in June and July 2013 by the investigative judge. Another Libyan victim joined the case and was heard on 11 December 2015. In March 2016, new evidence consisting of dozens of documents from Gaddafi's security services came to light, reportedly showing the regime's extensive use of the surveillance technologies provided by Amesys to track, arrest and torture political opposition.

On 30 May 2017, Amesys was formally assigned the status of assisted witness (*témoin assisté*) for complicity in torture committed in Libya between 2007 and 2011.

In June and July 2021, two French executives of the company, as well as two employees and the company itself, were charged while under investigation (*mis en examen*) by the investigative judges for complicity in torture.

In December 2021 and January 2022, Amesys and its four indicted executives and employees requested the annulment of the procedure and their indictments.

In November 2022, the Investigative Chamber of the Paris Court of Appeal confirmed the indictments of Amesys and of its two executives. The annulment requested by the two employees was granted and their indictments were dismissed.

In 2023, the investigative judges issued a decision refusing to carry out several investigative acts requested by the defense and the prosecutor, including an expert analysis of the technical capacities of the EAGLE technology, deeming that these acts were not necessary to the investigation. Both the defense and the prosecutor appealed the judges' refusal. As a result, the Paris Court of Appeal partially overturned this decision and ordered the investigative judges to proceed with some of the requested investigative acts.

### DEVELOPMENTS IN 2024

A technical expert was appointed by the investigative judges to carry out the expert analysis.

## CONFIRMATION BY THE COURT OF APPEAL OF THE ARREST WARRANT AGAINST BASHAR AL-ASSAD FOR COMPLICITY IN WAR CRIMES AND CRIMES AGAINST HUMANITY FOLLOWING 2013 CHEMICAL ATTACKS

Bashar al-Assad, Maher al-Assad, Ghassan Abbas and Bassam al-Hassan

**Country of commission**  
Syria

**Jurisdictional basis**  
Passive personality

**Suspects**  
Four Syrian nationals: Bashar al-Assad, former president of Syria and head of the armed forces; Maher al-Assad, former president's brother and *de facto* leader of the 4th Armored Division; General Ghassan Abbas, former director of Branch 450 of the Syrian Scientific Studies and Research Center (SSRC); and General Bassam al-Hassan, former presidential advisor for strategic affairs and liaison officer between the presidential palace and the SSRC

**Country of residence of suspects**  
Syria, Russia

**Charges**  
Complicity in the war crimes of willful killings, willfully causing great suffering or serious injury to body or health and deliberate attacks against civilians; complicity in the crimes against humanity of willful killings and other inhumane acts

**Current status**  
Under investigation; international arrest warrants issued; one arrest warrant under appeal

**Facts**  
In 2011, the Syrian regime brutally repressed opponents' demonstrations, giving rise to the beginning of the armed conflict. In 2013, as reported by the United Nations Fact Finding Mission into the Alleged Use of Chemical Weapons in the Syrian Arab Republic, chemical weapons, specifically sarin gas, were used on multiple occasions during the armed conflict in Syria. In August 2013, in Eastern Ghouta (the suburbs of Damascus), significant quantities of sarin were used in a well-planned attack that indiscriminately targeted civilian areas, resulting in thousands of casualties.

**Procedure**  
On 1 March 2021, the Syrian Center for Media and Freedom of Expression and individual victims (one of French nationality) of the chemical attacks filed a complaint and were admitted as civil parties. A judicial investigation was opened for crimes against humanity and war crimes in April 2021. Open Society Justice Initiative, Syrian Archive and Civil Rights Defenders later joined the case as civil parties. In 2021 and 2022, several civil parties testified before the investigative judges and witnesses were heard.

On 14 November 2023, the investigative judges issued four international arrest warrants against then-president Bashar al-Assad, the then-president's brother and *de facto* leader of the 4th Armored Division Maher al-Assad, then-director of Branch 450 of the SSRC General Ghassan Abbas and presidential advisor for strategic affairs and liaison officer between the presidential palace and then-SSRC General Bassam al-Hassan for complicity in crimes against humanity and complicity in war crimes.

On 21 December 2023, the prosecutor appealed the arrest warrant against then-president Bashar al-Assad on immunity grounds.

### DEVELOPMENTS IN 2024

In June 2024, the Investigative Chamber of the Paris Court of Appeal followed the civil parties' reasoning and upheld the arrest warrant against Bashar al-Assad.

The prosecutor referred the matter to the French Supreme Court (*Cour de Cassation*). The hearing before the Supreme Court is scheduled on 26 March 2025.

On 8 December 2024, the government of Bashar al-Assad was overthrown during a major offensive by the Syrian opposition, led by the group Hayat Tahrir al-Sham. On the same day, Bashar al-Assad left Syria for Russia, where he is reported to have claimed asylum.

## NEW CIVIL PARTY HEARD IN CASE AGAINST THE FRENCH BANK BNP PARIBAS ACCUSED OF COMPLICITY IN INTERNATIONAL CRIMES IN SUDAN

BNP Paribas and senior staff members

**Country of commission**  
Sudan

**Jurisdictional basis**  
Universal jurisdiction and active personality

**Suspects**  
BNP Paribas (BNPP) as a company and senior staff members of the company as individuals

**Country of residence of suspects**  
France

**Charges**  
As the case is at the investigation stage, the suspects have not yet been formally charged. The investigation focuses on complicity in crimes against humanity, torture and genocide as well as financial crimes, including money laundering and handling the proceeds of crime.

**Current status**  
Under investigation

**Facts**  
From 2002 to 2008, BNPP was the primary foreign bank of the Sudanese government. During this time, Sudanese government forces and its militia called the *Janjaweed* were engaged in an armed conflict with rebel groups. They systematically targeted civilians belonging to non-Arab ethnic groups (particularly the Masalit, Fur and Zaghawa) in Darfur and other areas. Government forces and allied militia killed, tortured, detained, forcibly displaced, raped and assaulted tens of thousands of civilians.

These crimes, said to amount to genocide and crimes against humanity, were allegedly facilitated

by BNPP through its provision of credit facilities, access to foreign financial markets and petrol exports to the Sudanese government. This alleged responsibility is compounded by the fact that Sudan was subject to sanctions from the United Nations, the European Union and individual States, increasing the government's reliance on the services provided by BNPP.

In June 2014, BNPP was prosecuted in the United States for violating United States sanctions restricting financial transactions with Sudan. However, the bank never faced trial, as it accepted a guilty plea with the United States Department of Justice, forfeiting nearly USD 9 000 000 000.

**Procedure**  
On 26 September 2019, nine Sudanese victims, supported by the International Federation for Human Rights (FIDH) and Project Expedite Justice, filed a criminal complaint against BNPP before the investigative judges of the Paris Tribunal. The complaint alleges that by providing banking services to the Sudanese government while Sudan was subject to international sanctions for committing crimes against its civilians, the bank and its senior staff became complicit in these crimes.

On 26 August 2020, a criminal investigation was opened into BNPP's alleged role in mass atrocities in Sudan before the French National Anti-Terrorist Prosecution Office.

In March and December 2022, one witness and six Sudanese civil parties accompanied by FIDH were heard by the investigative judges.

### DEVELOPMENTS IN 2024

In June 2024, a new civil party joined the case and was heard by the investigators.

## FORMER RWANDAN HEAD OF THE BUTARE CENTER OF PUBLIC HEALTH SENTENCED TO 27 YEARS OF IMPRISONMENT FOR COMPLICITY IN GENOCIDE AND CRIMES AGAINST HUMANITY

Eugène Rwamucyo

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Eugène Rwamucyo, Rwandan national, former head of the Center of Public Health of the University of Butare, Rwanda

**Country of residence of suspect**  
France

**Charges**  
Complicity in genocide through serious bodily or mental harm; complicity in crimes against humanity through extrajudicial execution, torture and other inhumane acts; participation in a group formed for the purpose of preparing genocide and crimes against humanity

**Current status**  
Convicted; sentenced to 27 years in prison; awaiting appeal trial; detained

**Facts**  
Rwamucyo was the head of the Center of Public Health of the University of Butare in Rwanda in 1994. He is accused of having supervised the burial of Tutsi victims and of finishing off those already injured in the Butare prefecture.

**Procedure**  
On 23 April 2007, the *Collectif des parties civiles pour le Rwanda* (CPCR) lodged a complaint against Rwamucyo for his alleged participation in the genocide.

On 18 July 2007, the prosecutor of Lille opened a judicial investigation, which was transferred to investigative judges of the Paris Tribunal in November 2007. The CPCR was admitted as a civil party in the case at the opening of the investigation. The International Federation for Human Rights (FIDH) also became a civil party in 2010.

On 18 September 2013, Rwamucyo was charged while under investigation (*mis en examen*) for genocide through serious bodily or mental harm and crimes against humanity of extrajudicial execution, torture and other inhumane acts. He was placed under judicial surveillance.

On 19 December 2018, the investigative judge informed the parties that he had completed his investigation.

On 7 April 2020, the prosecution issued its final submission requesting that Rwamucyo be sent to trial on charges of genocide and crimes against humanity.

On 13 October 2020, the investigative judge referred the case to the Paris Criminal Court for complicity in genocide and crimes against humanity. Rwamucyo appealed this decision.

In September 2022, the Paris Court of Appeal rejected Rwamucyo's appeal and confirmed the referral of his case to the Paris Criminal Court. The defense appealed this decision before the French Supreme Court (*Cour de cassation*).

In January 2023, the French Supreme Court (*Cour de cassation*) dismissed the appeal and definitively confirmed Rwamucyo's referral to the Paris Criminal Court.

## DEVELOPMENTS IN 2024

Rwamucyo was tried before the Paris Criminal Court between 1 and 25 October 2024.

He was found guilty of the charges of complicity in genocide and crimes against humanity, as well as participating in a group formed to prepare genocide and crimes against humanity.

He was acquitted of the charges of committing genocide and crimes against humanity as a direct perpetrator.

Rwamucyo was sentenced to 27 years of imprisonment.

Rwamucyo and the Public Prosecutor's Office both lodged appeals against this decision. The dates for the appeal trial have not yet been set.

## THREE ADDITIONAL INTERNATIONAL ARREST WARRANTS ISSUED AGAINST SYRIAN OFFICIALS FOR COMPLICITY IN WAR CRIMES

Bashar al-Assad, Fahed Jassem al-Fraij, Ali Abdallah Ayoub, Ahmad Balloul, Ali Safetli, Nadim al-Jourdi and Ibrahim al-Chaher

**Country of commission**  
Syria

**Jurisdictional basis**  
Passive personality

### Suspects

Seven Syrian nationals: Bashar al-Assad, former president of Syria and head of the armed forces; Fahed Jassem al-Fraij, former minister of defense; Ali Abdallah Ayoub, former chief of staff of the armed forces; Ahmad Balloul, former commander of the Air Force and Air Defense; Ali Safetli, former commander of the 64<sup>th</sup> Helicopter Brigade and commander of the Bley airport; Nadim al-Jourdi, former chief of staff of the 64<sup>th</sup> Helicopter Brigade; and Ibrahim al-Chaher, former chief of staff of the Air Force

**Country of residence of suspects**  
Syria

### Charges

Complicity in the war crimes of deliberate attack against civilians and of murder of a person protected by international humanitarian law

### Current status

Investigation completed; seven international arrest warrants issued

### Facts

In 2011, the Syrian regime brutally repressed opponents' demonstrations, giving rise to the beginning of the armed conflict. On 7 June 2017, the city of Deraa, and more particularly the neighbourhood of Tareq al-Sad, was heavily bombed by the Syrian army.

This attack, targeted against civil infrastructure, cost the life of Salah Abou Nabout, a French-Syrian national.

#### Procedure

In 2017, Omar Abou Nabout filed a complaint before the Paris Tribunal on behalf of his father, Salah Abou Nabout. Since then, several judicial expert reports were requested and multiple witnesses and experts were heard by the judges.

In 2020, the Syrian Center for Media and Freedom of Expression became a civil party in the case.

On 18 October 2023, the investigative judges of the French specialized unit for the prosecution of international crimes issued international arrest warrants against al-Fraj, Ayoub, Balloul and Safetli for complicity in the war crimes of deliberate attacks against civilians and murder of a person protected by international humanitarian law.

#### DEVELOPMENTS IN 2024

In March 2024, the investigative judges completed their investigation.

In May 2024, the prosecutor requested the reopening of the investigation and the issuance of two additional arrest warrants.

On 4 September 2024, the investigative judges issued two additional arrest warrants against al-Jourdi and Ibrahim al-Chaher, for complicity in the war crimes of deliberate attacks against civilians and murder of a person protected by international humanitarian law.

On 21 January 2025, following a request from the prosecutor, the investigative judges issued an arrest warrant against former Syrian president Bashar al-Assad for complicity in the war crimes of deliberate attacks against civilians and murder of a person protected by international humanitarian law.

#### VERDICT CONFIRMED ON APPEAL FOR THE FIRST CRIMES AGAINST HUMANITY CONVICTION IN THE CONTEXT OF THE LIBERIAN CIVIL WARS

Kunti Kamara

#### Country of commission

Liberia

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Kunti Kamara, Dutch and Liberian national, former commander of the armed group the United Liberation Movement of Liberia for Democracy (ULIMO)

#### Country of residence of suspect

France

#### Charges

Torture, barbaric acts and complicity in these crimes; crimes against humanity

#### Current status

Conviction confirmed on appeal; case closed

#### Facts

During the first Liberian civil war (1989-1996), Kunti Kamara joined the armed group ULIMO, which was formed to fight former Liberian president Charles Taylor's National Patriotic Front of Liberia. According to the final judgment, in his capacity as a ULIMO commander, Kunti Kamara committed the crimes against humanity of murder, enslavement, torture and cannibalism in Lofa County, Liberia between 1993 and 1997.

#### Procedure

On 23 July 2018, the NGO Civitas Maxima filed a complaint in the name of Liberian victims before the French specialized unit for the prosecution of international crimes. On 4 September 2018, Kamara was arrested by the French police

and remanded in custody. On 6 September 2019, he was released from pre-trial detention after a procedural error.

In early January 2020, Kamara was returned to prison after failing to fulfill an obligation related to his release, namely to live at an address known to and agreed upon by the judge. On 26 November 2020, the investigative judge charged Kamara (*mis en accusation*) with the crimes of torture, barbaric acts and complicity in torture and aggravated acts of barbarism. In December 2020, the prosecutor appealed the failure to charge Kamara with crimes against humanity. In 2021, the investigating chamber ruled in favor of the prosecutor and expanded the charges to include crimes against humanity in addition to the crimes of torture and acts of barbarism.

Kamara's trial before the Paris Criminal Court began on 10 October and ended on 2 November 2022. After 17 days of trial, during which 27 witnesses and experts and 10 civil parties were heard, Kamara was found guilty as an accomplice of the crime against humanity of torture for the rape and sexual slavery committed by his subordinates on particularly vulnerable people. He was further found guilty as a perpetrator of acts of torture and barbarism, by subjecting a man to severe suffering and participating in the public eating of his heart, executing a sick woman accused of witchcraft who had just lost her baby, subjecting two men to forced labor under inhumane conditions and torturing a civilian. He was sentenced to life imprisonment. He appealed the decision.



## DEVELOPMENTS IN 2024

Between 26 February and 22 March 2024, appeal proceedings took place in Paris. On 27 March 2024, the Court of Assizes (*Cour d'assises*) confirmed the first instance ruling. The court sentenced Kamara to 30 years of imprisonment. On the same day, Kamara lodged an appeal (*pourvoi en cassation*) to the French Supreme Court (*Cour de cassation*) contesting this decision.

On 25 June 2024, the Supreme Court ruled that Kamara's appeal had lapsed due to failing to meet the legal deadline for submitting his legal argument memo. This ruling puts an end to the proceedings, and no further means of appeal are available to the parties.

## MULTINATIONAL LAFARGE AND ITS FORMER EXECUTIVES TO STAND TRIAL FOR FINANCING TERRORISM IN SYRIA, INVESTIGATION INTO COMPLICITY IN CRIMES AGAINST HUMANITY CONTINUES

Lafarge SA, Eric Olsen and others

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction and active personality

**Suspects**  
The French cement company Lafarge SA, which merged in 2015 with Holcim and became LafargeHolcim, and was renamed Holcim in 2021; Eric Olsen, former deputy director of the company; seven top executives of the French-Swiss Holcim group and of its subsidiary Lafarge Cement Syria; and one Syrian-Canadian intermediary between Lafarge and ISIS. The primary suspects are French and Norwegian nationals.

**Countries of residence of the suspects**  
France and Switzerland

**Charges**  
Complicity in crimes against humanity; financing of a terrorist enterprise; violation of the European Union embargo on oil purchases

**Current status**  
Indicted; awaiting trial on charges of financing terrorism and violation of an embargo; charged while under investigation (*mis en examen*) for complicity in crimes against humanity

**Facts**  
Lafarge owned and ran a cement factory in Jalabiya, Syria. From 2012 on, several armed groups operated in the factory's

vicinity. The company allegedly entered into negotiations with ISIS to purchase oil and pozzolan (a material used to make concrete) from them, as well as to obtain official ISIS passes for crossing checkpoints in order to maintain its production in the area. Testimonies also point to Lafarge risking the lives of its employees, who suffered kidnappings and extortion, and violating a number of basic labor rights. The company allegedly worked out "arrangements" with armed groups, including ISIS and Jabhat al-Nusra, around the factory from 2012-2015 amounting to at least EUR 13 000 000, according to the judicial inquiry.

**Procedure**  
In September 2016, the French minister of finance filed a complaint before the Paris prosecutor against LafargeHolcim for its alleged illegal purchase of oil in Syria, despite the European Union embargo issued in 2012. The Paris prosecutor opened an investigation in October 2016.

On 15 November 2016, 11 Syrian former Lafarge employees and the human rights groups Sherpa and the European Center for Constitutional and Human Rights (ECCHR) filed a criminal complaint as civil parties in Paris against Lafarge, Lafarge Cement Syria and their current and former top executives for the financing of terrorism, complicity in crimes against humanity committed in Syria, endangerment of people's lives and for a series of labor rights violations.

On 9 June 2017, three investigative judges of the Paris Tribunal opened an investigation into the crimes alleged by the plaintiffs. In September 2017, three of the victims were heard by one of the investigative judges.

Between December 2017 and May 2018, eight former executives, including former CEOs of the

Holcim group, were charged while under investigation (*mis en examen*) with financing terrorism and endangerment of people's lives, amongst other charges, and were requested to provide the courts with a deposit of several million euros. In September 2019, a Syrian-Canadian alleged former intermediary between the company and ISIS suppliers was also charged.

On 28 June 2018, three investigative judges of the Paris Tribunal charged while under investigation (*mis en examen*) the legal entity Lafarge SA (now Holcim) with complicity in crimes against humanity, financing a terrorist enterprise, endangerment of people's lives and violation of an embargo. The investigative judges ordered the company to hand over EUR 30 000 000 to the judicial authorities as a security deposit ahead of a possible trial.

On 24 October 2019, the Investigation Chamber of the Paris Court of Appeal rejected the admissibility of Sherpa and the ECCHR as civil parties.

On 7 November 2019, the Court of Appeal confirmed the indictments of the Lafarge executives and of the Lafarge company itself for financing a terrorist enterprise, endangerment of people's lives and violation of a European Union embargo. However, it dismissed the charges of complicity in crimes against humanity for the company arguing that the money transfers had an economic purpose and were not driven by an intention to participate in crimes against humanity.

In November 2019, Sherpa and the ECCHR appealed the rejection of their civil party applications and the dismissal of the complicity in crimes against humanity charges to the French Supreme Court (*Cour de cassation*). Defense lawyers also appealed the 7 November confirmation of indictments.

On 7 September 2021, the Supreme Court ruled that Lafarge's indictment for complicity in crimes against humanity was wrongly dismissed by the Paris Court of Appeal, finding that knowingly transferring millions of dollars to a terrorist organization with knowledge of its criminal nature was sufficient to establish the moral element for complicity in crimes against humanity, without the necessity to establish whether Lafarge was driven by an intent to commit crimes against humanity. The court also ruled that Lafarge's indictment for endangerment of peoples' lives was wrongly confirmed by the Paris Court of Appeal, finding that it had not sufficiently justified the application of French law to the case of Syrian workers. The Supreme Court therefore referred the case back to the Paris Court of Appeal for a new decision on both charges. In addition, it confirmed Sherpa's inadmissibility as a civil party on all charges and ECCHR's inadmissibility for all charges except the complicity in crimes against humanity charge.

The Supreme Court sent the legal challenges against the various indictments back to a newly composed Court of Appeal.

On 18 May 2022, the Paris Court of Appeal upheld all charges against the parent company Lafarge. In confirming the charge of complicity in crimes against humanity, the Court of Appeal reiterated the legal findings of the Supreme Court that there was serious or corroborating evidence that Lafarge knowingly chose to maintain its activities in the region by financing armed and terrorist groups. With regard to the charge of deliberately endangering the lives of its subsidiary's employees in Syria, the Court of Appeal further found that French law was applicable under private international law, as there was a closer connection between the

workers and the French parent company. The court relied on the permanent interference of Lafarge in the management of its subsidiary in Syria, as had been highlighted by the Supreme Court. The court thus found that there was serious or corroborating evidence that Lafarge may have been complicit in crimes against humanity and may have endangered the lives of its Syrian workers and upheld both charges.

On 18 October 2022, in a separate proceeding in the United States, Lafarge SA and Lafarge Cement Syria pleaded guilty before a federal court to conspiring to provide material support to foreign terrorist organizations and agreed to pay USD 778 000 000 in fines and forfeiture. It is the first time that a company was prosecuted in the United States on this charge. The media reported that in court, the Lafarge chair said the former company executives knowingly and willfully agreed to participate in a conspiracy to make and authorize payments intended for the benefit of various armed groups in Syria. The plea agreement is distinct from the French criminal proceedings and does not address the central question of corporate complicity in international crimes and reparations for those affected.

In 2023, Lafarge filed another appeal to the Supreme Court against the 18 May 2022 decision of the Court of Appeal, which had upheld all charges against the company. Central to Lafarge's claim was that the Supreme Court needed to decide whether the Court of Appeal was right in ruling that French law governs the employment relationship between the multinational Lafarge and its Syrian subsidiary's workers, in order to uphold the charge of deliberate endangerment of the Syrian workers' lives.

As a result, on 14 March 2023, the Supreme Court's criminal chamber, assigned to the case, requested the formal opinion of the Supreme Court's social rights chamber on the question of whether French labor laws on employee safety are overriding mandatory provisions providing protections that are of public interest and thus cannot be derogated. On 4 July 2023, the social chamber issued its opinion that rules about security obligations for the employer are not "overriding mandatory provisions" – which would apply in all instances. The social chamber concluded that these rules cannot justify alone the application of French law to the working relationship between the subsidiary Syrian workers and Lafarge. The human rights organizations, plaintiffs in this case, including ECCHR, Sherpa and the International Federation for Human Rights (FIDH), along with former Lafarge employee plaintiffs in this case argued that regardless of the qualification of these rules as overriding mandatory provisions, French law should apply to the employment relationship based on the criteria of a closer connection derived from private international law regulations.

The criminal chamber of the Supreme Court held its subsequent hearing on 18 September 2023. In an exceptional turn, instead of issuing its awaited decision, the Supreme Court, on 3 October 2023, ordered the reopening of the debates regarding a potential decision to cancel the charge of endangering the lives of its Syrian employees without referring the case back to the lower court.

## DEVELOPMENTS IN 2024

On 16 January 2024, the Supreme Court made its final decision and confirmed the Lafarge company's indictment for complicity in crimes against humanity while dismissing the charge of endangerment of workers' lives.

On 16 October 2024, French investigating judges ordered Lafarge SA and eight individuals to stand trial before a French criminal court for financing a terrorist organization and violating an embargo. The defendants include the company in its legal entity, four former top executives of the parent and its subsidiary, two former staff members of the subsidiary and two former intermediaries, including a Syrian businessman. No appeal has been filed against the order to stand trial. The trial is scheduled to take place from 4 November to 9 December 2025.

The judicial investigation on the company's complicity in crimes against humanity continues.

## NEW CASE!

### FRENCH ALLEGED FORMER MEMBER OF ISIS INDICTED FOR COMPLICITY IN GENOCIDE AND CRIMES AGAINST HUMANITY COMMITTED AGAINST YAZIDIS

Lolita C.

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspect

Lolita C., French national, alleged former member of ISIS

#### Country of residence of suspect

France

#### Charges

Complicity in genocide and crimes against humanity; participation in a terrorist criminal association

#### Current status

Charged while under investigation (*mise en examen*); detained

#### Facts

In August 2014, ISIS fighters invaded Mount Sinjar, the stronghold of the Yazidis, a Kurdish-speaking religious minority in northern Iraq. Thousands were killed and thousands of women and teenage girls were kidnapped and sexually enslaved in Iraq and Syria.

Lolita C, a French citizen who left France for Syria in 2014, is accused of having enslaved an 8-year-old Yazidi child in 2017.

#### Procedure

In August 2021, upon her expulsion from Turkey to France, Lolita C. was charged while under investigation (*mise en examen*) on charges of participating in a terrorist criminal association.

In June 2024, Lolita C. was charged while under investigation (*mise en examen*) on further charges of complicity in genocide and crimes against humanity, for having enslaved an 8-year-old Yazidi child in 2017 in Syria.

## RWANDAN NATIONAL CHARGED WITH GENOCIDE AND CRIMES AGAINST HUMANITY

Madjaliwa Safari

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Madjaliwa Safari, Rwandan national

**Country of residence of suspect**  
France

**Charges**  
Genocide; crimes against humanity

**Current status**  
Indicted; detained

**Facts**  
Safari is accused of having participated in the murder of Tutsi civilians in the provinces of Gitarama and Butare between April and July 1994. He allegedly played a decisive role in the arrests and executions of Tutsis at a roadblock known as “*Chez Premier*”.

**Procedure**  
Rwandan authorities issued an arrest warrant against Safari in 2017 and the French specialized unit for the prosecution of international crimes opened an investigation into his case in November 2019. In July 2023, he was charged while under investigation (*mis en examen*) for genocide and crimes against humanity, and arrested near Saint-Pierre-des-Corps, where he lived.

### DEVELOPMENTS IN 2024

On 6 December 2024, Safari was indicted on charges of genocide and crimes against humanity.

## DISMISSAL OF CASE AGAINST FORMER CHADIAN REBEL ARMED GROUP LEADER

Mahamat Nouri

**Countries of commission**  
Chad and Sudan

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Mahamat Nouri, Chadian national, former associate of Hissène Habré and Idriss Déby, then leader of the Union of Forces for Democracy and Development (UFDD)

**Country of residence of suspect**  
France

**Charges**  
Crimes against humanity; participation in a criminal organization in order to commit crimes against humanity

**Current status**  
Case dismissed

**Facts**  
According to the indictment, Nouri was the leader of the Chadian rebel armed group UFDD. He allegedly initiated a series of attacks against government positions in eastern Chad in autumn 2006. After the failure of peace talks in 2007, Nouri reportedly launched an attack on the capital N'Djamena in February 2008. He was repelled after days of heavy fighting by the army with the backing of French troops.

In 2010, Nouri and two other rebel chiefs were expelled from Sudan, where they had based their operations, after Sudan and Chad normalized their diplomatic relations. Nouri fled to Libya, where the UFDD had established bases on the northern border with Chad. He was expelled from Libya to Qatar in 2010 before arriving in France a year later.

### Procedure

On 18 January 2017, the French authorities imposed a six-month freeze on Nouri's financial assets. On 10 May 2017, on the basis of a referral by the French Office for the Protection of Refugees and Stateless Persons (OPFRA) and following a rejection of his asylum requests on the basis of Article 1F of the 1951 Refugee Convention, an investigation into Nouri's alleged crimes was opened at the French National Anti-Terrorist Prosecution Office, the French specialized unit for the prosecution of international crimes.

On 17 June 2019, Nouri and two other persons were arrested by the French police on suspicion of crimes against humanity. Nouri was suspected of having ordered recruitments of fighters, including child soldiers, between 2005 and 2010 in Chad and Sudan. Nouri appeared on 21 June 2019 before the investigative judges who indicted him for crimes against humanity and participation in a criminal organization in order to commit crimes against humanity. He was then placed in pre-trial detention.

On 27 March 2020, Mahamat Nouri was released from detention on sanitary grounds, because of the Covid-19 pandemic. He benefited from a health precautionary measure due to his age (he was 73 years old at the time of the decision). The judge ordered his judicial supervision.

He returned to Chad in 2022 to participate in negotiations between rebels and governmental authorities of N'Djamena. In February 2023, the French National Anti-Terrorist Prosecution Office requested a dismissal of the case for insufficiency of evidence.

### DEVELOPMENTS IN 2024

On 15 November 2024, the case was dismissed.

## FORMER SPOKESPERSON OF SYRIAN OPPOSITION ARMED GROUP JAYSH AL-ISLAM TO BE TRIED ON COMPLICITY IN WAR CRIMES CHARGES

Majdi Nema (alias Islam Alloush)

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Majdi Nema, Syrian national, former spokesperson of Jaysh al-Islam

**Country of residence of suspect**  
France

**Charges**  
Complicity in the war crime of recruitment of child soldiers; participation in a group formed for the purpose of preparing war crimes

**Current status**  
Indicted; awaiting trial; detained

**Facts**  
Jaysh al-Islam is a rebel armed group formed in 2013, opposed to the former Syrian regime, and which has been operating mainly in Eastern Ghouta (the suburbs of Damascus, Syria). This group is suspected of being involved in numerous crimes, including the abduction, torture and enforced disappearance of human rights lawyers Razan Zaitouneh, Nazem al-Hammadi and Wael Hamada and of the political activist Samira al-Khalil.

Nema, also known under his wartime alias Islam Alloush, was a senior official and spokesperson for Jaysh al-Islam between 2013 and 2016. He was allegedly involved in the war crimes of recruitment of child soldiers, willful killings, willfully causing great suffering

or serious injury to body or health, deliberate attacks against civilians and enforced disappearances.

**Procedure**  
On 26 June 2019, the Syrian Center for Media and Freedom of Expression (SCM), the International Federation for Human Rights (FIDH) and its member organization in France the *Ligue des droits de l'Homme* (LDH) filed a complaint against Nema for crimes committed by Jaysh al-Islam.

Following this complaint, Nema was arrested on 29 January 2020 in Marseille. He was charged while under investigation (*mis en examen*) for war crimes, torture, enforced disappearances and complicity in these crimes. The investigative judges performed several procedural acts, including hearings of victims, civil parties and witnesses.

In July 2020, Nema lodged an appeal against his indictment, claiming that the French courts lacked jurisdiction.

In April 2022, the Paris Court of Appeal stated that French courts do have jurisdiction over war crimes, torture and enforced disappearances committed by armed groups in Syria.

Nema appealed this decision before the French Supreme Court (*Cour de cassation*).

On 17 March 2023, the Supreme Court held a hearing in plenary session on the Nema case, together with the Chaban case (see UJAR 2024 p. 55), to determine whether the principle of double criminality allowed French courts to exercise jurisdiction over crimes against humanity, war crimes and crimes of torture committed in Syria, although those legal qualifications are not embedded in Syrian legislation.

On 12 May 2023, the Supreme Court concluded that, for French courts to prosecute international crimes under universal jurisdiction, it is sufficient for the foreign legislation of the country where the crimes were committed to punish the underlying acts of international crimes (such as murder or rape), even if these are not explicitly classified as war crimes. Doing so, the French Supreme Court definitively confirmed the French courts' jurisdiction over war crimes committed in Syria, and over Nema's case.

Regarding the legal requirement of the suspect's habitual residence in France to allow prosecution under universal jurisdiction, the court found that this criterion was subject to a case-by-case factual evaluation of the lower courts, but specified a set of indicators for establishing a sufficient connection between France and the person prosecuted.

With regards to acts of torture perpetrated by non-State groups, the Supreme Court took note of the evolution of international law in this area and confirmed that such acts could indeed be attributed to persons acting for or on behalf of a non-State group when the group exercises quasi-governmental authority.

On 19 July 2023, the investigative judges of the specialized unit for the prosecution of international crimes ordered that Nema be sent to trial before the Paris Criminal Court for complicity in the war crimes of recruitment of child soldiers, willful killings, willfully causing great suffering or serious injury to body or health and deliberate attacks against civilians, as well as complicity in enforced disappearances and participation in a group formed for the purpose of preparing war crimes. They excluded the charge of torture. The defense appealed this decision.

On 20 November 2023, the Court of Appeal dismissed the charges of complicity in the war crimes of willful killings, willfully causing great suffering or serious injury to body or health, deliberate attacks against civilians and complicity in enforced disappearances. It confirmed Nema's referral to the Criminal Court for complicity in the war crime of recruitment of child soldiers and participation in a group formed for the purpose of preparing war crimes.

The civil parties appealed this decision before the Supreme Court.

#### DEVELOPMENTS IN 2024

On 14 February 2024, the Supreme Court confirmed the dismissal of the charges of complicity in the war crimes of willful killings, willfully causing great suffering or serious injury to body or health and deliberate attacks against civilians and complicity in enforced disappearances.

Majdi Nema will be tried from 28 April 2025 to 23 May 2025 before the Paris Criminal Court for complicity in the war crime of recruitment of child soldiers and for participating in a group formed to prepare war crimes.

#### NEW CASE!

### DISMISSAL OF THE CASE AGAINST FORMER HEAD OF IT AT THE UNITED NATIONS DEVELOPMENT PROGRAMME IN KIGALI, RWANDA

Callixte Mbarushimana

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Callixte Mbarushimana, Rwandan national, former head of IT at the United Nations Development Programme (UNDP) in Kigali, Rwanda

**Country of residence of suspect**  
France

**Charges**  
Crimes against humanity and complicity in these crimes

**Current status**  
Case dismissed; under appeal

**Facts**  
In 1994, Callixte Mbarushimana was head of IT at the UNDP in Kigali, Rwanda.

He was accused of having provided the Rwandan armed forces and the *Interahamwe* (the youth organization of the National Republican Movement for Democracy and Development) with material from the UNDP and a list of Tutsis to kill. He was also accused of having himself participated in some massacres.

**Procedure**  
In 2003, Callixte Mbarushimana obtained refugee status in France, where he settled.

In 2008, the *Collectif des parties civiles pour le Rwanda* (CPCR) filed a complaint against Callixte

Mbarushimana for his alleged role in the Tutsi genocide in Rwanda.

The same year, an investigation was launched by the French specialized unit for the prosecution of international crimes (PNAT).

In 2010, Callixte Mbarushimana was charged while under investigation (*mis en examen*) for crimes against humanity and complicity in those crimes.

In October 2010, the International Federation for Human Rights (FIDH) was admitted as a civil party.

On 28 September 2010, the International Criminal Court (ICC) issued a sealed arrest warrant against Callixte Mbarushimana for war crimes and crimes against humanity committed against civilians in 2009 in the east of the Democratic Republic of the Congo, when he was Executive Secretary of the *Forces Démocratiques de Libération du Rwanda* (FDLR). Callixte Mbarushimana was arrested in France on 30 September 2010 and transferred to the ICC.

In 2011, Pre-Trial Chamber I of the ICC declined to confirm the charges against Callixte Mbarushimana and did not commit the case to trial.

Between 2013 and 2017, the French investigators travelled several times to Rwanda to collect evidence.

On 1 October 2024, the PNAT closed the investigation and dismissed the charges against Callixte Mbarushimana for lack of evidence.

The CPCR and FIDH appealed this decision.

## REQUEST FOR NEW INVESTIGATIVE ACTS AGAINST A FRENCH ALLEGED FORMER MEMBER OF ISIS SUSPECTED OF GENOCIDE AND CRIMES AGAINST HUMANITY AGAINST YAZIDIS

Nabil Greseque

### Country of commission

Syria

### Jurisdictional basis

Active personality

### Suspect

Nabil Greseque, French national, alleged former member of ISIS

### Country of residence of suspect

Unknown

### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on genocide and crimes against humanity.

### Current status

Under investigation

### Facts

In 2014, Greseque travelled to Syria to join ISIS.

In August 2014, ISIS fighters invaded Mount Sinjar, the stronghold of the Yazidis, a Kurdish-speaking religious minority in northern Iraq. Thousands were killed and thousands of women and teenage girls were kidnapped and sexually enslaved in Iraq and Syria.

### Procedure

In 2016, the prosecutor of the French specialized unit for the prosecution of international crimes opened a preliminary investigation into alleged genocide and crimes against humanity perpetrated by ISIS against the Yazidi community in Syria and Iraq.

In 2018 and 2019, the International Federation for Human Rights (FIDH) assisted Yazidi survivors who gave their testimonies to the investigators regarding the participation of French suspects in the crimes they suffered.

On 10 July 2020, a judicial investigation was opened against Greseque for genocide and crimes against humanity committed in Syria against Yazidis between 2015 and 2016.

In July 2023, a Yazidi survivor was heard by the investigative judges and admitted in the case as a civil party.

### DEVELOPMENTS IN 2024

In 2024, the prosecutor requested new investigative acts as well as the joining of Greseque's crimes against humanity case with his terrorism case.

## SUBMISSION FILED BY CIVIL PARTIES TO REQUEST NEW INDICTMENTS IN A CASE AGAINST FRENCH SURVEILLANCE COMPANY ACCUSED OF COMPLICITY IN TORTURE AND ENFORCED DISAPPEARANCES IN EGYPT

Nexa Technologies and four executives and employees

### Country of commission

Egypt

### Jurisdictional basis

Universal jurisdiction

### Suspects

Nexa Technologies as a company; executives and employees of the company

### Country of residence of suspects

France

### Charges

The investigation focuses on charges of complicity in torture and enforced disappearances.

### Current status

Under investigation; five indictments (*mises en examen*) issued, all dismissed

### Facts

In July 2017, the newspaper *Télérama* brought to light the existence of a contract concluded by Amesys – now Nexa Technologies – with the Egyptian regime, to sell a software called “Cerebro”. The software was allegedly used by Egypt’s al-Sisi regime to track down its opponents and subsequently commit acts of torture and enforced disappearances between 2014 and 2021.

### Procedure

On 9 November 2017, the International Federation for Human Rights (FIDH) and its member organization in France the *Ligue des Droits de l’Homme* (LDH), with the support of the Cairo Institute for Human Rights Studies, filed a

complaint for complicity in torture and enforced disappearances with the French specialized unit for the prosecution of international crimes regarding the participation of Nexa Technologies in the repressive operations carried out by al-Sisi's regime, through the sale of surveillance equipment.

On 30 January 2018, FIDH was heard as a civil party.

In June and July 2021, four executives and employees of Nexa Technologies were charged while under investigation (*mis en examen*) for complicity in torture and enforced disappearances.

In September 2021, Nexa Technologies was charged while under investigation (*mise en examen*) as a legal entity.

In December 2021 and February 2022, Nexa Technologies and its four indicted executives and employees requested the annulment of the procedure and their indictments.

On 14 December 2022, the Investigative Chamber of the Paris Court of Appeals did not uphold the nullities invoked but dismissed the indictments for lack of sufficient evidentiary basis and ordered the continuation of the investigation. The investigation must determine whether a link between the use of the surveillance technology and the repression of political opponents can be demonstrated.

In October 2023, a key witness was heard by the investigative judges regarding the alleged links between the use of the surveillance technology by the Egyptian regime and the crimes of torture and enforced disappearance under investigation.

## DEVELOPMENTS IN 2024

In June 2024, the civil parties filed a submission to request new indictments.

## CONVICTION AND LIFE SENTENCE FOR A RWANDAN FORMER POLICE OFFICER FOR CRIMES AGAINST HUMANITY AND GENOCIDE CONFIRMED ON APPEAL

Philippe Hategekimana (Philippe Manier)

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Philippe Hategekimana (renamed Philippe Manier in 2005), dual Rwandan and French national, former police officer

**Country of residence of suspect**  
France

**Charges**  
Genocide; complicity in genocide; crimes against humanity; complicity in crimes against humanity; participation in a group formed with the view to prepare the commission of these crimes

**Current status**  
Convicted; sentenced to life imprisonment, confirmed on appeal; detained

**Facts**  
Hategekimana was convicted for having participated in the genocide against Tutsis in Rwanda in the Butare region, in particular in Nyanza and the surrounding villages in April 1994. He was accused of having assassinated a Tutsi mayor, having supervised roadblocks aimed at control and murder of Tutsis, and having participated in several mass murders, including at the Institute of Agronomic Sciences of Rwanda and at the Nyabubare and Nyamure hills.

In 1999, Hategekimana fled to France where he obtained refugee status.

In 2005, Hategekimana obtained French citizenship and changed his name to Philippe Manier.

### Procedure

In June 2015, the *Collectif des parties civiles pour le Rwanda* filed a complaint against Hategekimana before the French specialized unit for the prosecution of international crimes.

In September 2015, an investigation was opened.

In 2017, Hategekimana left France for Cameroon and in 2018, an international arrest warrant was issued against him.

In April 2018, Hategekimana was arrested in Yaoundé, Cameroon, by the Cameroonian police.

In 2019, France requested his extradition, which was granted by Cameroonian authorities. Hategekimana was brought before the French investigative judges and denied the charges. He was indicted and placed in pre-trial detention.

On 20 September 2021, investigative judges ordered that Hategekimana be sent to trial for genocide, complicity in genocide, crimes against humanity and participation in a group formed with the view to prepare the commission of these crimes. The accused appealed this order.

In January 2022, the Paris Court of Appeal confirmed Hategekimana's referral to the Paris Criminal Court. The Paris Court of Appeal additionally added to his charges the massacre committed at the Institute of Agronomic Sciences of Rwanda, which had been dismissed in the 2021 indictment.

In May 2023, the Paris Criminal Court found Hategekimana guilty of nearly all charges and sentenced him to life imprisonment. He appealed this decision.



## DEVELOPMENTS IN 2024

Hategekimana's appeal trial took place before the Paris Criminal Court of Appeal from 4 November 2024 to 17 December 2024. He was found guilty of nearly all charges and sentenced to life imprisonment.

## UPCOMING TRIAL OF CONGOLESE FORMER MINISTER AND REBEL ARMED GROUP COMMANDER FOR CRIMES AGAINST HUMANITY COMMITTED IN 2002-2003 IN DRC

Roger Lumbala Tshitenga

### Country of commission

Democratic Republic of the Congo (DRC)

### Jurisdictional basis

Universal jurisdiction

### Suspect

Roger Lumbala Tshitenga, Congolese national, former leader of the *Rassemblement Congolais pour la Démocratie – National* (National Congolese Rally for Democracy, or RCD-N), former minister for foreign trade of the Congolese government between 2003 and 2005 and former congressman until 2013

### Country of residence of suspect

France

### Charges

Complicity in and conspiracy to commit crimes against humanity including murder, torture, rape, pillage, enslavement and sexual slavery

### Current status

Indicted; awaiting trial; detained

### Facts

From 1998 to 2003, Congolese forces supported by Angola, Namibia and Zimbabwe fought a variety of rebel armed groups backed by Rwanda and Uganda in what is known as the Second Congo War. In this context, the armed group RCD-N was created in 2000 to fight Congolese public forces and forged an alliance with the *Mouvement pour la libération du Congo*, led by Jean-Pierre Bemba, in an attempt to take control of resource-rich areas in the eastern

part of the DRC. In 2010, the United Nations Office of the High Commissioner for Human Rights published a [report](#) implicating the RCD-N in the perpetration of crimes against humanity, including rape and other forms of sexual violence, summary executions, torture, mutilation and cannibalism.

Lumbala Tshitenga was the leader of the RCD-N. He is accused of participating in crimes that took place between 1 July 2002 and the end of December 2003 in the provinces of Ituri and Haut Uélé (northeastern DRC), in particular during a military operation labelled *Effacer le tableau* (Erase the Board).

In April 2003, he became minister for foreign trade in the transitional government following the inter-Congolese dialogue, until January 2005. He then became a member of parliament and a senator until 2013.

### Procedure

In 2016, the French specialized unit for the prosecution of international crimes opened an investigation against Lumbala Tshitenga, after the rejection of his asylum application. Lumbala Tshitenga was arrested on 2 January 2021 in Paris and the case was referred to three investigating judges within the specialized unit.

On 2 January 2021, Lumbala Tshitenga was charged while under investigation (*mis en examen*) for his alleged participation in a group formed with a view to prepare the commission of crimes against humanity committed in the DRC between 2002 and 2003.

In the course of the investigation that lasted from 2021 to 2023, more than thirty Congolese victims and witnesses were heard by the justice authorities in Paris. Several eyewitnesses and expert witnesses were heard on the functioning

and hierarchical structure of the RCD-N and on Lumbala Tshitenga's alleged role in the preparation and perpetration of the crimes. The investigation shed light on the crimes committed during the military operation in the Beni-Mambasa-Bunia area by the alliance of the RCD-N and other armed groups toward the end of 2002. Evidence and testimonies were also gathered on crimes committed in Bafwasende and Isiro, areas controlled by the RCD-N in those years.

TRIAL International, the Clooney Foundation for Justice, Minority Rights Group, and the DRC-based NGO Justice Plus, all admitted as civil parties to the procedure, have collaborated throughout the investigation to identify and support Congolese communities, victims and survivors who provided evidence and shared their stories with French judicial authorities.

In October 2023, the Paris Court of Appeal rejected a motion introduced by Lumbala Tshitenga's counsel seeking the dismissal of the proceedings on the basis of the judges' supposed violation of the procedural requirement to verify that no extradition request had been issued regarding the suspect.

On 6 November 2023, the investigative judges indicted Lumbala Tshitenga for his alleged complicity in and conspiracy to commit crimes against humanity including murder, torture, rape, pillage and enslavement, including sexual slavery, in the DRC between 2002 and 2003.

## DEVELOPMENTS IN 2024

Following Lumbala Tshitenga's appeal against the indictment, the Paris Court of Appeal confirmed the charges in full on 28 February 2024.

Lumbala Tshitenga's counsel filed two appeals before the Supreme Court (Cour de cassation), one on the indictment and the second one on the rejection of the defendant's motion to dismiss the proceedings for violation of the no extradition requirement.

On 4 June 2024, the Supreme Court joined the two appeals and rejected them both.

In July 2024, the parties were notified that the trial of Lumbala Tshitenga would take place from 17 November to 19 December 2025 before the Paris Criminal Court.

## FRENCH ALLEGED FORMER MEMBER OF ISIS SENT TO TRIAL FOR GENOCIDE AND CRIMES AGAINST HUMANITY COMMITTED AGAINST YAZIDI WOMEN AND CHILDREN

Sabri Essid

### Country of commission

Syria

### Jurisdictional basis

Active personality

### Suspect

Sabri Essid, French national, alleged former member of ISIS in Syria

### Country of residence of suspect

Unknown

### Charges

Genocide through serious bodily or mental harm; crimes against humanity of enslavement, imprisonment, torture, rape, persecution and other inhumane acts; complicity in these crimes

### Current status

Indicted; awaiting trial; location of the suspect unknown

### Facts

In 2014, Essid travelled to Syria to join ISIS.

In August 2014, ISIS fighters invaded Mount Sinjar, the stronghold of the Yazidis, a Kurdish-speaking religious minority in northern Iraq. Thousands were killed and thousands of women and teenage girls were kidnapped and sexually enslaved in Iraq and Syria.

### Procedure

In 2016, the prosecutor of the French specialized unit for the prosecution of international crimes (PNAT) opened a structural investigation into alleged genocide and crimes against humanity perpetrated by ISIS against the Yazidi community in Syria and Iraq.

In 2018 and 2019, the International Federation for Human Rights (FIDH) legally represented Yazidi survivors who gave their testimonies to the investigators regarding the participation of French suspects in the crimes they suffered.

On 25 October 2019, the PNAT opened an investigation against Essid for genocide and crimes against humanity committed against Yazidi women and children.

In February 2020, an international arrest warrant was issued for Essid for genocide and crimes against humanity.

In March 2020, two Yazidi women joined the case as civil parties.

#### DEVELOPMENTS IN 2024

In March 2024, the investigative judges completed their investigation.

In August 2024, the prosecutor requested Sabri Essid to be sent to trial on the charges of serious bodily or mental harm constituting genocide; enslavement, imprisonment, torture, rape, persecution and other inhumane acts constituting crimes against humanity; and complicity in these crimes.

In October 2024, the investigative judges issued their final order to send Sabri Essid to trial on the same charges.

Essid will be tried before the Paris Criminal Court from 16 to 20 March 2026.

Sabri Essid is presumed dead in Syria. However, in the absence of evidence certifying his death, French courts have jurisdiction to try him *in absentia*.

## APPEAL FILED AGAINST THE DISCONTINUATION OF THE INVESTIGATION AGAINST SEVERAL MULTINATIONAL GARMENT COMPANIES TARGETED FOR FORCED LABOR OF UYGHURS

Several multinational garment companies

### Country of commission

China

### Jurisdictional basis

Active personality

### Suspects

Several multinational garment companies

### Country of residence of suspects

European Union member States and other countries

### Charges

The suspects have not been formally charged. The investigation focused on charges of concealment of crimes against humanity.

### Current status

Case dismissed; under appeal

### Facts

Since at least 2019, journalists and researchers had highlighted the existence of systematic forced labor in the Xinjiang Uyghur Autonomous Region by the Chinese government, where nearly 20% of the world's cotton is produced. However, according to public information available to date, the companies Inditex (including the brands Zara, Bershka, Pull and Bear, Massimo Dutti etc.), Uniqlo, SCMP (including Sandro, Maje, Claudie Pierlot, and De Fursac) and Skechers, as well as many other transnational companies, had continued to subcontract part of their production to or to market goods using cotton produced in the region.

### Procedure

On 9 April 2021, Sherpa, the *Collectif Ethique sur l'Étiquette*, the Uyghur Institute of Europe and a Uyghur survivor filed a criminal complaint with the Public Prosecutor's Office in Paris against several multinational garment companies.

On 1 July 2021, the French judiciary announced that it has opened a preliminary investigation into the crime of concealment of crimes against humanity.

In September 2021, the European Center for Constitutional and Human Rights (ECCHR) filed a similar criminal complaint with the German Federal Public Prosecutor against several German textile brands and retailers. In October 2021, the Public Prosecutor decided to initiate a monitoring process regarding the situation in Xinjiang. However, no formal investigations were opened.

In April 2023, the prosecutor of the French specialized unit for the prosecution of international crimes argued that French courts lacked jurisdiction in this case and requested the case to be dismissed and the investigation discontinued.

The investigative judges followed this request and dismissed the case.

#### DEVELOPMENTS IN 2024

The plaintiffs have appealed the judges' decision and are now awaiting a hearing before the Paris Court of Appeal.

## NEW CASE!

### FRENCH COUPLE, ALLEGED MEMBERS OF ISIS, TO BE TRIED FOR GENOCIDE AND CRIMES AGAINST HUMANITY COMMITTED AGAINST YAZIDIS

Sonia Mejri and Abdelnasser Benyoucef (alias Abou Mouthana)

**Country of commission**  
Syria

**Jurisdictional basis**  
Active personality

**Suspects**  
Sonia Mejri; Abdelnasser Benyoucef (alias Abou Mouthana), French nationals, alleged former members of ISIS

**Country of residence of suspect**  
France; unknown

**Charges**  
Serious bodily and mental harm constituting genocide; enslavement, imprisonment, torture, rape, persecution and other inhumane acts constituting crimes against humanity; participation in a terrorist group

**Current status**  
Sonia Mejri: indicted; awaiting trial; detained  
Abdelnasser Benyoucef (alias Abou Mouthana): indicted; presumed dead in Syria

**Facts**  
In August 2014, ISIS fighters invaded Mount Sinjar, the stronghold of the Yazidis, a Kurdish-speaking religious minority in northern Iraq. Thousands were killed and thousands of women and teenage girls were kidnapped and sexually enslaved in Iraq and Syria.

Sonia Mejri allegedly left France for Syria in 2014.

Her husband, Abdelnasser Benyoucef, an eminent member of ISIS, allegedly left France for Syria in 2013.

They are accused of having enslaved a young Yazidi woman in 2015.

**Procedure**  
On 28 January 2020, Sonia Mejri was charged while under investigation (*mis en examen*) for terrorism charges, before the investigation was extended to include charges of genocide and crimes against humanity.

On 7 February 2024, the Yazidi victim was heard by the investigative judges. She then became a civil party in the case.

On 24 September 2024, the investigative judges issued their final order to send Sonia Mejri and Abdelnasser Benyoucef to trial on the charges of serious bodily and mental harm constituting genocide; enslavement, imprisonment, torture, persecution and other inhumane acts constituting crimes against humanity; and complicity in these crimes. Sonia Mejri appealed this order.

On 22 January 2025, the Paris Court of Appeal cancelled the charges against Sonia Mejri of genocide and crimes against humanity as a direct perpetrator and sent her to trial for complicity in rapes constituting crimes against humanity and participation in a terrorist group.

Sonia Mejri is currently detained in France. Her husband is presumed dead in Syria. However, in the absence of evidence certifying his death, French courts have jurisdiction to try him *in absentia*.

### APPEAL TRIAL DATES SET FOR BUTARE DOCTOR CONVICTED OF GENOCIDE AND CRIMES AGAINST HUMANITY IN RWANDA

Sosthène Munyemana

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Sosthène Munyemana, Rwandan national, former gynecologist at the University Hospital of Butare

**Country of residence of suspect**  
France

**Charges**  
Genocide through serious bodily or mental harm; crimes against humanity through extrajudicial execution, torture and other inhumane acts; participation in a group formed for the purpose of preparing genocide and crimes against humanity.

**Current status**  
Convicted; sentenced to 24 years in prison; awaiting appeal trial; detained

**Facts**  
On 17 April 1994, in a public speech, Munyemana allegedly incited Hutus to exterminate the Tutsi community of Tumba. He was also convicted for taking part, from 21 April 1994, in several massacres of Tutsis in and around Tumba. He is reported to have distributed ammunition and compiled lists of Tutsis to be eliminated. He allegedly led night patrols and specified who should be abducted. He is also accused of having organized a hunt against Tutsis, detained some of them in inhumane conditions and sent them to killing sites.

### Procedure

On 18 October 1995, the NGOs *Collectif girondin pour le Rwanda*, the International Federation for Human Rights (FIDH) and *Survie* lodged a criminal complaint against Munyemana for his alleged participation in genocide. In 2001, the *Collectif des Parties Civiles pour le Rwanda* joined the proceedings as a civil party.

In 2006, Rwanda requested Munyemana's extradition from France. However, on 7 October 2010, the Investigation Chamber of the Bordeaux Court of Appeal denied this request.

In October 2008, Munyemana was found guilty *in absentia* by the Butare Gacaca Court in Rwanda. He was sentenced to life imprisonment.

On 14 December 2011, Munyemana was charged while under investigation (*mis en examen*) in France for crimes against humanity and genocide and placed under judicial surveillance.

On 9 May 2017, the investigative judges of the specialized unit for the prosecution of international crimes informed the parties that they had completed their investigation.

On 11 May 2018, the prosecutor issued his final submission.

In 2021, the investigative judges ordered that Munyemana be sent to trial for the commission of crimes against humanity, genocide, complicity in these crimes and participation in a group formed for the purpose of preparing these crimes.

Munyemana appealed this decision before the Court of Appeal and the Supreme Court (*Cour de cassation*), unsuccessfully.

Munyemana was tried before the Paris Criminal Court from 13 November 2023 to 19 December 2023. He was convicted and sentenced to 24 years of imprisonment for genocide, crimes against humanity and participation in a group formed for the purpose of preparing these crimes. He was acquitted of the charges of complicity in these crimes.

Munyemana appealed the conviction.

### DEVELOPMENTS IN 2024

Munyemana's appeal trial has been scheduled to take place from 15 September 2025 to 17 October 2025.

### NEW CASE!

## INVESTIGATION OPENED INTO KILLING OF TWO FRENCH HUMANITARIANS IN UKRAINE

Unknown

### Country of commission

Ukraine

### Jurisdictional basis

Passive personality

### Suspects

Unknown

### Country of residence of suspects

Unknown

### Charges

As the case is at the investigation stage, no suspect has been formally charged. The investigation focuses on war crimes

### Current status

Under investigation

### Facts

On 1 February 2024, a team of six collaborators from *Entraide Protestante Suisse* (EPER) was on a mission to evaluate the humanitarian situation in the area surrounding the city of Beryslav, Ukraine.

While returning to their base camp, the convoy – marked with large red crosses on the roofs of the vehicles – was attacked, allegedly by Russian drones. One vehicle was struck, prompting the occupants of the second vehicle to stop and assist their colleagues. Additional drone strikes followed, injuring all six team members. During the attack, two of them, who were both French nationals – Senior Security Coordinator Guennadi Guermanovitch and Program Officer Adrien Baudon de Mony-Pajol – were killed.

### Procedure

On 3 February 2024, the French specialized unit for the prosecution of international crimes opened an investigation for war crimes. This investigation is being conducted in collaboration with Ukrainian prosecutors.

## INVESTIGATIONS OPENED INTO WAR CRIMES IN UKRAINE FOLLOWING THE DEATHS OF FRENCH JOURNALISTS

Unknown

**Country of commission**  
Ukraine

**Jurisdictional basis**  
Passive personality

**Suspects**  
Unknown

**Country of residence of suspects**  
Unknown

**Charges**  
As the cases are at the investigation stage, no suspect has been formally charged. The investigations focus on war crimes.

**Current status**  
Under investigation

**Facts**  
Pierre Zakrzewski, a Franco-Irish cameraman for Fox News, was killed on 14 March 2022 in Horenka, north-west of the Ukrainian capital, after his vehicle was attacked.

Frédéric Leclerc-Imhoff, a French journalist for BFMTV, was killed on 30 May 2022 while on a humanitarian mission in the east of the country.

Arman Soldin, a Franco-Bosnian journalist and *Agence France-Presse's* video coordinator in Ukraine, was killed on 9 May 2023 at the age of 32 by a salvo of Grad rockets in the vicinity of Tchassiv Iar near Bakhmout. Soldin was part of a team of five reporters who were accompanying Ukrainian soldiers on the most active front of the war. He was hit as he lay on the ground trying to protect himself.

**Procedure**  
On 10 May 2023, the National Prosecutor's Office opened a war crimes preliminary investigation into the Soldin case. Preliminary investigations had also been opened in 2022 into the murder of Zakrzewski and Leclerc-Imhoff. Since the end of February 2022, the prosecutor has reportedly opened at least seven preliminary investigations into possible war crimes committed against French nationals in Ukraine, mainly in February and March 2022.

**DEVELOPMENTS IN 2024**  
On 5 April 2024, the French specialized unit for the prosecution of international crimes (PNAT) completed the preliminary phase of the investigation into Pierre Zakrzewski's death. It referred the case to the Dean of the Investigating Judges of the French specialized unit for the prosecution of international crimes, requesting the opening of a judicial investigation for war crimes.  
On 17 April 2024, the PNAT announced the opening of a judicial investigation. Pierre Zakrzewski's family and Reporters Without Borders (RSF) have expressed their intention to apply to participate in the case as civil parties.

## REFERRAL TO THE SUPREME COURT OF THE DISMISSAL OF THE CASE AGAINST THE FRENCH MILITARY FOR ITS RESPONSIBILITY IN THE RWANDAN GENOCIDE

Unknown members of the French military

**Country of commission**  
Rwanda

**Jurisdictional basis**  
Active personality

**Suspects**  
Unknown members of the French military

**Country of residence of suspects**  
France

**Charges**  
The suspects have not been formally charged. The investigation focused on complicity in torture, inhuman and degrading treatment and complicity in genocide and crimes against humanity.

**Current status**  
Case dismissed; under appeal

**Facts**  
In June 1994, *Opération Turquoise* was launched by the French military, in the context of the genocide against Tutsis in Rwanda. The operation, which counted 2500 French military personnel, aimed at ending the massacres and protecting the civilian population.

Several former military personnel later alleged that the operation had a hidden political agenda and that numerous abuses were perpetrated by French military forces on the ground, including the rape of Tutsi women and the failure to prevent several massacres by knowingly abandoning Tutsi civilians to the hands of their genocidaires. In particular, between 27 and 30 June 1994, the French army failed to

prevent atrocities committed on the Bisesero hills where Tutsi survivors had taken refuge, of which the army was alleged to have been aware.

#### Procedure

In February 2005, a complaint was filed by six victims as civil parties. Later that year, the International Federation for Human Rights (FIDH), its member organization in France the *Ligue des droits de l'Homme* (LDH) and *Survie* were admitted as civil parties in the case.

In 2012, the case was transferred to the specialized unit for the prosecution of international crimes.

In 2017, the investigative judges refused to grant the request of the civil parties to interview senior political and military officials. An appeal was lodged against this decision, but the refusal was upheld by the Court of Appeal. The same year, several French military personnel were placed under the status of assisted witnesses (*témoins assistés*).

On 26 July 2018, the investigation was closed by the investigative judges. A request for additional investigative acts was filed by the civil parties but this request was rejected by the investigating judges. The civil parties appealed this decision unsuccessfully.

On 3 May 2021, the prosecutor asked for the dismissal of the case.

In June 2021, the civil parties filed observations to oppose the dismissal.

In September 2022, the investigative judges followed the request of the prosecutor and dismissed the case, deeming that the investigation had not established the direct participation nor the complicity of the French military forces in the crimes committed between 27 and 30 June 1994.

The civil parties appealed this decision.

On 21 June 2023, the Court of Appeal granted the civil parties' appeal and ordered the reopening of the investigation.

Once again, the prosecutor asked for the dismissal of the case, which the investigative judges granted.

The civil parties appealed this decision.

#### DEVELOPMENTS IN 2024

On 9 September 2024, a hearing took place before the Court of Appeal.

On 11 December 2024, the Court of Appeal confirmed the dismissal of the case. The civil parties have referred the matter to the Supreme Court (*Cour de Cassation*).

#### Follow-up on other cases

- Abdulhamid Chaban (UJAR 2024, p. 55): the investigation is ongoing.
- Ahmed Hamdane El Aswadi (UJAR 2021, p. 37): the suspect is pending extradition.
- Ahmed Nasser al-Raisi (UJAR 2023, p. 50): the investigation is ongoing.
- Antoine M. (UJAR 2022, p. 43): the investigation is ongoing.
- Charles Twagira (UJAR 2023, p. 33): the investigation is ongoing.
- Claude Muhayimana (UJAR 2023, p. 37): awaiting appeal trial.
- Eric Danboy Bagale (UJAR 2023, p. 28): the investigation is ongoing.
- Exxelia (UJAR 2024, p. 44): the investigation is ongoing.
- Isaak Kamali (UJAR 2022, p. 41): the investigation is ongoing.
- Jean-Marie Vianney Nzapfakumunsi (UJAR 2024, p. 46): the investigation is ongoing.
- Laurent Serubuga (UJAR 2018, p. 27): investigation completed, awaiting indictment.
- Marcel Hitayezu (UJAR 2022, p. 42): the investigation is ongoing.
- Paul Barril (UJAR 2024, p. 50): the investigation is ongoing.
- Pierre Kayondo (UJAR 2024, p. 52): the investigation is ongoing.
- Salah Habib (UJAR 2023, p. 49): the investigation is ongoing.
- Saturday T. (UJAR 2024, p. 42): the investigation is ongoing.
- Killing of journalists Marie Colvin; Edith Bouvier; Remi Olchik (UJAR 2023, p. 45): the investigation is ongoing.

#### Ongoing structural investigations

- Structural investigation regarding crimes committed by former Syrian regime officers (see UJAR 2023, p. 42).
- Structural investigation regarding crimes committed against Yazidis and other ethnic or religious minority groups in Syria.

# GERMANY



## MEMBER OF A FORMER SYRIAN REGIME-AFFILIATED MILITIA CONVICTED OF CRIMES AGAINST HUMANITY AND WAR CRIMES

Ahmad H.

### Country of commission

Syria

### Jurisdictional basis

Universal jurisdiction

### Suspect

Ahmad H., Syrian national, former local leader of a *Shabiha* militia in Tadamon, Syria

### Country of residence of suspect

Germany

### Charges

Crimes against humanity and war crimes, including through torture, enslavement and pillage

### Current status

Convicted; sentenced to ten years in prison; detained

### Facts

Ahmad H. allegedly acted as the local leader of a *Shabiha* militia incorporated into the National Defense Forces in the Damascus district of Tadamon from 2012 to 2015. On behalf of the former Syrian regime, this militia violently suppressed opposition efforts in Tadamon together with the Syrian Military Intelligence's Branch 227. To this end, the militia operated checkpoints where it arbitrarily arrested people to extort money, to force them into forced labor or

to torture them. In addition, the militiamen looted houses and apartments of suspected opponents of the regime on a large scale and sold the stolen goods on their own account.

The defendant allegedly participated in the mistreatment of civilians on several occasions. In one incident in 2013, he is said to have punched a man detained by the militia in the face and instructed other members of the group to brutally beat the detainee with plastic pipes over a period of hours. In the fall of 2014, Ahmad H., along with other militiamen and Syrian Military Intelligence personnel, allegedly repeatedly beat and kicked a civilian at a checkpoint, grabbed the victim by the hair and slammed his head on the sidewalk. Ahmad H. then allegedly tied the man up before he was taken away by the militia. On two occasions between December 2012 and early 2015, the defendant reportedly arrested 25 to 30 people at a checkpoint and forced them to transport sandbags to the nearby front for a day. There, the detainees worked under repeated fire and without food and water. They were also beaten by Ahmad H. and other militia members.

### Procedure

On 2 August 2023, the federal criminal police, acting on an arrest warrant issued by the investigating judge of the Federal Court of Justice on 26 July 2023, arrested Ahmad H. in Bremen. He was suspected of having committed crimes against humanity and war crimes, including through torture and enslavement.

On 3 August 2023, Ahmad H. was brought before the investigating judge of the Federal Court of Justice, who had issued the arrest warrant for him and who ordered him to be placed in pre-trial detention.

## DEVELOPMENTS IN 2024

The indictment was filed on 26 March 2024 and admitted on 10 April 2024. Ahmad H.'s alleged role in the Tadamon massacre of 16 April 2013, in which soldiers of the Syrian Military Intelligence Branch 227 executed at least 41 civilians, buried the bodies in a mass grave that had been prepared in advance and set everything on fire, was not included in the indictment as his role in the massacre remains unclear.

The trial at the Hamburg Higher Regional Court commenced on 17 May 2024 and comprised 37 trial days in 2024. Twenty-five witnesses and two expert witnesses testified. Although the Tadamon massacre was not included in the indictment, it was mentioned several times during the trial. Video evidence of other brutal killings by pro-regime armed militias also played a central role.

On 18 December 2024, Ahmad H. was convicted of 21 counts of war crimes and crimes against humanity, including through torture, deprivation of liberty and enslavement. He was sentenced to ten years of imprisonment.



## TRIAL AGAINST SYRIAN DOCTOR FOR CRIMES AGAINST HUMANITY CONTINUES INTO ITS FOURTH YEAR

Alaa M.

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Alaa M., Syrian national, former doctor and alleged member of the Syrian Military Intelligence

**Country of residence of suspect**  
Germany

**Charges**  
Crimes against humanity of murder, sexual violence, torture and dangerous bodily harm

**Current status**  
On trial; detained

**Facts**  
According to the indictment, between April 2011 and the end of 2012, Alaa M. worked as a doctor in a military hospital in the city of Homs as well as in the al-Mezzeh military hospital in Damascus. In these hospitals, as well as in the prison of Department 261 of the Syrian Military Intelligence in Homs, he allegedly severely mistreated and tortured numerous detained civilians, two of whom subsequently died.

Among other things, he is accused of beating several detained patients with batons and a plastic tube, administering a lethal injection to one person, stepping on a prisoner's wound with boots and subsequently setting it on fire with disinfectant, and pouring alcohol over the genitals of a 14 or 15-year-old boy, which he then ignited.

Alaa M. fled Syria to Germany, where, from 2015 to 2020, he worked as a doctor.

**Procedure**  
On 19 June 2020, the federal public prosecutor arrested Alaa M. on suspicion of crimes against humanity.

On 16 December 2020, the arrest warrant was extended to cover allegations of murder in one case, torture in 18 cases, inflicting grievous bodily and mental harm in one case, severe deprivation of physical liberty in seven cases (one of which led to death) and an attempt to deprive a person of their reproductive capacity, all of which are characterized as crimes against humanity.

The Syrian Center for Legal Studies and Research supported the prosecuting authorities by referring witnesses.

On 15 July 2021, the federal public prosecutor indicted Alaa M. In early November 2021, the main parts of the indictment were admitted for trial by the Higher Regional Court of Frankfurt. The court declined, however, to admit ten counts of the indictment to trial for legal reasons.

In January 2022, upon appeal by the federal public prosecutor, the Federal Court of Justice overturned the decision declining to admit ten counts of the indictment to trial, thus admitting to trial the full indictment of the crimes against humanity of murder, sexual violence, torture and dangerous bodily harm.

On 19 January 2022, the trial against Alaa M. began before the Higher Regional Court of Frankfurt. Throughout the year, the accused and several witnesses and civil parties were heard by the court.

Proceedings continued throughout 2023. In November 2023, the Higher Regional Court of Frankfurt issued a legal notice stating that it is considering ordering the preventive detention of the defendant after he serves his possible prison sentence, due to the threat he allegedly poses to society.

## DEVELOPMENTS IN 2024

Proceedings continued throughout 2024. The chamber continued to hear witnesses, including anonymous witnesses who were granted protective measures (i.e. disguising their appearance with wigs and glasses), as well as expert witnesses, with the proceedings exceeding 150 trial days. Witnesses testifying in the proceedings continued to be threatened. Additionally, the federal public prosecutor announced that preliminary investigations into additional charges against Alaa M. have been conducted. The trial is therefore likely to continue longer than its foreseen conclusion in January 2025.

## TRIAL OF ALLEGED FORMER HEZBOLLAH MEMBER FOR CRIMES AGAINST HUMANITY AND WAR CRIMES IN SYRIA STARTED

Ammar A.

### Country of commission

Syria

### Jurisdictional basis

Universal jurisdiction

### Suspect

Ammar A., Syrian national, alleged former member of Hezbollah

### Country of residence of suspect

Germany

### Charges

Crimes against humanity of torture, murder and deprivation of liberty; war crimes against persons and property

### Current status

On trial; detained

### Facts

In 2011, the former Syrian regime brutally repressed opponents' demonstrations, giving rise to the beginning of the armed conflict. Various armed groups, including Hezbollah, aligned themselves with the then-Syrian government.

Ammar A. was an alleged member of the local Hezbollah militia in the Syrian town of Busra al-Sham between 2012 and 2013. In August 2012, he and other members of Hezbollah reportedly acting under his directive allegedly forcibly broke into the houses of civilians and stole numerous items, before setting the houses ablaze. The residents endured physical abuse and one person succumbed to a gunshot wound.

In April 2013, Ammar A., along with other Hezbollah members, allegedly arrested a civilian in Busra al-Sham. They hit him

several times before delivering him and two other prisoners to military intelligence personnel in another city. The military secret service employees beat the three victims with electrical cables, allegedly in Ammar A.'s presence. The victims were then held captive in the military intelligence prison for several weeks in inhumane conditions and were subjected to severe physical abuse by prison guards.

### Procedure

On 27 November 2023, the Federal Court of Justice issued an arrest warrant against Ammar A. for the crimes against humanity of torture and deprivation of liberty and for war crimes against persons and property.

On 12 December 2023, Ammar A. was arrested in the Rhein-Neckar district. The Federal Court of Justice ordered him to be placed in pre-trial detention.

## DEVELOPMENTS IN 2024

The indictment was issued in July 2024 and the trial commenced on 15 October 2024 at the Higher Regional Court in Stuttgart. So far, the accused has made a statement and answered questions in relation to it. Witnesses have started to testify. The trial is expected to last at least until May 2025, but potentially longer.

## FIRST TWO CONVICTIONS FOR SYRIAN STATE TORTURE UPHeld BY FEDERAL COURT OF JUSTICE

Anwar Raslan and Eyad al-Gharib

### Country of commission

Syria

### Jurisdictional basis

Universal jurisdiction

### Suspects

Anwar Raslan, Syrian national, former head of the investigation unit at the al-Khatib branch of the General Intelligence Service (GIS) in Damascus

Eyad al-Gharib, Syrian national, employee of a sub-unit of Raslan's investigation division

### Country of residence of suspects

Germany

### Charges

Anwar Raslan was convicted of crimes against humanity in the form of killing, torture, severe deprivation of liberty, rape and sexual assault.

Eyad Al-Gharib was convicted of aiding and abetting the crimes against humanity of torture and aggravated deprivation of liberty.

### Current status

Anwar Raslan convicted; sentenced to life imprisonment; confirmed on appeal; detained

Eyad Al-Gharib convicted; sentenced to four and a half years in prison; confirmed on appeal; detained

### Facts

Since the beginning of the Syrian civil war in 2011, the intelligence services of the former Syrian regime systematically arrested, tortured and killed opposition activists. In September 2011, the German federal public prosecutor opened a structural investigation into war crimes and crimes against humanity committed by the

governmental institutions. Other person-specific investigations targeted Raslan and al-Gharib.

Raslan headed the investigation unit of the al-Khatib branch. Between late April 2011 and early September 2012, he implemented and oversaw a brutal system of physical and psychological torture intended to extract confessions and gain insight into the opposition movement. At least 4000 persons were exposed to torture in the al-Khatib detention center under Raslan's direct command. Methods of torture included beatings with fists and various objects, administering electric shocks, suspending victims from the ceiling by their wrists, sleep deprivation and making threats against relatives. Moreover, victims were subjected to inhumane conditions of detention such as overcrowded cells and the withholding of medical attention. Dozens of persons died as a result of the torture and inhumane conditions.

Al-Gharib was a member of a sub-unit of the investigative division tasked with conducting identity checks and arresting demonstrators, deserters and other suspicious persons. He was indicted for aiding and abetting the torture and illegal detention of at least 30 persons. In the autumn of 2011, after an anti-government demonstration in the city of Douma had been violently dispersed by security forces, al-Gharib and other GIS officials pursued and arrested fleeing demonstrators and transported them to the al-Khatib detention center. According to the charges, al-Gharib had full knowledge of the system of torture and mistreatment to which the detainees were being subjected.

### Procedure

In September 2011, the German federal public prosecutor opened a structural investigation into war crimes and crimes against humanity committed by the Syrian governmental institutions.

On 12 February 2019, German authorities arrested Raslan and al-Gharib in Berlin and Rhineland-Palatinate, respectively, as a result of person-specific investigations. On the same day, French authorities arrested another former intelligence service official in Paris (Abdulhamid Chaban, see [UJAR 2024](#), p. 55). The arrests were coordinated by the joint French-German investigative unit.

On 22 October 2019, the German federal public prosecutor formally indicted Raslan and al-Gharib before the Higher Regional Court of Koblenz.

On 23 April 2020, the trial against Raslan and al-Gharib began at the Higher Regional Court of Koblenz.

Numerous survivors and witnesses of the crimes, as well as expert witnesses, testified throughout the trial, including forensic analyst Professor Markus Rothschild, who analyzed the 26 938 photographs provided by the defected military photographer Caesar and confirmed that survivors' testimonies were largely consistent with his findings.

Several insider witnesses who formerly worked in or with Syrian intelligence agencies also gave their testimony, including an anonymous witness who gave a detailed account on the mass burial of deceased detainees of the intelligence services. The witness reported on his work in cemeteries in the province of Damascus and his assistance to intelligence officers in transporting and burying the bodies of detainees

from detention facilities of the intelligence services, including the GIS's al-Khatib detention center and the Saydnaya military prison. Trucks carried several hundred corpses per week. The corpses were marked with numbers and symbols on their foreheads or chests, which corresponds with the images provided by Caesar.

Originally, the court had refused to make an Arabic translation available to the audience. However, on 18 August 2020, the German Constitutional Court granted a preliminary injunction to provide Arabic translation to all accredited journalists following the trial.

On 18 November 2020, the court severed the trial of al-Gharib and announced it would soon rule on his case.

On 19 November 2020, the European Center for Constitutional and Human Rights (ECCHR) supported a motion filed by partner lawyers on behalf of the seven joint plaintiffs to expand the charges against Raslan to include rape and sexual coercion as part of the crimes against humanity indictment, as so far sexual and gender-based crimes had only been indicted as single incidents rather than as part of a crime against humanity.

On 24 February 2021, al-Gharib was found guilty of aiding and abetting a crime against humanity in 30 cases of torture and aggravated deprivation of liberty and sentenced to four and a half years in prison. He appealed the verdict.

On 17 March 2021, the court explicitly informed Raslan that cases of sexual violence in the al-Khatib Branch would be tried as a crime against humanity in the context of a widespread and systematic attack against the civilian population in Syria.

On 22 July 2021, joint plaintiff representatives and partner lawyers of the ECCHR filed a motion to include enforced disappearance as a crime against humanity in the charges. The court did not grant the request, as it could not confirm that Raslan acted intentionally in this regard.

On 1 July 2021, 23 German and international academics, research institutions and human rights organizations, together with the ECCHR, filed a motion to the Higher Regional Court of Koblenz, Germany, requesting it to produce audio recordings of the last phase of the trial. On 31 August 2021, the court denied the request, as it did not find that the trial was of paramount significance for the contemporary history of the Federal Republic of Germany as required by law.

On 13 January 2022, the Higher Regional Court of Koblenz found Raslan guilty of crimes against humanity in the form of killing, torture, severe deprivation of liberty, rape and sexual assault in conjunction with 27 cases of murder, 25 cases of dangerous bodily harm, aggravated rape, two cases of sexual assault and deprivation of liberty lasting more than one week in 14 cases. He was sentenced to life imprisonment. He appealed the verdict.

On 20 April 2022, the Federal Court of Justice upheld the conviction of Eyad al-Gharib and his sentence to four and a half years' imprisonment.

## DEVELOPMENTS IN 2024

On 20 March 2024, the Federal Court of Justice upheld Anwar Raslan's conviction, while slightly correcting the legal assessment, thereby rejecting most of his appeal and confirming his life sentence. Both judgments are thus final.

## GERMAN SUPREME COURT CONFIRMS LIFE SENTENCE OF FORMER MEMBER OF GAMBIAN PARAMILITARY GROUP FOR CRIMES AGAINST HUMANITY

Bai L.

### Country of commission

The Gambia

### Jurisdictional basis

Universal jurisdiction

### Suspect

Bai L., Gambian national, former member of the *Junglers* paramilitary group

### Country of residence of suspect

Germany

### Charges

Crimes against humanity of murder and attempted murder

### Current status

Convicted; sentenced to life imprisonment; confirmed on appeal; detained

### Facts

The Gambia was under the control of Yahya Jammeh from 1994 to 2016. For more than two decades, human rights violations, including enforced disappearances, torture, extrajudicial killing, sexual violence and arbitrary detention were widespread. In July 2005, Jammeh's officials allegedly detained over 50 west African migrants and summarily executed them. To commit those crimes, then-president Jammeh relied on the paramilitary armed group the *Junglers* (also known as "Patrol Team"), which was considered one of the most brutal enforcement arms of Jammeh's regime.

Bai L. was a member and the driver of the paramilitary *Junglers* death squad from December 2003 until December 2006.

In that context, Bai L. was convicted for his involvement as a driver in three killing missions. In late December 2003, the paramilitary unit received an order to kill lawyer Ousman Sillah in Banjul. The victim survived the attack. In 2004, the death squad killed the prominent Gambian journalist Deyda Hydara, who was critical of the government. Finally, in 2006, Dawda Nyassi, a suspected opponent of the Gambian president near the Banjul airport was also murdered.

In 2013 and 2014, Bai L. gave interviews to Gambian journalists, providing details on these murders.

### Procedure

On 16 March 2021, Bai L. was arrested in Hanover by the federal criminal police and the State police forces under suspicion of crimes against humanity and his apartment was searched. Subsequently, in execution of an arrest warrant, Bai L. was placed in detention. Following his arrest, TRIAL International, with the assistance of the European Center for Constitutional and Human Rights (ECCHR), provided additional information to the German prosecuting authorities regarding his involvement in the alleged offences, including the above-mentioned radio interviews.

In March 2022, Bai L. was indicted for crimes against humanity based on the attempted murder of Ousman Sillah, as well as the murders of Deyda Hydara and Dawda Nyassi. This indictment was approved by the Higher Regional Court of Celle, where Bai L.'s trial opened on 25 April 2022.

During the trial, several witnesses, two eyewitnesses and three joint-plaintiffs were heard by the court: a former employee of Hydara's media outlet, and family members of the victims. Other witnesses included ones identifying Bai L. as

a member of the *Junglers*, German investigators, an expert on Gambian history and the German asylum judge who interviewed Bai L. A key witness was a Ghanaian national who survived the massacre of West African migrants in July 2005 and formally identified the defendant in a photo line-up organized by the German police.

In October 2022, Bai L. claimed in a statement read out by his lawyers that the details he provided about the murders in interviews with journalists were fabricated. He also argued that he was encouraged by a journalist to pose as a former Jungler to make his story more compelling. However, this journalist could not testify as he passed away in 2021.

The federal prosecutor and the joint plaintiffs made their closing statements in November 2023, and Bai L.'s defense presented its case at the end of the same month.

On 30 November 2023, the Higher Regional Court of Celle found Bai L. guilty of multiple murders and attempted murders as crimes against humanity. He was sentenced to life imprisonment.

## DEVELOPMENTS IN 2024

On 12 November 2024, the Federal Court of Justice rejected the defendant's appeal against his conviction, making it final.

## NEW CASE!

### ARREST OF FOUR SUSPECTED MEMBERS OF A FORMER SYRIAN REGIME-AFFILIATED MILITIA AND ONE SUSPECTED SYRIAN INTELLIGENCE OFFICER FOR CRIMES AGAINST HUMANITY AND WAR CRIMES

Jihad A., Mahmoud A., Sameer S., Wael S. and Mazhar J.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspects

Jihad A., Mahmoud A., Sameer S., Wael S., stateless Syrian Palestinians who were alleged members of a Syrian militia, and Mazhar J., Syrian national, alleged former Syrian intelligence officer

#### Country of residence of suspects

Germany

#### Charges

Crimes against humanity, including murder, torture and deprivation of liberty; war crimes, including murder, torture and war crimes against property

#### Current status

Under investigation; detained

#### Facts

Jihad A., Mahmoud A., Sameer S. and Wael S. are suspected of having been members of the armed militia "Free Palestine Movement" (FPM) in Syria since spring 2011. The militia exercised control over Yarmouk, Damascus, on behalf of the former Syrian regime. The district was predominantly inhabited by Palestinians.

In July 2013, the Syrian regime sealed off Yarmouk completely,

resulting in a shortage of food, water, and medical supplies. FPM closely collaborated with the Syrian Military Intelligence Service, in particular with its Branches 227 and 235. The suspect Mazhar J. is alleged to have been a member of Branch 235, the so-called Palestine Branch.

All five suspects allegedly participated in the violent crackdown on a peaceful anti-government protest in Yarmouk on 13 July 2012. They and others reportedly targeted the civilian protestors and shot them. Six individuals succumbed to their wounds while other victims were seriously injured.

Mahmoud A., Mazhar J., Sameer S. and Wael S. are also suspected of having severely physically abused civilians from Yarmouk. The events occurred between mid-2012 and 2014 at checkpoints, which the FPM and other pro-regime militias had established at the district's entrances or exits. The victims' heads were reportedly punched and beaten with rifle butts.

In one instance, Mahmoud A. is alleged to have turned an arrested individual over to the Syrian Military Intelligence Service to be incarcerated and tortured. Moreover, he allegedly forced a woman at a checkpoint, while threatening to rape her, to pay with family jewels for the release of her minor son.

The suspect Mazhar J. allegedly ordered the arrest of a man and abused him in the prison of Branch 235.

On 16 April 2013, members of Branch 227 killed at least 41 civilians in a scheduled mass execution in Tadamon, Damascus. Three of the victims had previously been arrested at a checkpoint in Yarmouk and allegedly turned over to Branch 227 by Mahmoud A. and others.

### Procedure

All five suspects were arrested in Germany on 3 July 2024 and are now in pre-trial detention.

Another three alleged FPM members suspected of participating in the crackdown on the protest in Yarmouk on 13 July 2012 were arrested in Sweden at the same time (see p. 88). The Joint Investigation Team “Caesar” coordinated the investigations.

### NEW CASE!

## FEDERAL PUBLIC PROSECUTOR GENERAL REFRAINS FROM OPENING INVESTIGATION INTO CRIMES UNDER INTERNATIONAL LAW FOR THE KILLING OF GERMAN-PALESTINIAN FAMILY IN GAZA

Unknown

**Country of commission**  
Palestine

**Jurisdictional basis**  
Passive personality

**Suspects**  
Unknown

**Country of residence of suspects**  
Unknown

**Charges**  
As the case is at the investigation stage, no suspects have been formally charged.

**Current status**  
Under investigation

**Facts**  
On 25 October 2023, six members of a German-Palestinian family, Yousef and Ayah Abujadallah and their four children, were killed in Gaza in the course of Israeli airstrikes. The family was visiting relatives in Gaza when the attacks of 7 October 2023 took place, making it impossible for them to return to Germany. They were killed in a house in Nuseirat, located in an area outside of the evacuation zone designated by the Israel Defense Forces.

**Procedure**  
In 2023, having found no grounds for an investigation under international criminal law, for which the federal public prosecutor general has exclusive jurisdiction in Germany, the federal public prosecutor general transferred the case to the Public Prosecutor's

Office in Dortmund, the family's place of residence in Germany, for investigation as a domestic crime.

The victims' family commissioned the European Center for Constitutional and Human Rights (ECCHR) to prepare an expert opinion regarding the legal classification of the killing. In its expert opinion, ECCHR concluded that the killings were very likely to amount to war crimes and crimes against humanity, possibly even genocide, after reviewing an extensive open-source investigation report on the incident by the NGO Mnemonic.

The lawyer of the victims' family submitted these documents to the public prosecutor in Dortmund, requesting that the case be referred to the federal public prosecutor general for investigation of international criminal law offenses. Although the public prosecutor in Dortmund subsequently forwarded the request to the federal public prosecutor, apparently agreeing with ECCHR's legal assessment, the latter refused to take up the case, on the basis that there were still no grounds to investigate international crimes. The case currently remains with the public prosecutor in Dortmund as part of a death investigation under domestic German criminal law. A written request by ECCHR to the federal public prosecutor to open a structural investigation into the conflict beyond this case was rejected.

## NEW CASE!

### INVESTIGATION OPENED INTO WAR CRIMES FOR THE SHOOTING OF CIVILIANS IN UKRAINE

Unknown

#### Country of commission

Ukraine

#### Jurisdictional basis

Passive personality

#### Suspects

Five members of the Russian armed forces

#### Country of residence of suspects

Unknown

#### Charges

As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on war crimes.

#### Current status

Under investigation

#### Facts

Shortly after Russia launched its full-scale invasion of Ukraine, Russian armed forces positioned themselves in the woods of Hostomel, next to the highway leading to Kyiv, and are alleged to have started shooting indiscriminately at civilian cars. Among the victims of the shooting was the German citizen Steve M., who was driving towards Kyiv to evacuate his Ukrainian wife and her son. As he drove past the Russian firing position on the morning of 25 February 2022, his car was hit by several bullets and he himself suffered a serious head injury. Steve M. managed to evade his attackers and was able to flee to a nearby village where he was taken to hospital. At least five civilians are reported to have been killed and seven wounded in the shooting.

#### Procedure

In March 2022, the Federal Prosecutor's Office opened a structural investigation into international crimes in Ukraine following Russia's full-scale invasion. In July 2023, the prosecutor opened a war crimes investigation against five members of the Russian National Guard allegedly responsible for the shooting of Steve M. and other civilians. According to newspaper reports, the suspects were identified by Ukrainian prosecutors using surveillance camera footage. The events of 25 February 2022 are also being tried in a Ukrainian court in the city of Irpin, where several suspects have been charged *in absentia*.

## NEW CASE!

### CONVICTION OF A FORMER MEMBER OF A FORMER SYRIAN REGIME-AFFILIATED MILITIA FOR THE WAR CRIME OF DEGRADING OR HUMILIATING TREATMENT IN SYRIA

Zakaria B.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Zakaria B., Syrian national, former member of a *Shabiha* militia

#### Country of residence of suspect

Germany

#### Charges

War crime of degrading or humiliating treatment

#### Current status

Convicted; suspended sentence of one and a half years in prison

#### Facts

Zakaria B. was a member of an armed subgroup of the *Shabiha* militia founded by his uncle. The *Shabiha* militia supported the Syrian army by conducting patrols, intimidating demonstrators, and even taking part in active combat.

On the night or early morning hours of 29 September 2012, the Free Syrian Army (FSA), fighting against the Syrian Army, launched an attack in the Sheikh Maqsud neighborhood. FSA fighters reportedly also searched for the defendant and his family during this attack. The *Shabiha* militia fought back, and four FSA fighters died during this confrontation.

Afterward, Zakaria B. and his two cousins, who were armed with Kalashnikov rifles, allegedly got on the back of a pickup truck with

uncovered bodies of the dead FSA fighters on display. While the truck drove slowly along the road at a walking pace, the three of them reportedly stepped and stood on the corpses, sometimes in a degrading position, putting on a show for the onlookers as though the dead opponents were hunting prey.

#### Procedure

On 25 April 2023, the prosecution filed an indictment against Zakaria B. before the Higher Regional Court of Celle. He was accused of war crimes. Zakaria B. denied the charges brought against him.

The trial began on 15 February 2024. On 16 April 2024, Zakaria B. was convicted of the war crime of degrading or humiliating treatment. The Higher Regional Court of Celle found that the defendant deliberately participated in the humiliation or degrading treatment of the FSA members by putting those corpses on display in an unworthy and dishonorable manner to express his contempt towards them. The court issued a suspended prison sentence of one year and six months.

## UPDATES ON VARIOUS PROCEEDINGS AGAINST ALLEGED FORMER ISIS MEMBERS

This year saw the continuation and start of 11 cases against 15 alleged former members of ISIS, which led to three convictions in 2024. Three cases are based on the active personality principle as the suspects are German nationals returning from Syria or Iraq. Eight proceedings are conducted against alleged foreign ISIS members on the basis of universal jurisdiction. Regarding the investigative focus, the majority of cases include charges of war crimes against persons, four cases also include charges for crimes against humanity and two cases have been opened over charges of genocide against the Yazidi community.

Abdel J. S.

#### Country of commission

Iraq

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Abdel J. S., Iraqi national, alleged former member of ISIS

#### Country of residence of suspect

Germany

#### Charges

Membership in a foreign terrorist organization; war crimes of murder, mutilation, torture, and punishment without due process

#### Current status

Convicted of membership in a foreign terrorist organization; acquitted of war crimes charges; sentenced to four years in prison; detained

#### Facts

Abdel J. S. allegedly joined ISIS in Iraq in June 2014. Between June and October 2014, he was alleged to

have participated on two occasions in public punishment actions by ISIS in the locality of al-Qaim. One occasion involved the execution of death sentences against at least six prisoners. The defendant was alleged to have taken one of the prisoners to the execution site, supervised the proceedings, and given the signal for the execution by firing his pistol. Another occasion involved him reportedly securing the public amputation of the hand of an alleged thief. In addition, in early fall 2014, Abdel J. S., along with other ISIS fighters, allegedly arrested a person in al-Qaim and harmed him in custody with punches and kicks to extort information.

#### Procedure

On 11 October 2023, the police arrested Abdel J. S. in Wuppertal on the basis of an arrest warrant issued by the investigating judge of the Federal Court of Justice on 28 September 2023.

On the same day, the accused was brought before the investigating judge of the Federal Court of Justice who ordered his pre-trial detention.

### DEVELOPMENTS IN 2024

On 26 April 2024, the federal public prosecutor brought charges before the Higher Regional Court of Düsseldorf against Abdel J. S. He was accused of the war crimes of murder, mutilation, torture, and punishment without due process, and of membership in a foreign terrorist organization.

His trial took place between August and November 2024.

On 20 December 2024, the Higher Regional Court of Düsseldorf convicted Abdel J. S. of membership in a foreign terrorist organization and sentenced him to four years in prison. He was acquitted of the charges of war crimes on the basis of insufficient evidence.



Amer A., Basel O. and Sohail A.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspects

Amer A., Basel O., Sohail A., Syrian nationals, alleged former members of the *Liwa Jund al-Rahman* (Brigade of Soldiers of Mercy) armed group, subsequently assimilated into ISIS

#### Country of residence of suspects

Germany

#### Charges

Membership in foreign terrorist organizations; war crimes

#### Current status

On trial; detained

#### Facts

Amer A. allegedly founded the association *Liwa Jund al-Rahman* (Brigade of Soldiers of Mercy) in the Syrian province of Deir ez-Zor in February 2013 and acted as its leader from then on. *Liwa Jund al-Rahman* was an armed rebel group with the goal of toppling the Syrian regime by force. It initially declared its allegiance to the Free Syrian Army, but then pursued an Islamist agenda. Since 2013, the association repeatedly took part in combat operations against the Syrian army.

In June 2013, the *Liwa Jund al-Rahman* armed group, reportedly led by Amer A., together with Jabhat al-Nusra and other jihadist groups raided the village of Hatlah near Deir ez-Zor. The operation, described as a "purge", targeted the Shiite population living there. Up to 60 Shiite residents were killed, and the remaining individuals were compelled to flee to other areas of Syria or abroad. Pillaging and looting were also committed. The outcome of this operation was the eradication of Shiite presence in Hatlah.

In July 2014, Amer A. is said to have joined ISIS and placed the *Liwa Jund al-Rahman* armed group, including all fighters, equipment and finances, under ISIS command. During the ISIS capture of the city of al-Mayadin and the military action against the al-Shu'aytat tribe in the Deir ez-Zor region at the end of July 2014, the suspect allegedly led the fighters of his former association.

Basel O. allegedly held a leading military position within the *Liwa Jund al-Rahman* armed group since at least the end of 2013. On various occasions, he is said to have commanded combat troops of the group in battles against Syrian forces, in particular at the military airport of Deir ez-Zor in December 2013 and April 2014.

Sohail A. allegedly joined the *Liwa Jund al-Rahman* armed group by June 2013 at the latest. He was responsible for the group's public relations work and headed its media department. In particular, he allegedly produced propaganda videos to glorify the group, including the incident in Hatlah. After ISIS took control of the area around Deir ez-Zor at the beginning of July 2014 and the *Liwa Jund al-Rahman* armed group joined the organization, Sohail A. also joined ISIS. He also performed media-related tasks for ISIS.

#### Procedure

On 6 September 2023, the Federal Public Prosecutor's Office, acting on warrants issued by the investigating judge of the Federal Court of Justice on 22 August 2023, arrested Amer A. and Basel O. in Kiel and Munich, respectively. In addition, the premises of the defendants were searched.

On the same day, the defendants were brought before the investigating judge of the Federal Court of Justice, who ordered their pre-trial detention.

## DEVELOPMENTS IN 2024

On 20 March 2024, the Federal Public Prosecutor's Office brought charges before the Higher Regional Court of Munich against Amer A. and Basel O. The defendants are accused of membership in the foreign terrorist organization *Liwa Jund al-Rahman*, with Amer A. identified as the ringleader. In addition, Amer A. is also accused of committing war crimes in the form of expulsion (forced displacement), looting and destruction and with membership in the foreign terrorist organization ISIS.

The additional suspect, Sohail A., was arrested on 10 April 2024 and placed in custody in Dortmund.

On 7 June 2024, the Federal Public Prosecutor's Office brought charges before the Higher Regional Court of Munich against Sohail A. and filed complementary charges against Basel O. Basel O. is now also charged with membership in the foreign terrorist organization ISIS. Sohail A. is accused of membership in the foreign terrorist organizations *Liwa Jund al-Rahman* and ISIS, and of committing war crimes in the form of expulsion, looting and destruction.

The Federal Public Prosecutor's Office decided to combine these proceedings. Hence, the trial of the three suspects began on 16 September 2024 before the Higher Regional Court of Munich.

Deniz B.

**Country of commission**

Syria and Iraq

**Jurisdictional basis**

Active personality

**Suspect**

Deniz B., German national, alleged former member of ISIS

**Country of residence of suspect**

Germany

**Charges**

Membership in a foreign terrorist organization; war crimes against property and other rights

**Current status**

Convicted; sentenced to five years in prison; detained

**Facts**

According to the indictment, Deniz B. left Germany in spring 2016 to travel to Syria via Turkey together with his wife, according to Islamic rites. Having reached Syria, both are said to have joined ISIS. Shortly thereafter, the couple allegedly travelled to Mosul, Iraq, where the defendant is said to have undergone military training.

The defendant allegedly performed combat missions and guard duties for the organization, and subsequently held a responsible position in the field of logistics. For his work, Deniz B. allegedly received monthly support from the organization. During his stay in Iraq, the defendant allegedly lived in different residential buildings provided to him and his wife by ISIS, after the lawful residents had fled the approaching forces of the group.

In August 2017, the defendant fled the ISIS area with his wife and their son, who had been born in the meantime. He was arrested by Kurdish security forces in the northern Iraqi region of Kurdistan on 19 August 2017.

Since his arrest by Kurdish security forces in August 2017, the defendant was in custody in Dohuq and Erbil (northern Iraq) until his repatriation to Germany in December 2022.

**Procedure**

On 20 December 2022, after he returned to Germany, Deniz B. was arrested on the basis of a warrant of the Federal Court of Justice dated 14 December 2022, and held in pre-trial detention.

On 17 March 2023, the Federal Public Prosecutor's Office filed an indictment before the Higher Regional Court in Frankfurt am Main bringing charges against Deniz B. He was accused of membership in a foreign terrorist organization and war crimes against property and other rights.

By order of the Higher Regional Court of Frankfurt am Main dated 31 March 2023, the arrest warrant was suspended subject to conditions and the defendant was released from custody.

On 27 July 2023, the court opened the main proceedings and admitted the indictment. The trial started on 15 December 2023.

**DEVELOPMENTS IN 2024**

**On 13 May 2024, Deniz B. was found guilty of membership in a foreign terrorist organization and war crimes against property. He was sentenced to a total term of five years' imprisonment.**

**The defendant made a confession during the main hearing. In view of this and his impeccable conduct since his release from custody on 31 March 2023, but above all in view of his renunciation of the ideology of ISIS, the Higher Regional Court of Frankfurt am Main was not convinced that he poses a continuing danger of committing crimes.**

**In view of the poor prison conditions in Iraq, the court determined that the deprivation of liberty the defendant suffered there should be offset against the total prison sentence imposed on him at a ratio of one third.**

**While the defendant has waived his right to appeal, the General Prosecutor may lodge an appeal, on which the Federal Court of Justice would have to decide.**

Jennifer W.

**Country of commission**

Iraq

**Jurisdictional basis**

Active personality

**Suspect**

Jennifer W., German national, former member of ISIS

**Country of residence of suspect**

Germany

**Charges**

Crimes against humanity of enslavement and murder; war crime of murder; membership in a terrorist organization

**Current status**

Conviction confirmed on appeal; sentenced to 14 years in prison

**Facts**

In August 2014, Jennifer W. left Germany for Iraq and joined ISIS there.

From June to September 2015, Jennifer W. conducted so-called daily "moral patrols" in ISIS-occupied Fallujah and Mossul by inspecting whether women's behavior and clothing complied with the rules set by ISIS. During these patrols, she was armed with various deadly weapons and received remuneration from ISIS for her services.

Jennifer W. and Taha A. J. (see UJAR 2024, p. 85) shared a household in Fallujah. In summer 2015, Taha A. J. “purchased” a Yazidi woman and her five-year-old daughter. These individuals were part of a group of Yazidis taken captive during an assault in the Sinjar area, aimed at suppressing and eradicating the Yazidi faith. Taha A. J. brought the captives to his Fallujah residence. Taha A. J. and Jennifer W. kept the Yazidi woman and her daughter as slaves and exposed them to inhumane living conditions. Taha A. J. prohibited them from exercising their religion, forced them to convert to Islam and severely and repeatedly beat them. To punish the five-year old for wetting the bed and as a measure to “discipline” the girl, Taha A. J. chained her outdoors in scorching heat, which subsequently led to the child’s death. Jennifer W. reportedly witnessed her husband’s acts and did not undertake any steps to prevent the death of the child.

#### Procedure

In 2019, the investigation regarding the crimes committed by ISIS against the Yazidi community in Syria and Iraq led to arrests, formal indictments and trials against several former members of ISIS based on accusations of crimes against humanity, war crimes, genocide and other crimes.

On 13 December 2018, Jennifer W. was indicted for membership in a terrorist organization. The court later expanded the charges to include murder as a war crime and the crime against humanity of enslavement.

On 25 October 2021, the Higher Regional Court of Munich found Jennifer W. guilty of membership in a foreign terrorist organization, aiding and abetting attempted murder as well as attempted war crimes and a crime against humanity. She received a ten-year

prison sentence. The federal public prosecutor subsequently appealed, seeking life imprisonment.

On 9 March 2023, the Federal Court of Justice ruled on the appeal against Jennifer W.’s conviction, holding that the lower instance court erred when qualifying aiding and abetting the crime against humanity of enslavement as a “less serious case” and ordered a new sentencing hearing before the regional court. On 29 August 2023, the Higher Regional Court of Munich extended the sentence to a total of 14 years of imprisonment.

#### DEVELOPMENTS IN 2024

On 7 March 2024, the Federal Court of Justice dismissed Jennifer W.’s appeal as manifestly unfounded. It found that the review of the judgment revealed no legal errors to her detriment, and upheld the sentence. This ruling marks the legal conclusion of the case.

Mohammad A. and Asmael K.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspects

Mohammad A. and Asmael K., Syrian nationals, alleged former members of ISIS

#### Country of residence of suspects

Germany

#### Charges

Membership in foreign terrorist organizations; war crimes of hostage-taking and murder

#### Current status

On trial; detained

#### Facts

In the fall of 2012, Mohammad A. allegedly founded an armed combat unit in Damascus, which included up to 50 fighters. With this unit, he reportedly joined the foreign terrorist organization Ahfad al-Rasul Brigades (AR) in November 2012. The AR was a military organization with around 15 000 members aimed at overthrowing the Syrian regime. To achieve its goal, the AR repeatedly carried out explosive attacks on State facilities in Syria. As the leader of his unit, Mohammad A. is believed to have planned and commanded an attack on a Syrian security forces building in the Damascus district of Yarmouk in March 2013.

Mohammad A. reportedly joined ISIS by the end of 2013 at the latest. He was allegedly closely associated with the local leaders of ISIS and exercised command over around 200 ISIS fighters.

Asmael K. also allegedly joined ISIS as a fighter in Damascus in 2013.

At the end of 2013, Mohammad A. and the ISIS fighting unit he commanded reportedly abducted two opponents of the organization on different occasions in Damascus. The victims were held in ISIS detention centers and executed together with ten other prisoners in mid-January 2014. Asmael K. is said to have taken part in the arrest of one of the victims. He also allegedly guarded the twelve prisoners at the execution site and shot at least one person.

#### Procedure

Mohammad A. was arrested on 8 March 2023 in Wiesbaden, and Asmael K. on 20 March 2023 in Essen.

On 8 December 2023, the Federal Public Prosecutor’s Office brought charges before the Higher Regional Court of Düsseldorf against them. The defendants are suspected of membership in one or more foreign

terrorist organizations. They are also accused of the war crimes of hostage-taking resulting in death and, in the case of Asmael K., of the killing of persons protected under international humanitarian law and murder.

#### DEVELOPMENTS IN 2024

On 30 April 2024, the trial of the two defendants started before the Higher Regional Court of Düsseldorf.

Moustafa M.

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Moustafa M., Syrian national, alleged former member of ISIS

**Country of residence of suspect**  
Germany

**Charges**  
Membership in a foreign terrorist organization; war crimes against persons including hostage-taking, unlawful transfer, torture, and murder; war crime against property; murder

**Current status**  
On trial; detained

**Facts**  
Moustafa M. allegedly joined ISIS in Syria as a member in May 2015. Among other activities, he is said to have performed guard duties for the organization and participated in the arrest of civilians.

At the end of May 2015, the accused, together with other ISIS members, allegedly held two people for hours in order to force them or their family members, who held executive positions in

a mining company, to register or cooperate with the organization. In this process, the group threatened to kill the victims.

In early June 2015, Moustafa M. reportedly participated in the execution of two Free Syrian Army (FSA) fighters after ISIS had imposed death sentences on them. He allegedly transported the two prisoners to the execution site and guarded them there until they were shot. He also reportedly assigned seats to those present, whom ISIS had gathered as an audience. A few days later, Moustafa M. allegedly brought two more FSA fighters captured by ISIS to their execution. One of the victims was killed on the spot by gunshots to the head. The other prisoner was reportedly tied to the back of a vehicle with a rope and dragged through the city at speeds of 40 km per hour or more. The victim died.

According to the indictment, Moustafa M. also opened fire at an unarmed person at an ISIS roadblock. The victim managed to escape after being shot several times by the accused. Moustafa M. is also accused of occupying a house ISIS members took by expelling the owner.

**Procedure**  
On 21 March 2023, officers of the Rhineland-Palatinate State Criminal Police, acting on an arrest warrant issued by the investigating judge of the Federal Court of Justice on 13 March 2023, arrested Moustafa M. in Mainz.

On the same day, Moustafa M. was brought before the investigating judge of the Federal Court of Justice, who ordered that he be placed in custody.

#### DEVELOPMENTS IN 2024

On 4 January 2024, the prosecution filed an indictment against him before the Higher Regional Court of Koblenz. Moustafa M. is accused of membership in a foreign terrorist organization, war crimes against persons and property, and murder.

The trial against Moustafa M. began on 8 April 2024. The Higher Regional Court of Koblenz has announced continuous hearing dates until April 2025.

#### NEW CASE!

Ossama A.

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Ossama A., Syrian national, alleged former member of ISIS, reported to have held a leadership role in the local ISIS religious police (*Hisba*)

**Country of residence of suspect**  
Germany

**Charges**  
War crimes against persons and property; crimes against humanity; aiding and abetting genocide; membership in a foreign terrorist organization

**Current status**  
Indicted; detained

**Facts**  
Ossama A. allegedly joined ISIS in July 2014 and held a leadership role in the local ISIS religious police (*Hisba*). He is reported to have played a key role in seizing private homes in the Deir ez-Zor area, exploiting pillaged goods, and using seized buildings for various purposes, including housing fighters, storing supplies, and imprisoning abducted Yazidi women and girls.

Ossama A. is alleged to have been directly involved in the enslavement and sexual exploitation of Yazidi women and girls. He reportedly possessed keys to one of the prisons and supplied inmates with food.

#### Procedure

On 28 March 2024, an arrest warrant against Ossama A. was issued by the investigating judge of the Federal Court of Justice.

On 11 April 2024, Ossama A. was arrested by officers from North Rhine-Westphalia State Office of Criminal Investigation in Essen. On the same day, he was brought before the investigating judge at the Federal Court of Justice for a remand hearing and was placed in pre-trial detention.

On 20 December 2024, Ossama A. was indicted for war crimes, crimes against humanity, aiding and abetting genocide and membership in a foreign terrorist organization.

Raed E.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Raed E., Syrian national, former member of ISIS

#### Country of residence of suspect

Germany

#### Charges

Crimes against humanity of torture, serious deprivation of liberty and persecution; war crimes of torture and dangerous bodily harm; membership in a foreign terrorist organization

#### Current status

Convicted; sentenced to 11 years in prison; under appeal

#### Facts

The conviction states that Raed E. became a member of ISIS in Deir ez-Zor, Syria, during the summer of 2014. In this region, ISIS launched a brutal campaign against the al-Shu'aytat tribe from late July/early August 2014, which included mass executions, arbitrary detentions and severe physical abuse of captives. These actions resulted in the deaths of 700 to 1000 individuals.

From mid-September to November 2014, Raed E. and other ISIS members apprehended a member of the al-Shu'aytat tribe who was enquiring about his 13-year-old sibling, previously abducted by ISIS. The victim was suspended from the ceiling with his hands bound behind his back, then beaten with whips and cables, and kicked by Raed E. and his associates. The victim was subsequently held in various ISIS detention facilities for over two months, where Raed E. and others repeatedly subjected him to abuse using pointed, sharp or heavy objects and electric shocks.

The 13-year-old brother of the aforementioned victim was also held captive by ISIS for several months. During this period, Raed E. transported the boy between different ISIS prisons. On one occasion, Raed E. is said to have ordered two ISIS members to suspend the 13-year-old from the ceiling with his hands tied behind his back.

Another al-Shu'aytat tribe member was held in ISIS captivity for four and a half months. During this time, Raed E. and another ISIS member abused him twice. The prisoner was suspended by his bound hands until only his toes touched the ground, after which Raed E. struck him with a water hose across his entire body, excluding his head.

It is also reported that Raed E. performed additional tasks for ISIS, including managing ransom payments for imprisoned al-Shu'aytat tribe members and guarding three ISIS checkpoints in the tribal area.

Raed E. remained active in ISIS until February 2015, after which he departed Syria for Germany.

#### Procedure

Raed E. was arrested in Germany on 6 April 2022 and has been in custody since.

On 14 June 2022, the federal public prosecutor formally indicted Raed E. on the charges of crimes against humanity, war crimes, membership in a foreign terrorist organization and bodily injury by dangerous means at the Higher Regional Court of Berlin.

The Higher Regional Court of Berlin delivered its verdict on 13 July 2023, finding Raed E. guilty of membership in a foreign terrorist organization; the crimes against humanity of torture, serious deprivation of liberty and persecution and the war crimes of torture and dangerous bodily harm. The court imposed a sentence of 11 years' imprisonment for these crimes.

On 16 November 2023, Raed E. filed an appeal against the judgment and requested a correction of the minutes of the main hearing. On 28 November, the Court of Appeal rejected the application for correction of the minutes. On 5 December, Raed E. appealed the decision to reject the application for correction of the minutes.

#### DEVELOPMENTS IN 2024

On 11 January 2024, the Federal Court of Justice dismissed as inadmissible the appeal against the decision to reject the application for correction of the minutes.

Samra N.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Samra N., French national

#### Country of residence of suspect

Germany

#### Charges

Membership in a foreign terrorist organization; war crimes against property

#### Current status

Convicted of membership in a foreign terrorist organization; acquitted of war crimes; two-year suspended juvenile sentence

#### Facts

In September 2013, Samra N. travelled to Syria and joined the foreign terrorist group Jabhat al-Nusra. She entered into a religious marriage with one of the organization's combatants, and by November 2013 the couple had joined ISIS. She was reported to have advertised on the internet encouraging people in Germany to travel to Syria to join Jabhat al-Nusra.

The prosecuting authorities asserted that Samra N. provided accommodation to a woman who had been influenced to leave the country through these means. She also managed the household for her spouse and assisted in acquiring military equipment for ISIS. On two occasions when her husband was away on combat missions, she reportedly stayed in women's houses that ISIS had occupied after driving out the original residents. Samra N. returned to Germany at the beginning of 2014, but was alleged to have remained a member of ISIS until at least February 2015.

#### Procedure

On 17 November 2023, the investigating judge of the Federal Court of Justice issued a warrant for Samra N.'s arrest. She was arrested on 29 November and ordered to be held in pre-trial detention.

#### DEVELOPMENTS IN 2024

In April 2024, the Federal Prosecutor's Office indicted Samra N. on charges of war crimes against property and membership in two terrorist organizations. She was released from custody awaiting trial.

On 16 September 2024, the trial began at the Düsseldorf Higher Regional Court. On 24 September, Samra N. was convicted of two counts of membership in a foreign terrorist organization and acquitted of war crimes. She received a two-year suspended juvenile sentence. In sentencing, the court took into account her comprehensive confession during the investigation and her credible rejection of ISIS. Both the defendant and the federal prosecutor general waived their right to appeal.

#### NEW CASE!

Twana H. S. and Asia R. A.

#### Country of commission

Syria and Iraq

#### Jurisdictional basis

Universal jurisdiction

#### Suspects

Twana H. S. and Asia R. A., Iraqi nationals, alleged former members of ISIS

#### Country of residence of suspects

Germany

#### Charges

Genocide; crimes against humanity; war crimes; membership in a foreign terrorist organization

#### Current status

Indicted; detained

#### Facts

The two suspects formed a couple, married under Islamic law, and were allegedly members of ISIS in Iraq and Syria from 2015 to 2017. Since the end of 2015 at the latest, they allegedly kept a then-five-year-old Yazidi girl and, from October 2017, another then-twelve-year-old Yazidi girl, as slaves.

Twana H. S. allegedly raped both children repeatedly, with the help of Asia R. A., who prepared the room and put make-up on one of the girls. In addition, the suspects reportedly exploited the girls economically by constantly using them for housework and childcare. The girls were forbidden to practice their own religion; instead, they had to follow Islamic prayers and rules of faith according to the defendants' instructions.

The defendants would also respond to the children's alleged misconduct with harsh physical violence. On one occasion, Twana H. S. allegedly hit the older girl with a broomstick. Asia R. A. reportedly scalded the younger girl's hand with hot water and repeatedly forced both children to stand on one leg for half an hour each as punishment.

Before leaving Syria in November 2017, the suspects handed the girls over to other members of ISIS.

### Procedure

On 19 March 2024, an arrest warrant was issued against them by the investigating judge of the Federal Court of Justice. On 9 April 2024, both were arrested by officers of the federal criminal police in the southern state of Bavaria.

The accused were brought before the investigating judge of the Federal Court of Justice on 9 and 10 April 2024, who issued the arrest warrants and ordered them to be remanded in custody.

On 9 December 2024, Twana H. S. and Asia R. A. were indicted on charges of genocide, crimes against humanity, war crimes and membership in a foreign terrorist organization.

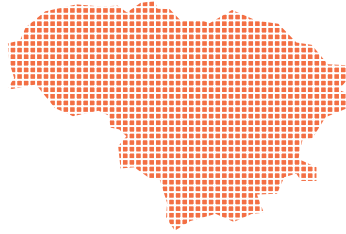
### Follow-up on other cases

- Sara B. (UJAR 2024, p. 83): indicted, awaiting trial.

### Ongoing structural investigations

- Structural investigation since 2015 regarding crimes in eastern Ukraine and since March 2022 regarding international crimes committed in Ukraine.
- Structural investigation regarding crimes committed by the former Syrian regime.
- Structural investigation regarding crimes by rebel armed groups in Syria.
- Structural investigations regarding ISIS crimes and ISIS crimes against the Yazidis.

# LITHUANIA



## SUSPECTS IDENTIFIED IN INVESTIGATION OF KILLING OF LITHUANIAN FILMMAKER IN MARIUPOL, UKRAINE

Boris B., Vyacheslav K. and Pavel M.

**Country of commission**  
Ukraine

**Type of jurisdiction**  
Passive personality

**Suspects**  
Boris B., Vyacheslav K., and Pavel M., alleged members of the 1<sup>st</sup> Separate Motorized Rifle Brigade of the 1<sup>st</sup> Army Corps of the so-called Donetsk People's Republic

**Country of residence of suspects**  
Unknown

**Charges**  
War crimes of murder and infliction of bodily harm, torture or other inhuman treatment; crimes against humanity

**Current status**  
Indicted

**Facts**  
Lithuanian filmmaker Mantas Kvedaravičius went to Mariupol to shoot footage for the second part of his documentary *Mariupolis*. Around the end of March 2022, he was captured by armed forces, presumably Russian-backed soldiers of the so-called Donetsk People's Republic, while helping to evacuate civilians from the besieged town. He was found dead a few days later in the vicinity of the place of arrest.

### Procedure

In April 2022, Lithuanian authorities opened an investigation into the case. The European Center for Constitutional and Human Rights (ECCHR) supported Kvedaravičius's fiancée, Hanna Bilobrova, and her Lithuanian lawyer in gathering and analyzing evidence as well as by providing legal expertise in international criminal law.

### Follow-up on other cases

- Belarusian regime officials (UJAR 2022, p. 70): the investigation is ongoing.

### DEVELOPMENTS IN 2024

In February 2024, the General Prosecutor of Lithuania announced that three soldiers of the so-called Donetsk People's Republic had been identified as suspects and charged with the unlawful arrest, deprivation of liberty and murder of the filmmaker as war crimes and crimes against humanity. To locate the suspects and serve them with the court orders, Lithuania has submitted a legal assistance request to Ukraine.



# NETHERLANDS



## ACQUITTAL FOR WAR CRIMES OF AN AFGHAN PRISON COMMANDER BY COURT OF APPEAL IS NOW BEFORE THE SUPREME COURT

Abdul Razaq Arif

**Country of commission**  
Afghanistan

**Jurisdictional basis**  
Active personality

**Suspect**  
Abdul Razaq Arif, dual Afghan and Dutch national, former commander of the Pul-e-Charkhi prison in Kabul

**Country of residence of suspect**  
Netherlands

**Charges**  
War crimes of arbitrary detention, cruel and inhuman treatment and assault on personal dignity

**Current status**  
Conviction overturned on appeal by the Court of Appeal; appeal against the acquittal pending before the Supreme Court

**Facts**  
During the Soviet-Afghan war, the Pul-e-Charkhi prison in Kabul was reportedly notorious for its inhumane conditions of detention, incommunicado detention, torture and executions of political prisoners. From 1983 to 1988, Razaq Arif worked in a supervisory role at the Pul-e-Charkhi prison.

Razaq Arif arrived in the Netherlands in 2001 and later obtained Dutch nationality.

### Procedure

In 2012, the Dutch police opened an investigation into alleged war crimes committed in Afghanistan by perpetrators now residing in the Netherlands. This included Razaq Arif's involvement in Pul-e-Charkhi in Afghanistan. On 12 November 2019, the Dutch police arrested Razaq Arif on suspicion of war crimes. In 2020, the prosecutors gathered statements from victims and former Afghan government officials, demonstrating that the suspect held three different positions at the Pul-e-Charkhi prison.

On 14 April 2022, The Hague District Court established that Razaq Arif had worked in a supervisory role in the Pul-e-Charkhi prison from 1983 to 1988, and was responsible for the detention conditions and the order of Blocks 1, 2 and 3 of the prison, where political prisoners and detainees were held. As such, he was found guilty of the war crimes of arbitrary detention, cruel and inhuman treatment and assault on the personal dignity of at least 18 individual political prisoners committed between 1983 and 1987. He was sentenced to 12 years in prison, almost 40 years after the crimes took place, with the court considering that "the passage of time does not constitute a reason for a reduced sentence."

### DEVELOPMENTS IN 2024

On 12 June 2024, the Court of Appeal overturned Arif's conviction. The judges ruled in his favor based on the legal interpretation of the crimes in question, in particular whether these acts qualified as war crimes. The court accepted the defense's argument that the detention of political prisoners in Pul-e Charkhi may not have been linked to the conflict, ruling that the offenses could not therefore be classified as war crimes.

On 7 July 2024, the Dutch Public Prosecution Service announced it would challenge Arif's acquittal before the Supreme Court. The appeal specifically contests the Court of Appeal's finding that no link existed between the inhuman acts for which Arif had been convicted by The Hague District Court and the armed conflict.

## NEW CASE!

### DUTCH NATIONAL ARRESTED FOR RECRUITING HER MINOR SON TO JOIN ISIS AS A CHILD SOLDIER

Ayada K.

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspect

Ayada K., Dutch national

#### Country of residence of suspect

Netherlands

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on the war crime of recruiting and using a child soldier, abandoning a person in need of care, participating in a terrorist organization, taking preparatory actions for a crime with terrorist intent, and removing children from the authority of a parent.

#### Current status

Under investigation; detained

#### Facts

Ayada K. is alleged to have been an accomplice to the recruitment and use of her son, Abdallah, as a child soldier by ISIS. In 2014, Ayada K. travelled to Turkey with her then-13-year-old son, Abdallah, and then-14-year-old daughter, Safia. From there, she crossed into Syria and settled in Raqqa, which had recently been declared the capital of the Islamic State. After arriving in Raqqa, Abdallah was forced to attend military training and later join ISIS as a member of its military police. Abdallah is believed to have died in Raqqa in 2017 at the age of 16. According to the Public Prosecution Service, ISIS records show that Abdallah had been paid

for his work since he was 13 and was using his earnings to support his mother and a younger child, believed to be his half-brother born in Raqqa.

#### Procedure

Ayada K. was repatriated, with her daughter, to the Netherlands in May 2024 and was arrested. The investigation is ongoing, with Ayada K. first appearing before the court in August 2024 for a *pro forma* hearing. In the course of the investigation, Ayada K. has invoked her right to remain silent.

### CALL FOR WITNESSES ISSUED DURING WAR CRIMES INVESTIGATION OF ALLEGED SECURITY CHIEF FOR JABHAT AL-NUSRA AND ISIS

Ayham al-S.

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Ayham al-S., Syrian national, alleged security chief in Jabhat al-Nusra (2013-2015) and ISIS (2015-2018) responsible for maintaining public order in and around the Yarmouk refugee camp south of Damascus

#### Country of residence of suspect

Netherlands

#### Charges

Participation in a criminal organization aimed at committing war crimes

#### Current status

Indicted; detained

#### Facts

According to the prosecution, Ayham al-S. held a senior managerial position in the security service of ISIS between 2015 and 2018, leading the unit responsible for maintaining public order. For two years prior to that, he allegedly carried out the same work for Jabhat al-Nusra. Both functions were held in and around the Yarmouk refugee camp south of Damascus.

While fulfilling these functions during the period between 2013 and 2018, Ayham al-S. is suspected of having contributed to the commission of war crimes, including the execution of at least 12 people at a power plant in Yalda, to the west of the Yarmouk Camp, in mid-January 2014.

Ayham al-S. applied for asylum in the Netherlands in 2019 and settled in Arkel in 2020.

#### Procedure

Ayham al-S. was arrested in Arkel on 17 January 2023 and placed into custody. Information that led to his arrest was based on research and victim interviews conducted by the Syrian Center for Media and Freedom of Expression (SCM). He was charged with participation in a criminal organization aimed at committing war crimes.

#### DEVELOPMENTS IN 2024

On 9 April 2024, the Public Prosecution Service issued a call for witnesses to the executions allegedly committed by Ayham al-S. in Yalda. Investigators stated that they were particularly interested in witnesses who themselves saw victims while they were detained by ISIS or who saw who was involved in the executions. To identify new witnesses to the executions, a social media campaign in Arabic was also launched. The next hearing is scheduled to take place on 3 February 2025.

### FIRST CONVICTION FOR INTERNATIONAL CRIMES AGAINST THE YAZIDIS IN THE NETHERLANDS

Hasna Aarab

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspect

Hasna Aarab, Dutch national, alleged former member of ISIS

#### Country of residence of suspect

Netherlands

#### Charges

Crime against humanity of slavery; membership in a foreign terrorist organization; promotion of terrorist crimes; child endangerment

#### Current status

Convicted; sentenced to ten years in prison; detained

#### Facts

In 2015, Hasna Aarab allegedly travelled to Syria from the Netherlands with her four-year-old son and married a Moroccan ISIS fighter. Between 1 May and 1 August 2015, she stayed at her husband's acquaintance's house in Raqqa, Syria. A Yazidi woman, Z., allegedly performed domestic work at their home as forced labor.

In November 2022, Hasna Aarab returned from the camps located in the Kurdish autonomous area in northern Syria, along with 11 other women who were also repatriated to the Netherlands.

#### Procedure

The Yazidi victim, Z., provided testimony to the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).

Hasna Aarab was arrested after arriving in the Netherlands in November 2022. An initial hearing was held in February 2023. She was charged with the crime against humanity of slavery, and with membership in a foreign terrorist organization.

#### DEVELOPMENTS IN 2024

The trial took place in October 2024. On 11 December 2024, Aarab was convicted of one count of the crime against humanity of enslavement as well as of membership in a foreign terrorist organization, promotion of terrorist crimes and child endangerment. She was sentenced to ten years' imprisonment.

## DUTCH FORMER MEMBER OF ISIS CONVICTED FOR TAKING HER CHILDREN TO A WAR ZONE

Krista van T.

**Country of commission**  
Syria

**Jurisdictional basis**  
Active personality

**Suspect**  
Krista van T., Dutch national, alleged former member of ISIS

**Country of residence of suspect**  
Netherlands

**Charges**  
War crime of pillaging; membership in a foreign terrorist organization; child endangerment

**Current status**  
Convicted of membership in a foreign terrorist organization and child neglect; acquitted of the war crime of pillaging; sentenced to four years in prison; detained

**Facts**  
In 2014, Krista van T. travelled to Syria and joined ISIS with her husband. They lived in two houses in Raqqa and Tabqa, after the owners of the houses were reportedly killed or chased away. In February 2019, her husband was killed.

In November 2022, Krista van T. returned from the camps located in the Kurdish autonomous area in northern Syria, along with 11 other women who were also repatriated to the Netherlands.

**Procedure**  
Krista van T. was arrested at the beginning of 2023. She was charged with the war crime of pillaging, membership in a foreign terrorist organization and child endangerment.

## DEVELOPMENTS IN 2024

On 26 April 2024, Krista van T. was convicted of membership in a terrorist organization and child endangerment and sentenced to four years in prison. She was acquitted of the war crime of pillaging. The court concluded that there was insufficient evidence to confirm the identity of the lawful owners of the houses in which the defendant and her family are said to have lived, or that the houses were used by the defendant and her family against the will of their lawful owners.

## FIRST CONVICTION IN THE NETHERLANDS OF A MEMBER OF A FORMER SYRIAN REGIME-AFFILIATED MILITIA UNDER APPEAL

Mustafa A.

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Mustafa A., Syrian national, alleged former member of Liwa al-Quds

**Country of residence of suspect**  
Netherlands

**Charges**  
Crimes against humanity of serious deprivation of liberty and torture; war crimes of serious deprivation of liberty and torture; participating in an organization whose aim is to commit international crimes

**Current status**  
Convicted; sentenced to 12 years in prison; under appeal

**Facts**  
The pro-regime militia Liwa al-Quds in Syria was founded in the al-Nayrab Palestinian refugee camp near Aleppo. Armed by the former Syrian regime, it was deployed to arrest civilians and crush dissent.

According to the conviction, Mustafa A. was born in the al-Nayrab camp and was part of the Liwa al-Quds militia. In January 2013, he allegedly arrested a civilian in his home in the al-Nayrab camp. The civilian was allegedly abused during the arrest and taken to a Syrian Air Force Intelligence prison, where he was reportedly tortured.

Mustafa A. had been living in the Netherlands since 2020 and had applied for asylum there.

### Procedure

In 2020, the Syrian Center for Media and Freedom of Expression (SCM) shared information regarding the allegations against Mustafa A. with the Dutch war crimes unit. The Dutch police arrested Mustafa A. in Kerkrade on 24 May 2022. He was later charged with war crimes and crimes against humanity committed in Syria in 2013. In August and October 2022, The Hague District Court decided there were sufficient compelling reasons to keep him in custody.

### DEVELOPMENTS IN 2024

On 22 January 2024, the Hague District Court determined that Liwa al-Quds was a criminal organization with the intent to commit bodily harm and pillage as war crimes, as well as unlawful detention as a crime against humanity. The court also confirmed that Mustafa A. held a leadership role within the organization. The court found Mustafa A. responsible for the arrest of one victim and complicit in the torture inflicted upon this individual in detention. Due to insufficient evidence, Mustafa A. was acquitted of charges related to the arrest and torture of a second victim. He was sentenced to 12 years in prison.

Both Mustafa A. and the prosecution service have filed appeals against the decision.

### NEW CASE!

#### FORMER RWANDAN MILITARY OFFICIAL ARRESTED IN THE NETHERLANDS

Pierre-Claver Karangwa

#### Country of commission

Rwanda

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Pierre-Claver Karangwa, Rwandan national (whose Dutch citizenship was revoked), former Rwandan military official

#### Country of residence of suspect

Netherlands

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on genocide.

#### Current status

Under investigation; detained

#### Facts

During the three-month period of the Rwandan genocide in 1994, approximately 800 000 people were killed, mainly Tutsis and moderate Hutus. Former Rwandan military officer Pierre-Claver Karangwa was allegedly involved in the massacre of nearly 30 000 ethnic Tutsis at Mugina Parish, near Kigali, during this period.

#### Procedure

In 2012, Rwanda sought Karangwa's extradition from the Netherlands to face genocide charges. Karangwa denied any role in these crimes. In June 2023, the Dutch Supreme Court blocked the extradition, citing concerns about the fairness of a potential trial in Rwanda, particularly given Karangwa's role as an opposition politician. Following this ruling, Karangwa was arrested in the Netherlands in 2023 in relation to a separate Dutch investigation initiated after the extradition request was denied.

### NEW CASE!

#### DUTCH FORMER MEMBER OF ISIS CONVICTED FOR MEMBERSHIP IN A TERRORIST ORGANIZATION

Xaviera S.

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspect

Xaviera S., Dutch national, former member of ISIS

#### Country of residence of suspect

Netherlands

#### Charges

War crime of pillaging; membership in a terrorist organization

#### Current status

Convicted of membership in a terrorist organization; acquitted of the war crime of pillaging; sentenced to 860 days in prison as well as 480 hours of community service; under appeal

#### Facts

In 2014, Xaviera S., a Dutch national, travelled to Syria to join ISIS, reuniting with her husband, who was already living in ISIS-controlled territory. Over the course of nearly four years, she lived in various locations within the caliphate.

#### Procedure

Xaviera S. was arrested in January 2018 in Turkey, where she spent about one-and-a-half years in prison. After her release, she was extradited to the Netherlands, where she was immediately arrested on suspicion of being a member of a terrorist organization. She was placed in pre-trial detention from November 2019 until May 2020. Initially tried in the District Court of Rotterdam, her case was transferred to the District

Court in The Hague after charges of war crimes, specifically pillaging, were added to her indictment.

In April 2024, the Hague District Court convicted Xaviera S. of membership in a terrorist organization and of making online threats against two Dutch journalists. She was sentenced to 860 days in prison. Taking into consideration the period she had already spent in prison in Turkey, 720 days of her sentence were suspended. Additionally, she was ordered to perform 480 hours of community service for threatening journalists. The court dismissed the journalists' compensation claims. Following her acquittal for the war crime charge of pillaging and the dismissal of the compensation claims, the public prosecution service appealed the verdict.

## **DUTCH FORMER MEMBER OF ISIS ACQUITTED OF WAR CRIMES BUT CONVICTED OF OTHER OFFENSES ON APPEAL**

Yousra Lemouesset

**Country of commission**  
Syria

**Jurisdictional basis**  
Active personality

**Suspect**  
Yousra Lemouesset, Dutch national, former member of ISIS

**Country of residence of suspect**  
Netherlands

**Charges**  
Preparation for and facilitation of a terrorist offense; participation in an organization aimed at committing terrorist offenses and war crimes; publicly inciting terrorist offenses and war crimes; war crime of violating personal dignity

**Current status**  
Convicted; acquitted of the war crime of violating personal dignity on appeal; sentenced to two years' imprisonment; under appeal before the Supreme Court; detained

**Facts**  
According to the conviction, Lemouesset was one of the hosts of GreenB1rds, a Telegram group used as a channel to spread ISIS ideology.

Lemouesset also reportedly distributed a video of captured ISIS victims being burned alive, adding dehumanizing comments to the video.

**Procedure**  
On 10 October 2019, the police arrested Lemouesset at her house in Uithoorn. The Dutch prosecution charged her with inciting terrorist crimes, distributing inciting jihadi materials and membership in a

terrorist organization. Later, war crimes charges were added to that indictment.

On 29 June 2021, The Hague District Court found Lemouesset guilty of preparation for and facilitation of a terrorist offense, participation in an organization aimed at committing terrorist offenses and war crimes, publicly inciting terrorist offenses and war crimes, and the war crime of violating personal dignity. She was sentenced to six years in prison and detention under a hospital order, including compulsory psychiatric treatment.

For the first time, The Hague District Court concluded that ISIS was not only a terrorist organization, but also a criminal organization with an aim to commit core international crimes.

Lemouesset appealed the court's decision.

### **DEVELOPMENTS IN 2024**

On 11 September 2024, the Hague Court of Appeal confirmed her conviction for the charges of participation in a terrorist organization and public incitement of terrorist offenses and war crimes. However, the Court of Appeal acquitted Lemouesset of the war crime of violating personal dignity. She was sentenced to 48 months in prison, and the court ordered her placement in psychiatric care with mandatory treatment.

This judgement has been appealed and is pending before the Supreme Court.

## NEW CASE!

### DUTCH POLICE ARREST SURINAME-BORN DUTCH NATIONAL ON SUSPICION OF WAR CRIMES DURING SURINAMESE INTERIOR WAR

Name withheld

#### Country of commission

Suriname

#### Jurisdictional basis

Active personality

#### Suspect

Suriname-born Dutch national

#### Country of residence of suspect

Netherlands

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on the war crime of killing.

#### Current status

Under investigation; detained

#### Facts

Between 1986 and 1992, the Surinamese National Army, led by Desi Bouterse, was engaged in a conflict with the armed group the Jungle Commando, established by Ronnie Brunswijk, resulting in the deaths of hundreds of civilians and the displacement of tens of thousands. The defendant served as an infantry member of the Surinamese National Army during this period and participated in commando operations. He reportedly admitted being responsible for several killings in June 1987, which prompted the Dutch Public Prosecution Service to open an investigation.

#### Procedure

In 2021, Dutch authorities arrested the suspect in Amsterdam on suspicion of involvement in killings committed during the Interior War in Suriname between 1986

and 1992. In February 2022, the suspect's lawyer argued that his client should be exempt from prosecution under an amnesty scheme announced in Suriname. However, the court ruled that foreign amnesty laws only preclude prosecution in the Netherlands in exceptional cases, and this case did not meet that threshold. The defense appeal was therefore denied.

The Public Prosecution Service's investigation remained active throughout 2024, with several witnesses already interviewed. The police are gathering further information, particularly regarding the "purification actions" that took place around mid-1987 near Brownsweg in the Brokopondo area, where the Surinamese National Army allegedly conducted operations resulting in civilian casualties.

## NEW CASE!

### DUTCH NATIONAL ARRESTED FOR HIS ALLEGED INVOLVEMENT IN RWANDAN GENOCIDE

Name withheld

#### Country of commission

Rwanda

#### Jurisdictional basis

Active personality

#### Suspects

Name withheld, Dutch national from Ede

#### Country of residence of suspect

Netherlands

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on war crimes of plundering and destroying property.

#### Current status

Under investigation; detained

#### Facts

During the three-month period of the Rwandan genocide in 1994, approximately 800 000 people were killed, mainly Tutsis and moderate Hutus. A man from Ede is suspected of inciting and participating in the killing of Tutsis during this time. According to the Public Prosecution Service, the suspect was also involved in a campaign of looting targeting the Tutsi population in 1994, during which Tutsis' properties were ransacked and homes destroyed in the town of Gatobotobo, located in the Huye district. In April 1994 alone, over 100 000 people were killed in this area.

#### Procedure

The suspect has long been wanted in Rwanda on charges of genocide and crimes against humanity. In 2014, Rwandan

authorities issued an international arrest warrant and requested his extradition from the Netherlands. However, as the suspect holds Dutch citizenship, he cannot be extradited.

Since 2020, the National Investigation and Intervention Unit, along with the National Public Prosecution Service, have been investigating his case. Officers have made multiple trips to Rwanda to interview witnesses and conduct on-site investigations, with dozens of witnesses now having been heard.

Based on the findings of the investigation, the suspect was arrested in February 2024. The investigation is ongoing. The latest known *pro forma* hearing was held on 10 December 2024.

## **INVESTIGATIONS CONTINUE IN FIRST-EVER SEXUAL VIOLENCE CHARGES BROUGHT AGAINST SYRIAN FORMER MEMBER OF PRO-REGIME PARAMILITARY GROUP**

Name withheld

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Syrian national, alleged former head of the interrogation department of the National Defence Force (NDF)

**Country of residence of suspect**  
Netherlands

**Charges**  
Crimes against humanity of torture and sexual violence; torture

**Current status**  
Indicted; detained

**Facts**  
In 2013 and 2014, the accused allegedly served as the head of the interrogation department of the National Defence Force (NDF) in Salamiyah, Syria. The NDF was a paramilitary group that comprised several pro-regime militias, fighting on the side of the former Syrian government. According to the International Crimes Team of the Dutch National Police, in his position as head of the NDF, the suspect allegedly committed acts of torture and sexual violence against civilians, as crimes against humanity.

In July 2021, the accused arrived in the Netherlands, obtained a temporary asylum permit, and settled in Druten with his family.

### **Procedure**

On 8 December 2023, the suspect was arrested in Druten, in the province of Gelderland. Shortly after his arrival in the Netherlands, the International Crimes Team had been informed that a person with this name had worked as the chief interrogator at the NDF in Salamiyah. The suspect was charged with complicity in torture in an official capacity with specific intent, complicity in torture as a crime against humanity and complicity in various forms of sexual violence as a crime against humanity.

On 11 December 2023, he was brought before the examining magistrate for a procedural hearing.

### **DEVELOPMENTS IN 2024**

In 2024, during pre-trial hearings, the defense requested to suspend the pre-trial detention of the suspect. The court affirmed the importance of the ongoing investigation, concluding that it should proceed despite its lengthy duration and the accused's continued pre-trial detention. A further hearing took place on 17 January 2025.

### **Follow-up on other cases**

- Abu Khuder (Ahmad al-K.) (UJAR 2022, p. 83): convicted of war crimes; conviction confirmed on appeal; under appeal before the Supreme Court.
- Ahmad al-Y. (UJAR 2023, p. 74): convicted on appeal for terrorism and acquitted of core international crimes in 2022; under appeal before the Supreme Court.
- Eshetu Alemu (UJAR 2024, p. 89): conviction upheld on appeal; under appeal before the Supreme Court.
- Guus Kouwenhoven (UJAR 2022, p. 87): convicted of war crimes; pending extradition from South Africa; application pending before the European Court of Human Rights.



# PORTUGAL



## NEW CASE!

### FIRST CONVICTION IN PORTUGAL FOR WAR CRIMES COMMITTED BY AN ALLEGED MEMBER OF ISIS IN IRAQ

Ammar Ameen and Yaser Ameen

**Country of commission**  
Iraq

**Jurisdictional basis**  
Universal jurisdiction

**Suspects**  
Brothers Ammar Ameen and Yaser Ameen, Iraqi nationals, alleged former members of the local ISIS religious police (*Hisba*) and the al-Amniyah Intelligence Service of ISIS

**Country of residence of suspects**  
Portugal

**Charges**  
War crimes of causing great suffering or serious harm to physical integrity or health and unlawful deprivation of liberty; membership in a terrorist organization; resistance and coercion of an officer

**Current status**  
Ammar Ameen convicted of membership in a terrorist organization and war crimes; sentenced to 16 years in prison; awaiting appeal; detained  
Yaser Ameen convicted of membership in a terrorist organization; sentenced to ten years in prison; awaiting appeal; detained

#### Facts

According to the sentence, brothers Ammar Ameen and Yaser Ameen were members of the al-Hisbah Religious Police and al-Amniyah Intelligence Services of ISIS during its occupation of Iraq between 2014 and 2016. During this period, the brothers are alleged to have been responsible for kidnappings, assaults, corporal punishment and public humiliation of people who did not conform to the laws imposed by ISIS. In one instance, Ammar Ameen is reported to have kidnapped and whipped an Iraqi citizen in a public square in Mosul, Iraq.

In 2016, both brothers left Iraq. They stayed for a period in Turkey, before travelling to Greece and subsequently claiming asylum in Portugal in 2017.

#### Procedure

In 2017, an Iraqi individual living in Portugal filed a complaint with the Immigration and Borders Service in the city of Leiria, informing the Portuguese authorities that Ammar and Yaser Ameen belonged to ISIS in Mosul. In September 2017, an investigation was opened by the Portuguese National Counter-Terrorism Unit.

In September 2021, Ammar and Yaser Ameen were arrested and detained in preventative custody on suspicion of belonging to a terrorist organization related to their activities as alleged members of ISIS in Iraq between 2014 and 2016.

In September 2022, the Public Prosecutor's Office of the Central Department of Investigation and

Criminal Prosecution charged both brothers with membership in a terrorist organization and with the war crimes of causing great suffering or serious harm to physical integrity or health and unlawful deprivation of liberty. Ammar Ameen was also charged with resistance and coercion of an officer.

In January 2024, the Central Criminal Court of Lisbon convicted both brothers of the crime of membership in a terrorist organization. Yaser Ameen was sentenced to 10 years in prison and expulsion from Portugal.

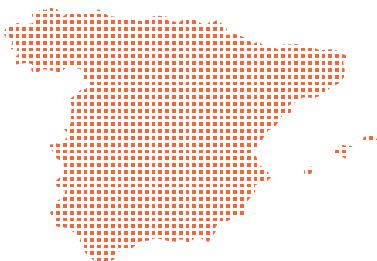
Ammar Ameen was also convicted of war crimes for the kidnapping and whipping of an Iraqi citizen in a public square in Mosul, Iraq, as well as for resistance and coercion of an officer. The court sentenced Ammar Ameen to 16 years in prison, expulsion from Portugal and ordered him to pay EUR 15 000 to the victim.

The Public Prosecutor's Office has appealed on the grounds that there is evidence of war crimes having been committed by both defendants and that the sentences imposed were low.

In May 2024, both brothers appealed their convictions. Proceedings are ongoing.

For the first time in Portugal, the investigation was conducted in close cooperation with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) and judicial authorities in Iraq.

# SPAIN



## NEW CASE!

### INVESTIGATION OPENED INTO SPANISH BUSINESSMAN FOR ALLEGED PARTICIPATION IN THE ILLEGAL TRADE OF BLOOD DIAMONDS DURING THE CIVIL WAR IN SIERRA LEONE

Manuel Terrén

#### Country of commission

Sierra Leone

#### Jurisdictional basis

Active personality

#### Suspect

Manuel Terrén, Spanish national, alleged to have designed and supervised the actions of a business network in Liberia dedicated to the extraction, marketing and export of diamonds from Sierra Leone during the civil war in the 1990s

#### Country of residence of suspect

Brazil

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on crimes against humanity and war crimes.

#### Current status

Under investigation; the suspect is under provisional release

#### Facts

During the civil war in Sierra Leone between 1991 and 2000, the Revolutionary United Front, a non-State armed group, enslaved civilians in the district of Kono, in the east of Sierra Leone, forcing them to work in the diamond pits.

From at least the end of 1998 and until at least 2000, Manuel Terrén is alleged to have traded with the Revolutionary United Front for diamonds obtained through the enslavement of the civilian population. The proceeds obtained from the deals were then purportedly brought to Monrovia, Liberia, in order to be sold on the international market. The investigation focuses on the alleged participation of foreign actors in the illegal trade of blood diamonds between Sierra Leone, Liberia and some European countries during the civil war in Sierra Leone.

#### Procedure

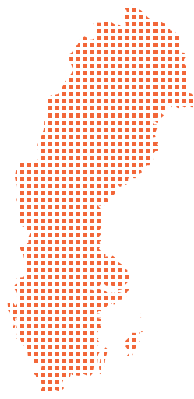
In September 2021, a complaint was filed against Manuel Terrén before the Audiencia Nacional in Madrid by an individual who suffered and witnessed alleged crimes in the Sierra Leonean region of Kono during the civil war. This complaint was filed with the support of the NGOs Civitas Maxima (based in Switzerland) and Center for Accountability and Rule of Law (CARL – based in Sierra Leone).

The investigation was formally opened in January 2022.

On 2 July 2024, Manuel Terrén was arrested in Málaga, Spain, when he was travelling from Brazil. He filed an appeal against his detention and was released five days later.

On 1 October 2024, the investigative judge formally opened the final stage of the investigation phase, prior to the phase of indictments and trial.

# SWEDEN



## TRIAL CONTINUES OF SWISS AND SWEDISH OIL BUSINESSMEN FOR COMPLICITY IN SUDANESE WAR CRIMES

Alex Schneider and Ian Lundin

### Country of commission

Sudan (now South Sudan)

### Jurisdictional basis

Universal jurisdiction and active personality

### Suspects

Alex Schneider, Swiss national and CEO of Orrön Energy; Ian Lundin, Swedish national and Chairman of Orrön Energy

### Countries of residence of suspects

Switzerland and Sweden

### Charges

Complicity in war crimes

### Current status

On trial

### Facts

The second Sudanese civil war took place between the government of Sudan, the Sudanese People's Liberation Army (SPLA) and other armed groups from 1983 to 2005. According to a [report](#) published in 2010 by the European Coalition on Oil in Sudan, the company Lundin Petroleum (later renamed Lundin Energy and Orrön Energy) signed a contract in 1997 through a subsidiary with the government of Sudan for the exploration and production of oil in a war zone in southern Sudan, the Block 5A concession, which was not at that time under full governmental control.

Lundin Petroleum allegedly paid the Sudanese army and non-State armed groups to forcibly displace the local population from oil-rich areas, in order to secure their operations. Between 1999 and 2003, around 160 000 civilians were forcibly displaced and thousands died. Other crimes were allegedly carried out in this context, including unlawful killings, rape, enslavement, torture, indiscriminate attacks, pillage and the recruitment of child soldiers.

Schneider was the head of exploration during the relevant time period, and Lundin, the chairman of the company. According to the prosecution, these two executives supported the government of Omar al-Bashir, the Sudanese army and regime-allied militias in carrying out systematic attacks against civilians.

In April 2020, Lundin Petroleum changed its name to Lundin Energy.

In July 2022, Norway's Aker BP acquired 98 percent of the shares of Lundin Energy. The remaining two percent, renamed Orrön Energy, would carry the full responsibility of the Sudanese legacy. Several NGOs denounced the fact that the takeover by Aker BP will make it very difficult for the victims to ever receive compensation, and that this constitutes an abuse of company law aimed at denying war crimes victims their rights.

### Procedure

In 2010, the European Coalition on Oil in Sudan submitted to the Swedish International Public Prosecution Office its report indicating that

Lundin Petroleum may have been complicit in international crimes committed in Sudan between 1997 and 2003. Swedish prosecutors opened a preliminary investigation the same year. Schneider and Lundin became formal suspects after being questioned by prosecutors in 2016.

Under Swedish law, the prosecution of a foreign national for crimes committed abroad requires governmental authorization. On 18 October 2018, the Swedish government authorized the prosecutor to proceed with an indictment in this case.

On 11 November 2021, Schneider and Lundin were indicted for aiding and abetting war crimes committed in Sudan between 1999 and 2003 in the context of the non-international armed conflict, with the purpose of securing the company's oil operations in southern Sudan. According to the prosecution, the Sudanese regime systematically attacked civilians and committed indiscriminate attacks, in order to take control over relevant areas and create conditions for the oil exploration activities of Lundin Petroleum.

Later that month, Schneider requested the District Court to reject the indictment against him, claiming that Swedish courts have no jurisdiction over him due to his Swiss nationality. The District Court rejected his request and Schneider appealed to the Svea Court of Appeal, which agreed with the lower court's decision.

The criminal liability of private companies does not exist in Sweden, so the company cannot be charged as a legal entity. However, when a company makes a profit from a crime, that profit can be confiscated. The prosecution has therefore asked for the confiscation of around SEK 1 400 000 000 (EUR 117 000 000) from Lundin Energy, which reportedly corresponds to the profit the company made from the sale of the business in 2003. In addition, the prosecution asked for a fine of SEK 3 000 000 (EUR 252 000).

On 28 February 2022, Schneider appealed his indictment before the Swedish Supreme Court on the grounds that there was no legal basis in international law for the exercise of universal jurisdiction against a non-Swedish national who is not present on Swedish territory.

On 10 November 2022, the Supreme Court ruled that, in the exercise of universal jurisdiction, some form of connection to Sweden is required for a crime to be prosecuted by national authorities. However, it concluded that the connection to Sweden of the crimes allegedly committed by Schneider was sufficient for a trial to be held by Swedish courts and that there was no obstacle to it in international law. The Supreme Court hence confirmed Schneider's indictment.

In August 2023, the claim to confiscate around SEK 1 400 000 000 was raised to SEK 2 381 300 000 (around EUR 200 000 000).

On 5 September, the trial of the two former executives began in Stockholm. It is scheduled to last for approximately two and a half years, concluding in early 2026. Thirty-two victims have joined the proceedings as civil parties, and 57 witnesses will be heard, including a former Swedish prime minister, and a former German interior minister.

At the end of November 2023, the Stockholm District Court decided that 27 plaintiffs will not be able to have their damage claims tried within the framework of the criminal trial. Rather, the issue of compensation for the victims will be addressed in separate civil cases. The court grounded its decision on the delays that those civil claims would bring to the trial, and on the fact that the civil claims had been submitted belatedly. As a result of this decision, if the victims lose these civil cases, they will be responsible for paying Lundin and Schneider's legal costs. Additionally, non-European Union citizen plaintiffs must furnish a security deposit to cover the estimated legal costs of the defendants, set at SEK 500 000 each (approximately EUR 44 000).

#### DEVELOPMENTS IN 2024

The trial is ongoing. The prosecution and the defense teams of Alex Schneider, Ian Lundin, and Orrön Energy have completed their opening presentations.

In July 2024, the plaintiffs began testifying. During the course of 2024, over 20 plaintiffs testified.

## FORMER IRANIAN OFFICIAL CONVICTED OF WAR CRIMES RELEASED IN PRISONER SWAP

Hamid Noury

### Country of commission

Iran

### Jurisdictional basis

Universal jurisdiction

### Suspect

Hamid Noury, Iranian national, former assistant to the deputy prosecutor at the Gohardasht prison in Karaj, Iran

### Country of residence of suspect

Iran, arrested while travelling to Sweden

### Charges

War crimes; murder

### Current status

Convicted; sentenced to life imprisonment; sentence confirmed on appeal; released in prisoner exchange

### Facts

In 1988, during the war between Iraq and Iran, Iran's leader Rouhollah Khomeini issued an order (*fatwa*) to execute all prisoners who supported the People's Mojahedin Organization of Iran, an outlawed opposition group, as well as leftist prisoners.

Prisoners at the Karaj prison were brought before so-called death commissions which ordered their arbitrary execution. The precise number of victims is unknown but estimated to be between 2800 and 5000 prisoners according to Human Rights Watch. Many of those killed were subjected to torture and other cruel, inhuman and degrading treatment or punishment.

Noury, in his role of assistant to the deputy prosecutor, was convicted for having played an active role in these mass executions by retrieving

prisoners, bringing them to the death commissions and escorting them to the execution site.

#### Procedure

Noury was arrested on 9 November 2019 while travelling to Sweden, after Iranian dissidents in Sweden filed complaints against him.

On 13 November 2019, the court allowed his pre-trial detention which was renewed several times as the investigation was ongoing.

On 10 August 2021, Noury's trial opened in Stockholm.

On 9 November 2021, the Stockholm District Court moved to Durres, Albania for two weeks to hear seven witnesses.

After 92 days of hearings, on 14 July 2022, the Stockholm District Court established that the crimes committed against sympathizers of the People's Mojahedin Organization of Iran began with the Mojahedin's cooperation with the Iraqi army in the international armed conflict between Iran and Iraq, which triggered the application of international humanitarian law. Therefore, the court found Noury guilty of war crimes as crimes against international law for his involvement in the mass executions of sympathizers of the People's Mojahedin Organization of Iran, and for murder for the executions of left-wing sympathizers who were deemed to have renounced their Islamic faith. Noury was sentenced to life imprisonment. Compensation for injury was also awarded to close relatives of executed prisoners and to surviving prisoners.

In August 2022, both Noury and the prosecution appealed the conviction.

The appeal trial started on 11 January 2023 and lasted for 11 months. On 19 December 2023, the Svea Court of Appeal confirmed the conviction and life sentence of Noury for war crimes and murder. Noury requested leave to appeal to the Supreme Court.

#### DEVELOPMENTS IN 2024

On 6 March 2024, the Supreme Court rejected Noury's request for leave to appeal.

On 15 June 2024, Noury was released in a prisoner exchange with Iran.

#### NEW CASE!

### SWEDISH NATIONAL ON TRIAL FOR GENOCIDE, CRIMES AGAINST HUMANITY AND WAR CRIMES AGAINST YAZIDIS IN SYRIA

Lina Laina Ishaq

**Country of commission**  
Syria

**Jurisdictional basis**  
Active personality

**Suspect**  
Lina Laina Ishaq, Swedish national, former member of ISIS

**Country of residence of suspect**  
Sweden

**Charges**  
Genocide through causing a member of the group serious pain or harm or subjecting them to severe suffering and forcibly transferring a child under the age of 18 from the group to another group; crimes against humanity of torture or other inhuman treatment, causing a person to enter into sexual slavery or forced labor or other such state of coercion, deprivation of liberty and persecution on the basis of culture, religion, gender and age; war crimes of torture or other inhuman treatment and humiliating or degrading treatment

**Current status**  
On trial; detained

**Facts**  
The city of Raqqa in Syria was taken over by ISIS militants in 2014. Under ISIS control, the Yazidi minority was deprived of basic freedoms and rights. Women, men and children were regarded as property and subjected to enslavement, slave trading, sexual slavery, forced labor, deprivation of liberty and extrajudicial executions.

Having travelled to Syria in 2013 to join her husband, Lina Laina Ishaq is alleged to have been involved in buying and receiving women and children belonging to the Yazidi minority in her residence in Raqqa. She reportedly treated these persons as slaves and abused them in numerous ways, including by forcing them to live without enough food, clothing or warmth.

Ishaq returned to Sweden in 2020.

#### Procedure

In 2022, she was convicted of serious crimes under international law and serious war crimes for failing, in her capacity as a legal guardian, to prevent her 12-year-old son from being recruited and used as a child soldier by ISIS during the armed conflict in Syria (UJAR 2023 p. 79). She was sentenced to six years' imprisonment.

On 19 September 2024, while serving the sentence for her previous conviction, the Swedish Prosecution Authority indicted Ishaq on further charges of genocide, crimes against humanity and serious war crimes in Raqqa, Syria, during the period August 2014 to December 2016. She is charged with having held nine people, including six minor children and three adult women, captive in her home in Raqqa. According to the indictment, they were treated as slaves, were required to perform forced labor and experienced severe suffering and torture. Ishaq is further alleged to have sold people to ISIS with the knowledge that they risked being killed or subjected to serious sexual abuse.

The Swedish Prosecution Authority identified Ishaq through information shared by the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD).

The trial began on 7 October 2024 before the Stockholm District Court.

## STOCKHOLM DISTRICT COURT ACQUITS FORMER SYRIAN GENERAL OF WAR CRIMES

Mohammed Hamo

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Mohammed Hamo, Syrian national,  
former Syrian army official

**Country of residence of suspect**  
Sweden

**Charges**  
Aiding and abetting war crimes,  
including indiscriminate attacks

**Current status**  
Acquitted

#### Facts

Between 1 January 2012 and 20 July 2012, Mohamed Hamo held the position of head of the armament unit of the 11<sup>th</sup> Division of the 3<sup>rd</sup> Corps of the Syrian army in Homs and Hama (Baba Amr, ar-Rastan and al-Houla). He was accused of having aided and abetted war crimes during this period and has been described as one of the most senior Syrian military officials to be tried in Europe.

The indictment alleged that, during this period, the Syrian army active in hostilities in and around Homs and Hama systematically engaged in indiscriminate attacks against the civilian population. Hamo was alleged to have made strategic decisions to carry out those military operations as well as to have helped coordinate the supply of arms and ammunition to units involved in those attacks.

Hamo later defected, fleeing to Turkey where he joined a Syrian opposition

group. He travelled to Sweden in 2015, where he successfully sought asylum. However, the Swedish Migration Agency informed the government that Hamo had previously been a senior officer in the Syrian regime.

Eight plaintiffs filed a case against Hamo, including a man whose brother was killed in the attacks in Homs, as well as a British photographer and a French journalist who were both injured in the attack on the city's media center.

#### Procedure

On 7 December 2021, Hamo was arrested by the Swedish police on suspicion of having committed a gross violation of international law in Syria in 2012. The court ordered his release two days later due to insufficient evidence to extend his detention.

### DEVELOPMENTS IN 2024

In February 2024, the indictment was filed.

On 15 April 2024, the trial commenced. It included testimonies from eight plaintiffs, ten witnesses, and four expert witnesses with knowledge of military structures and Syrian compensation law respectively.

On 20 June 2024, the Stockholm District Court acquitted Hamo, stating that the evidence presented by the prosecution failed to prove that his division was involved in war crimes and that there was insufficient evidence to convict him. The court also held that the prosecution did not prove that Hamo had personally played a role in providing weapons for the alleged attacks.

## NEW CASE!

### FORMER MEMBER OF SYRIAN OPPOSITION ARMED GROUP CONVICTED OF WAR CRIMES FOR USING A CHILD UNDER 15 IN A PROPAGANDA VIDEO

Munzer Al Hasan

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Munzer Al Hasan, Syrian national, senior member of the al-Tawhid Brigade, a Syrian opposition armed group

#### Country of residence of suspect

Sweden

#### Charges

War crime of using a child under 15 for direct participation in hostilities

#### Current status

Convicted; four-month suspended sentence in combination with community service for 120 hours

#### Facts

The al-Tawhid Brigade was an armed group that fought against the government during the civil war in Syria. The group was active in the city of Hama, among other places.

Munzer Al Hasan held a leading position in the group during the period February to March 2014. In March 2014, he was involved in the making of a propaganda video in which a child posed with an object that appeared to be a firearm alongside several armed and uniformed members of the al-Tawhid Brigade. The video was subsequently shared online.

Munzer Al Hasan entered Sweden in the summer of 2014 and applied for asylum in September 2014. On 9 October 2015, he was granted

permanent residence and has since then resided and been registered in Sweden.

#### Procedure

In March 2022, the Swedish Migration Agency reported suspicions to the police that Munzer Al Hasan may have been involved in the commission of international crimes. These suspicions arose as a result of open-source research conducted by the Swedish Migration Agency. During the course of this research, a video, shot in Syria in March 2014, was discovered, in which Munzer Al Hasan stood at a podium before a group of men in uniform-like clothes. In front of the podium, a child sat holding an object that the prosecution alleged was a weapon.

On 12 February 2024, Munzer Al Hasan was charged by the National Unit Against International and Organized Crime of the Swedish National Prosecutor's Office with war crimes for having allowed a child under the age of 15 to appear in a propaganda film and pose with a firearm with several armed and uniformed men of the armed group the al-Tawhid Brigade.

The trial took place in September 2024. On 27 September 2024, the Uppsala District Court convicted Munzer Al Hasan as a co-perpetrator of the war crime of using a child under 15 for direct participation in hostilities.

The court was unable to conclude whether the object the child was holding in the video was a real weapon but found this to be irrelevant to the question of whether the participation of the child in the video constituted direct participation in hostilities. Based on the content of the video, the court concluded that it constituted a propaganda film whose purpose was to demonstrate strength and resistance against the former Syrian regime. The court determined that the film was

closely related to the conflict to which the group was a party, and that the use of propaganda played a significant role in the fighting. The court noted the child's prominent placement in the film, inferring that the child was intended to function as a form of mascot for the group. It further noted that the fact the child was holding a weapon-like object gave the impression that he was ready to take part in battle. On this basis, the court concluded that the inclusion of a child in a propaganda film of this nature, with a clear military character, constitutes direct participation in hostilities of a child under the age of 15. The court also attached particular importance to the fact that the act was directed at a child in its assessment that the threshold of seriousness was met for a violation of international humanitarian law to attract criminal liability under the Swedish Penal Code.

The court imposed a suspended sentence of four months in combination with community service for 120 hours. The judgment is final.

## NEW CASE!

### SYRIAN NATIONAL ACQUITTED OF WAR CRIMES ON THE BASIS OF INSUFFICIENT EVIDENCE

Walid Al Zaytun

#### Country of commission

Syria

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Walid Al Zaytun, Syrian national, alleged to have acted for ISIS in the al-Sawana area of Syria

#### Country of residence of suspect

Sweden

#### Charges

War crimes of killing protected persons, humiliating or degrading treatment and torture or other inhuman treatment

#### Current status

Acquitted

#### Facts

In May 2014, ISIS took control of the area of al-Sawana in Syria. Following the capture of the area, it imposed a brutal regime on the local population, inflicting harsh punishments such as floggings for minor offenses and installing a large screen to broadcast videos of executions.

The prosecution alleged that, at some point during the period 9 May 2015 to 30 June 2015, Walid Al Zaytun joined or acted for ISIS in al-Sawana. During this period, the prosecution alleged that he was involved in the public execution of two individuals, reportedly members of the rival anti-Assad armed group, Jaysh al-Islam. Walid Al Zaytun was alleged to have been involved in bringing the men unarmed, blindfolded and with their hands tied behind their backs,

to Suweis Square in al-Sawana, where they were executed by other members of the group. He was also alleged to have been involved in dragging a deceased body behind a car, tying it to a pole, desecrating it and leaving it for public view.

#### Procedure

On 21 March 2023, Walid Al Zaytun was arrested in Ronneby, Sweden and charged with the war crimes of killing protected persons, humiliating or degrading treatment and torture or other inhuman treatment.

The trial took place in April 2024. On 2 May 2024, the Blekinge District Court acquitted Walid Al Zaytun of all charges on the basis of insufficient evidence.

The court noted that the prosecution's extensive use of written witness statements from foreign interrogations and interviews, conducted by the authorities in Turkey and Germany and by the NGO Commission for International Justice and Accountability (CIJA), could only be given very limited probative value. It stressed in particular that, as an NGO, CIJA is not subject to the same regulatory framework and procedural safeguards as European police authorities, making interviews conducted by CIJA of limited probative value. The judgment is final.

## NEW CASE!

### THREE SWEDISH NATIONALS DETAINED ON SUSPICION OF WAR CRIMES AND CRIMES AGAINST HUMANITY IN SYRIA

Names withheld

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspects

Three Swedish nationals, alleged members of the Syrian militia "Free Palestine Movement" (FPM)

#### Country of residence of suspects

Sweden

#### Charges

As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on war crimes and crimes against humanity.

#### Current status

Under investigation; detained

#### Facts

The FPM is a Palestinian Syrian armed movement. In 2012, upon the outbreak of the Syrian civil war, it formed a number of armed militias which fought on the side of the Syrian government.

During the period 2012 to 2014, the militia exercised control over the Damascus district of Yarmouk on behalf of the former Syrian regime. During this period, the militia was implicated in serious abuses of civilians, including during a violent crackdown on anti-government protests in the district in July 2012, when members of the militia are reported to have shot at civilian protesters, killing and injuring many.



The three suspects arrested in Sweden are reported to have been members of the FPM and to have participated in the violent crackdown on protests in July 2012.

#### Procedure

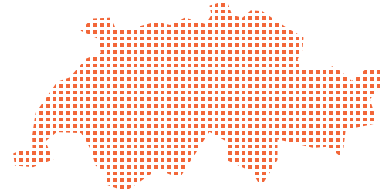
In July 2024, the three individuals were arrested in Sweden on suspicion of war crimes and crimes against humanity committed in Syria during the period 2012 to 2014.

The arrests took place in coordination with Germany, Europol and Eurojust, as part of the joint investigation team "Caesar." As part of the same investigation, five individuals were arrested in Germany on the same day (see p. 62).

#### Follow-up on other cases

- Names withheld – Members of the Syrian intelligence services (UJAR 2021, p. 67): the investigation is ongoing.

# SWITZERLAND



## **FORMER LIBERIAN REBEL ARMED GROUP COMMANDER FILES A PETITION WITH THE FEDERAL SUPREME COURT**

Aliou Kosiah

### **Country of commission**

Liberia

### **Jurisdictional basis**

Universal jurisdiction

### **Suspect**

Aliou Kosiah, Liberian national, former commander of the armed group the United Liberation Movement of Liberia for Democracy (ULIMO)

### **Country of residence of suspect**

Switzerland

### **Charges**

Crimes against humanity; war crimes, including murder, rape, inhuman treatment, looting and the recruitment and use of child soldiers

### **Current status**

Sentence confirmed on appeal; sentenced to 20 years in prison; detained; under appeal before the Supreme Court

### **Facts**

During the first Liberian civil war (1989-1996), Aliou Kosiah joined the armed group ULIMO, which comprised supporters of former president Samuel Doe. The ULIMO carried out attacks against former Liberian president Charles Taylor's National Patriotic Front of Liberia.

According to the judgment, Kosiah ordered or participated in the murder of civilians and soldiers hors de combat, desecrated the corpse of a civilian, raped a civilian, ordered the cruel treatment of civilians, recruited and used a child soldier, ordered several pillages and ordered and/or participated in the forced transport of goods and ammunition by civilians. He committed these crimes between March 1993 and the end of 1995 as commander of the ULIMO.

### **Procedure**

In July and August 2014, seven Liberian victims, assisted by the NGO Civitas Maxima, filed a complaint in Switzerland against Kosiah for his participation in war crimes and systematic killings committed between 1993 and 1995 in Lofa County (northwestern Liberia). An investigation for war crimes was opened in August 2014.

On 10 November 2014, Kosiah was arrested in Switzerland. On 13 November 2014, a Swiss judge decided to hold him in pre-trial detention.

On 22 March 2019, the Office of the Attorney General (OAG) of Switzerland presented an indictment against Kosiah to the Federal Criminal Court, alleging that Kosiah violated the laws of war as a member of a military faction in the 1989-1996 Liberian war, including through acts of sexual violence, recruitment of child soldiers, lootings, ordering and participating in the forced movement of looted goods and ammunitions, forcing civilians to

work in cruel conditions, ordering and committing murders and carrying out acts of cannibalism.

The trial was due to begin in April 2020 but was postponed four times because of Covid-19. It eventually began on 3 December 2020, and from 15 February to 5 March 2021 the plaintiffs and the witnesses were heard, and the lawyers made their final pleadings.

On 18 June 2021, the Swiss Federal Criminal Court of Bellinzona found Kosiah guilty of 21 counts of war crimes, including ordering the killing of 13 civilians and two unarmed soldiers; murdering four civilians; raping a civilian; ordering the cruel treatment of seven civilians; infringing upon the dignity of a deceased civilian; repeatedly ordering the cruel, humiliating and degrading treatment of several civilians; repeatedly inflicting cruel, inhuman and degrading treatment on several civilians; repeated ordering to loot; and using a child soldier in armed hostilities.

The four counts of war crimes for which Kosiah was acquitted include recruiting a child soldier; attempted murder of a civilian; complicity in a civilian murder; and giving orders to loot in one instance. Kosiah was sentenced to 20 years in prison, from which his over six years of pre-trial detention will be deducted, and he was ordered to pay over CHF 50 000 to the seven plaintiffs who testified against him.

On 2 September 2022, following the plaintiffs' appeal regarding the inclusion of charges of crimes against humanity, the OAG filed an amended indictment against Kosiah to include charges of crimes against humanity.

The appeal hearing began on 11 January 2023 and lasted until 3 February 2023 at the Swiss Federal Criminal Court of Bellinzona, Ticino.

On 1 June 2023, the Appeals Chamber of the Swiss Federal Criminal Court confirmed the sentence and found Kosiah guilty of multiple counts of war crimes of murder, rape, inhuman treatment, looting and the use of child soldiers and added to the conviction multiple counts of the crime against humanity of murder.

#### DEVELOPMENTS IN 2024

In 2024 Alieu Kosiah filed a petition to bring the case before the Federal Supreme Court of Switzerland (*Tribunal fédéral*). The content of the claims is not public. In principle, the Federal Supreme Court will not review the facts and may only consider grounds related to violations of the law. The Federal Supreme Court will only consider facts if they have been arbitrarily established by the appeal judges.

## FORMER GAMBIAN MINISTER OF INTERIOR CONVICTED OF CRIMES AGAINST HUMANITY

Ousman Sonko

### Country of commission

The Gambia

### Jurisdictional basis

Universal jurisdiction

### Suspect

Ousman Sonko, Gambian national, former State Guard commander, former inspector general of the police (2005 to 2006) and former minister of the interior (2006 to 2016)

### Country of residence of suspect

Switzerland

### Charges

Crimes against humanity of murder, torture, severe deprivation of liberty and rape committed between 2000 and 2016

### Current status

Convicted; sentenced to 20 years in prison; awaiting appeal; detained

### Facts

The Gambia was under the control of President Yahya Jammeh from 1994 to 2016. For more than two decades, all opposition was repressed. Torture, extrajudicial executions and enforced disappearances were widespread.

After Jammeh's re-election in September 2006, Ousman Sonko was appointed minister of the interior. He held this position until September 2016, when he was dismissed from office and left The Gambia.

In December 2016, Jammeh refused to recognize the result of the presidential election which saw the victory of the opposition candidate Adama Barrow. The Economic Community of West African States (ECOWAS) launched a military intervention in The Gambia to enforce the election results, which led to Jammeh stepping down as

president in January 2017 and going into exile in Equatorial Guinea.

In 2018, a Truth, Reconciliation and Reparations Commission (TRRC) was set up to investigate the crimes committed during the Jammeh regime. In its final report published late 2021, the TRRC recommended the prosecution of Sonko for the role he allegedly played in killings that took place in 2000, 2005 (West African migrants), 2006 and 2012 and acts of torture committed in 2006 and 2016. The TRRC also recommended his prosecution for acts of sexual violence allegedly committed in 2005 and 2015.

The Gambian government published an implementation plan of the TRRC recommendations in May 2023. One year later, the Gambian National Assembly passed the Special Prosecutor's Office Bill and the Special Accountability Mechanism Bill to prosecute perpetrators of the Jammeh regime.

In parallel, the creation of a hybrid court to try the most senior members of the regime, including Yahya Jammeh, has been under discussion in the ECOWAS. On 15 December 2024, the ECOWAS approved the establishment of the Special Tribunal for The Gambia.

### Procedure

Alerted of Sonko's presence on Swiss territory, TRIAL International filed a criminal complaint before the prosecuting authorities in Bern on 25 January 2017. The former Gambian minister was arrested the following day at the immigration center of Lyss (canton of Bern), where he had applied for asylum.

Between 2017 and 2022, the Office of the Attorney General (OAG) heard Sonko on multiple occasions. Ten Gambian victims filed individual complaints. All of them, along with dozens of witnesses, including the United Nations special rapporteur on torture, were heard by the OAG.

The Swiss authorities travelled on different occasions to The Gambia during their investigation to gather evidence in the framework of mutual judicial cooperation, including to hear witnesses.

In April 2023, the OAG indicted Sonko for crimes against humanity and referred the case to the Federal Criminal Court (FCC).

## DEVELOPMENTS IN 2024

Sonko's trial took place in two phases in early 2024. From 8 to 26 January, all parties were heard on the facts. From 4 to 7 March 2024, the OAG, the plaintiffs' lawyers and the defense then presented their closing arguments. Ousman Sonko then made a final statement to the court.

On 15 May 2024, the FCC delivered its verdict, sentencing Ousman Sonko to 20 years in prison for his involvement in numerous crimes against humanity committed between 2000 and 2016. Specifically, the court found him guilty of the murder of a perceived political opponent in 2000, torture and unlawful detention in connection with a coup plot in March 2006, the murder of a politician in 2011, and deprivation of liberty and torture – including murder – of peaceful demonstrators in 2016. The FCC also ordered Sonko to pay compensation to the plaintiffs in accordance with the damage suffered.

However, the FCC dropped all charges of sexual offences. Without ruling that they did not take place, the court held that these acts were isolated from the context of the attacks against the civilian population and therefore could not constitute crimes against humanity. The court also ruled that electric shocks to the genitals should be considered torture rather than sexual violence.

Declarations of appeal by the parties will follow the notification of the written judgement.

## FORMER SYRIAN VICE PRESIDENT INDICTED FOR WAR CRIMES AND CRIMES AGAINST HUMANITY

Rifaat al-Assad

**Country of commission**  
Syria

**Jurisdictional basis**  
Universal jurisdiction

**Suspect**  
Rifaat al-Assad, Syrian national, Syria's former vice president, brother of the former Syrian president Hafez al-Assad and uncle of the former president Bashar al-Assad, former head of the Defense Brigades (Saraya al-Difa), Syria's elite commando troops, from 1971 to 1984

**Country of residence of suspect**  
Formerly residing in France, the accused fled to Syria in October 2021, current location unknown

**Charges**  
War crimes and crimes against humanity of having ordered homicides, acts of torture, cruel treatments and illegal detentions

**Current status**  
Indicted

**Facts**  
In February 1982, opponents of the former Syrian regime led an armed uprising in Hama. As retaliation, the Syrian armed forces, including the Defense Brigades, attacked the city. The civilian population was trapped and cut off from supply, food and electricity for almost a month. The estimated number of civilian casualties ranges from 10 000 to 40 000, depending on the source. In addition to the high number of casualties, entire areas of the city were destroyed.

Rifaat al-Assad, as the commander of the Defense Brigades, is accused of having ordered numerous offenses that took place in Hama in 1982 during the civil war in Syria.

### Procedure

In December 2013, after being informed that Rifaat al-Assad was present on Swiss territory, TRIAL International filed a criminal complaint with the Office of the Attorney General (OAG) accusing him of having committed war crimes during the Hama massacre in 1982. A criminal investigation was opened a few days later against Rifaat al-Assad for the same charges.

In August 2014, a plaintiff joined the proceedings.

In 2015, Rifaat al-Assad returned to Geneva. TRIAL International and the plaintiff asked the Swiss authorities to arrest him in order to proceed to his hearing. After the OAG refused to proceed with his arrest, the plaintiff filed a motion for provisional measures before the Federal Criminal Court (FCC). The FCC ordered the OAG to hear Rifaat al-Assad without delay, and a short hearing took place, during which Rifaat al-Assad decided to remain silent.

In 2016, three other plaintiffs joined the criminal proceedings.

In 2017, TRIAL International filed an additional complaint, backed by various evidence, regarding Rifaat al-Assad's involvement in the Tadmor prison massacre that occurred in 1980. The complaint was dismissed by the OAG.

In September 2017, four years after the official opening of the investigation, one of the plaintiffs filed a petition alleging a denial of justice. The FCC dismissed it, considering that the extensive delay could be explained by the complexity of the case.

In August 2018, a letter to Switzerland signed by the United Nations special rapporteurs on torture and on the independence of judges and lawyers was published by the United Nations. It heavily criticized Switzerland for an alleged lack of independence and political interference notably concerning the case against Rifaat al-Assad. In five years of proceedings, only four witnesses and two plaintiffs had been heard.

In April 2021, a fifth plaintiff who had joined the case in October 2020 was heard by the OAG and in June the same year, one witness was heard. The investigation then continued, however at a slow pace: only one witness, whose hearing had been postponed in 2021, was heard in March 2022.

In early 2023, two complaints were closed as the plaintiffs could no longer be reached.

In August the same year, the FCC made public its order of 19 July 2022 to the Federal Office of Justice to issue an international arrest warrant that had been delivered by the OAG in November 2021 for Rifaat al-Assad. In the same order, the FCC confirmed that the Swiss authorities had jurisdiction to prosecute Rifaat al-Assad and to request his extradition to Switzerland.

## DEVELOPMENTS IN 2024

On 11 March 2024, the OAG closed its investigation and indicted Rifaat al-Assad not only on charges of war crimes, but also of crimes against humanity, considering that the facts were committed as part of a widespread and systematic attack launched against the population of the city of Hama.

On 31 November 2024, the FCC notified the parties that it intended to close the case on the grounds that Rifaat al-Assad's state of health would not allow him to travel to Switzerland or attend his trial and defend himself.

On 8 December 2024, the government of Bashar al-Assad was overthrown during a major offensive by the Syrian opposition. On the same day, Bashar al-Assad left Syria. Rifaat al-Assad's exact whereabouts remain uncertain.

## Follow-up on other cases

- Christoph Huber (UJAR 2020, p. 82): the investigation is ongoing.
- Investigation opened regarding timber trafficking across The Gambia and Senegal (UJAR 2023, p. 83): the investigation is ongoing.
- Investigation targeting oil trading scheme as possible complicity in international crimes (UJAR 2023, p. 86): the investigation is ongoing.
- Yuri Harauski (UJAR 2024, p. 101): awaiting appeal.
- Unknown – attack on Swiss journalist in Ukraine (UJAR 2024, p. 107): the investigation is ongoing.

# UNITED KINGDOM



## NEW CASE!

### FIVE BRITISH SOLDIERS INVESTIGATED ON SUSPICION OF WAR CRIMES WHILE ON OPERATIONS IN SYRIA IN 2022

Names withheld

#### Country of commission

Syria

#### Jurisdictional basis

Active personality

#### Suspects

Five British nationals, members of the Special Air Service (SAS) of the British army

#### Country of residence of suspects

United Kingdom

#### Charges

As the case is at the investigation stage, the suspects have not been formally charged. The investigation focuses on charges of murder and war crimes.

#### Current status

Under investigation

#### Facts

The case relates to the alleged murder by members of the British SAS of a suspected jihadist who was killed in operation in Syria in 2022. The five suspects are alleged to have used excessive force in the incident.

#### Procedure

The five suspects were arrested by British military police in March 2024. Case files recommending prosecution on murder charges were sent by service police to the Service Prosecuting Authority, the military equivalent of the Crown Prosecution Service. It remains uncertain whether the arrests will result in prosecution.

## NEW CASE!

### RWANDAN NATIONAL INVESTIGATED ON SUSPICION OF GENOCIDE AND CRIMES AGAINST HUMANITY COMMITTED IN RWANDA IN 1994

Name withheld

#### Country of commission

Rwanda

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Name withheld, Rwandan national

#### Country of residence of suspect

United Kingdom

#### Charges

As the case is at the investigation stage, the suspect has not been formally charged. The investigation focuses on charges of genocide and crimes against humanity.

#### Current status

Under investigation

#### Facts

The suspect is suspected of involvement in the 1994 genocide in Rwanda.

#### Procedure

On 25 January 2024, specialist officers from the Metropolitan Police's War Crimes team arrested a Rwandan man in Gateshead. He was taken for questioning in Newcastle about allegations that he was involved in the 1994 genocide against the Tutsi. He was subsequently released on bail while inquiries continue.

The police have made clear that this arrest is separate from the long-standing and on-going investigation by the same war crimes unit into five alleged genocidaires who have been in the United Kingdom for two decades.

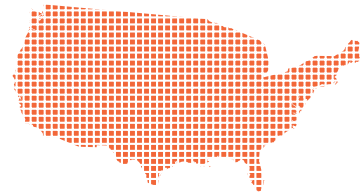
## Follow-up on other cases

- Vincent Bajinya, Célestin Ugirashebuja, Charles Munyaneza, Emmanuel Nteziryayo and Célestin Mutabaruka (UJAR 2022, p. 89): the investigation is ongoing.
- Afghan national (UJAR 2024, p. 108): the investigation is ongoing.
- Angolan national (UJAR 2024, p. 109): the investigation is ongoing.
- Gambian national (UJAR 2024, p. 119): the investigation is ongoing.
- Iranian national (UJAR 2024, p. 111): the investigation is ongoing.
- Kuwaiti national (UJAR 2023, p. 90): the investigation is ongoing.
- Libyan national (UJAR 2024, p. 115): the investigation is ongoing.
- Sri Lankan nationals (UJAR 2024, p. 117): the investigation is ongoing.
- Syrian national (UJAR 2024, p. 118): the investigation is ongoing.

## Ongoing structural investigations

- Structural investigation in relation to core international crimes committed by the former Syrian regime since 2011 (opened in October 2023).
- Structural investigation in relation to core international crimes committed against the Yazidis (opened in June 2021).
- Structural investigations in each of the countries under investigation by the International Criminal Court (opened in June 2023).

# UNITED STATES OF AMERICA



## NEW CASE!

### FIRST UNITED STATES INDICTMENT FOR WAR CRIMES COMMITTED IN UKRAINE

Dmitry Budnik, Suren Seiranovich Mkrtychyan and two other men known only by their first names, Valerii and Nazar

**Country of commission**  
Ukraine

**Jurisdictional basis**  
Passive personality

**Suspects**  
Dmitry Budnik, Suren Seiranovich Mkrtychyan, Valerii (last name unknown) and Nazar (last name unknown), Russian nationals, affiliated with Russian Armed Forces and/or Russia-backed armed groups operating in the Donetsk region

**Country of residence of suspects**  
Unknown

**Charges**  
Conspiracy to commit war crimes; war crimes of unlawful confinement of a protected person, torture, inhuman treatment

**Current status**  
Indicted; current location of suspects unknown

## Facts

According to the indictment, the defendants were commanding officers and/or military personnel in the Russia-backed armed groups operating in the Donetsk region or the Russian Armed Forces. The four defendants allegedly fought in Ukraine on behalf of Russia. In April 2022, the defendants and other soldiers allegedly kidnapped a United States national from his home in Mylove in the Kherson Oblast region in southern Ukraine. The defendants allegedly unlawfully confined the victim for at least 10 days and tortured him, including by stripping him naked, pointing a gun at his head, threatening to sexually assault and execute him and severely beating him. The defendants then reportedly forcibly transported their victim to a military compound.

## Procedure

On 6 December 2023, an indictment was issued charging the four defendants with the war crimes of unlawful confinement of a protected person, torture and inhuman treatment, along with conspiracy to commit war crimes. The four defendants have not been arrested, and may not be present in the United States.

These are the first-ever charges under the 1996 War Crimes Act, 18 U.S. Code § 2441, which provides criminal jurisdiction over war crimes committed extraterritorially where the offender or the victim is a United States national or, since the 2023 amendment of the Act, where the offender is present in the United States.

## NEW CASE!

### FORMER SYRIAN INTELLIGENCE OFFICERS CHARGED WITH WAR CRIMES

Jamil Hassan and Abdul Salam Mahmoud

**Country of commission**  
Syria

**Jurisdictional basis**  
Passive personality

**Suspects**  
Jamil Hassan, Syrian national, former director of the Syrian Air Force Intelligence (SAFI) and Abdul Salam Mahmoud, Syrian national, former brigadier general in SAFI and director of the SAFI branch in Damascus

**Country of residence of suspects**  
Unknown

**Charges**  
War crime of cruel or inhuman treatment

**Current status**  
Indicted; current location of suspects unknown

## Facts

SAFI was one of four intelligence agencies of the former Syrian regime. SAFI was used by the regime to surveil, detain, abuse and kill its opponents. It controlled a number of detention facilities and prisons in Syria, including prisons located at the Mezzeh Military Airport complex in Damascus.



According to the indictment, as director of SAFI, Jamil Hassan oversaw a network of detention facilities and prisons, including those located in the Mezzeh Military Airport complex in Damascus. He is alleged to have had the authority to decide who would be detained or released and to dictate the level of physical or mental abuse a detainee received. As Hassan's subordinate, Abdul Salam Mahmoud is alleged to have been in charge of SAFI operations at the complex, to have implemented Hassan's instructions regarding the detention and treatment of detainees and to have had authority over other SAFI prison personnel.

In these roles, Hassan and Mahmoud are alleged to have been responsible for subjecting detainees to physical and mental abuse, including whippings, beatings, electrocutions, burning of victims with cigarettes, hot liquids, and acid, threatening victims with death and physical abuse, threatening to harm victims' family members and denying victims adequate food, water and medical treatment.

#### Procedure

On 18 November 2024, a grand jury issued an indictment charging Hassan and Mahmoud with multiple counts of the war crime of cruel or inhuman treatment of victims within their custody or control. The charges relate to conduct inflicted on United States citizens, Syrian citizens, and dual national citizens detained at prisons located at the Mezzeh Military Airport during the period of 1 January 2012 until at least July 2019. On 9 December 2024, the indictment was unsealed in the Northern District of Illinois.

In May 2024, Hassan and Mahmoud were separately convicted *in absentia* of crimes against humanity and war crimes in France (see p. 36)

## UPCOMING TRIAL OF ALLEGED FORMER MEMBER OF THE JUNGLERS ON SUSPICION OF TORTURE COMMITTED IN THE GAMBIA

Michael Sang Correa

#### Country of commission

The Gambia

#### Jurisdictional basis

Universal jurisdiction

#### Suspect

Michael Sang Correa, Gambian national, alleged former member of the *Junglers* paramilitary group

#### Country of residence of suspect

United States of America

#### Charges

Six counts of torture and one count of conspiracy to commit torture

#### Current status

Indicted; awaiting trial; detained

#### Facts

The Gambia was under the control of Yahya Jammeh from 1994 to 2016. During his dictatorship, human rights violations, including enforced disappearances, torture, extrajudicial killing, sexual violence and arbitrary detention were widespread. The *Junglers* were a death squad that answered directly to President Jammeh and were considered one of the most brutal enforcement arms of Jammeh's regime. In 2015, the United Nations special rapporteur on torture found that the *Junglers* carried out the regime's most repressive abuses: arbitrary detention, torture, enforced disappearance and extrajudicial killing.

Michael Sang Correa is alleged to be a former member of the *Junglers* death squad. Correa and other *Junglers* allegedly tortured detainees in the Mile 2 Prison and the National Intelligence Agency Headquarters. According to the

indictment against him, Correa and other *Junglers* tortured suspected coup d'état participants for confessions, including by beating their victims with plastic pipes, wires and branches; suffocating them with plastic bags; dripping molten plastic and acid on their bodies; and subjecting them to electric shocks.

In 2016, Adama Barrow defeated Jammeh in a presidential election and launched the Truth, Reconciliation and Reparations Commission (TRRC) to reckon with Jammeh's legacy of human rights abuses. The TRRC issued its findings on 24 December 2021 and called for the prosecution of those most responsible for gross human rights violations and abuses during Jammeh's rule, including the former president and members of the *Junglers* paramilitary unit. During the TRRC hearings in The Gambia, former members of the *Junglers* publicly testified about the crimes they committed under Jammeh's orders. Several victims testified that Correa personally tortured them or was present while other *Junglers* tortured them.

#### Procedure

On 17 September 2019, the United States Department of Homeland Security arrested Correa in Denver, Colorado for overstaying his visa. Correa was placed in immigration detention and removal proceedings. He applied for asylum, but his application was denied in January 2020. Correa appealed his asylum denial in February 2020, and his removal from the United States was stayed pending the resolution of his appeal.

Following news of his detention, Correa's victims and a coalition of human rights organizations, including the Center for Justice and Accountability, the African Network Against Extrajudicial Killings and Enforced Disappearances, the Gambia Center for Victims

of Human Rights Violations, the Guernica Centre for International Justice, Human Rights Watch, the Solo Sandeng Foundation and TRIAL International, called on the United States to investigate the credible allegations of grave international crimes committed by Correa in The Gambia.

On 11 June 2020, the United States Attorney for the District of Colorado announced Correa's indictment under the Torture Act on six counts of torture and one count of conspiracy to commit torture. Following this announcement, the Gambian Ministry of Justice issued a press release in support of the indictment. Correa has pled not guilty to the charges against him and is currently in detention awaiting trial. In October 2023, the United States District Court for the District of Colorado scheduled Correa's trial for two weeks starting on 16 September 2024.

In December 2023, Correa filed two motions challenging the indictment. He argued that the United States Congress lacked constitutional authority to enact the Torture Act. Correa also argued that the prosecution of a noncitizen for crimes committed entirely within the jurisdiction of another sovereign State violated his rights to due process.

#### DEVELOPMENTS IN 2024

In February 2024, the court denied both of Correa's motions challenging the indictment. The court affirmed that the US Congress has constitutional authority to enact criminal statutes codifying US obligations under international treaties, such as the Convention Against Torture. The court also concluded that Correa had "receive[d] fair warning that he could face prosecution for his actions," "because he is alleged

to have committed an offense (1) in violation of a statute implementing an international treaty which provided global notice of proscribed conduct, and/or (2) which is universally condemned such that he was on notice of potential future prosecution." While the court found "that nexus to the United States is not required" to comply with Correa's due process rights, any nexus requirement was satisfied "by Mr. Correa's willful travel to the United States and prolonged presence in this country," along with one victim's US citizenship.

On 19 August 2024, Correa filed a motion to dismiss the indictment against him, arguing that the charges were not timely. The court denied this motion.

On 30 August 2024, less than three weeks before Correa's trial was scheduled to begin, he filed another motion to dismiss the indictment. He explained that two witnesses whose testimony he wished to present in support of his defense refused to travel to the United States without immunity from prosecution. He argued that the United States government's refusal to grant immunity to these two witnesses violated his right to due process. The court denied this motion. In a second motion, Correa sought to delay the trial so that his attorneys could travel to The Gambia to record oral testimony from these two witnesses. On 11 September 2024, the court granted Mr. Correa's motion. The trial is now scheduled for April 2025.

## FORMER UNITED STATES CONTRACTOR CONVICTED AND SENTENCED FOR TORTURE COMMITTED IN IRAQ

Ross Roggio and Roggio Consulting Co., LLC

**Country of commission**  
Iraq

**Jurisdictional basis**  
Active personality

**Suspects**  
Ross Roggio, United States national; Roggio Consulting Company, LLC

**Country of residence of suspect**  
United States of America

**Charges**  
Torture and conspiracy to commit torture; money laundering; wire fraud; and illegal export of goods

**Current status**  
Convicted; sentenced to 70 years in prison; conviction and sentence under appeal

**Facts**  
Roggio owns and operates Roggio Consulting Company, LLC. In 2015, Roggio and Roggio Consulting Company, LLC allegedly conspired to illegally export items and defense services from the United States to Iraq, including M4 Bol Gas Rings MIL, Firing Pin Retainers and Rifling Combo Buttons.

Roggio allegedly failed to obtain the requisite licensing or written approval from the United States Department of Commerce and the United States Department of State. In addition, Roggio and his firm allegedly committed wire fraud by providing false information about end users when purchasing items from a United States company. The items were then allegedly sent to Iraq where the parts were utilized to manufacture firearms at a plant constructed and operated in part by Roggio. Throughout this process,

Roggio also allegedly laundered money from Iraq to bank accounts in Pennsylvania.

According to the conviction, when one of Roggio's employees raised concerns about the weapons production project in Kurdistan, Roggio ordered Kurdish soldiers to abduct and detain the employee at a Kurdish military compound for approximately thirty-nine days. While the employee was detained, Roggio allegedly led a series of interrogation sessions where he wrapped his belt around the employee's neck and yanked the employee off the ground, which led the employee to lose consciousness. Roggio also directed Kurdish soldiers to suffocate the employee with a plastic bag, shock the employee with a taser, beat the employee with rubber hoses, threaten to cut off the employee's finger and force the employee to run barefoot over sharp gravel. Throughout the time the employee was detained at the military compound, Roggio also repeatedly told the employee they might not make it out of the military compound alive.

#### Procedure

On 20 March 2018, a thirty-seven-count indictment was issued charging Roggio and Roggio Consulting Company, LLC with criminal conspiracy, money laundering, wire fraud and illegal export of goods. On 23 March 2018, Roggio pled not guilty and was arrested. In February 2022, a superseding indictment was issued also charging Roggio with torture and conspiracy to commit torture against one of his employees in violation of Title 18, U.S.C § 2340, 2340A(c), 2340A(a) and 2.

On 19 May 2023, a federal jury convicted Roggio of torture, conspiracy to commit torture, conspiracy to commit an offense against the United States, exporting weapons parts and services to Iraq without the approval of the Department of State or the Department of Commerce, smuggling goods, wire fraud and money laundering.

#### DEVELOPMENTS IN 2024

On 15 April 2024, Roggio was sentenced to 70 years in prison. He has appealed his conviction and sentence. The appeal will be heard in 2025.

#### NEW CASE!

### FORMER HEAD OF DAMASCUS CENTRAL PRISON AND GOVERNOR OF DEIR EZ-ZOR CHARGED WITH TORTURE

Samir Ousman Alsheikh

Country of commission  
Syria

Jurisdictional basis  
Universal jurisdiction

#### Suspects

Samir Ousman Alsheikh, Syrian national, former head of Damascus Central Prison (Adra Prison) and former governor of Deir ez-Zor

Country of residence of suspect  
United States of America

#### Charges

Torture and conspiracy to commit torture; fraud and misuse of visas; attempted unlawful procurement of naturalization

#### Current status

Indicted; awaiting trial; detained

#### Facts

Damascus Central Prison, colloquially known as Adra Prison, was a prison operated by the Syrian Interior Ministry for the detention of political dissidents and prisoners accused or convicted of other crimes.

The prison is reported to have contained a "punishment wing", located in a below-ground section of the building, which included small isolation cells where prisoners were detained in extremely cold conditions, allowed to wear only minimal or no clothing and were provided with inadequate or inedible food. The wing also contained a room in which prisoners were interrogated and subjected to numerous forms of torture, including beatings with batons and cables, being suspended

from the ceiling by their wrists for hours, being shocked with electric prods and burned with heated metal rods and being subjected to a device known as the "Flying Carpet", which folded prisoners' bodies in half at the waist, causing excruciating pain and sometimes resulting in fractured spines.

According to the indictment, in his role as head of the prison during the period 2005 to 2008, Samir Ousman Alsheikh ordered subordinates and was sometimes personally involved in interrogating and torturing prisoners in the "punishment wing", including by beating them, suspending them from the ceiling with their arms extended and subjecting them to the "Flying Carpet".

Alsheikh is reported to have immigrated to the United States in 2020 and applied for US citizenship in 2023.

#### Procedure

On 10 July 2024, Alsheikh was arrested at Los Angeles International Airport for making false statements related to his role in torture allegedly committed in Adra Prison in his applications for permanent residency and US citizenship. On 22 August 2024, he filed a request to be released from detention pending trial. The US District Court for the Central District of California denied the request and ordered he remains detained pending trial.

On 12 December 2024, a superseding indictment was issued charging Alsheikh with torture and conspiracy to commit torture, fraud and misuse of visas, and attempted unlawful procurement of naturalization. The charges of torture relate to his conduct as head of Adra Prison during the period 2005 to 2008.

#### Follow-up on other cases

- Umm Sayyaf (UJAR 2022, p. 94): the investigation is closed.





**Table of**

**Cases**

- \* ● For defendants who were formally charged or convicted, charges are marked by a **black** symbol.  
 ● For those who have not yet been formally charged, alleged crimes are marked by a **grey** symbol.

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Álvaro Uribe Velez	Argentina	Colombia		●	●			Under investigation	16
Aung San Suu Kyi and others	Argentina	Myanmar	●	●				Under investigation	17
Daniel Ortega and others	Argentina	Nicaragua		●				Under investigation; arrest warrants issued	18
Nicolás Maduro and others	Argentina	Venezuela		●				Under investigation; arrest warrants issued	19
Rodolfo Martín Villa	Argentina	Spain		●				Under investigation	20
Unknown members of the Chinese authorities	Argentina	China	●	●				Case dismissed; under appeal	21
<b>Active personality</b> Oliver Schulz	Australia	Afghanistan			●			Indicted; awaiting confirmation of the charges	23
<b>Active personality</b> A.B.	Belgium	Palestine			●			Under investigation	24
E.K.	Belgium	Rwanda			●			Indicted; awaiting trial	24
Emmanuel Nkunduwimye	Belgium	Rwanda	●		●			Convicted; sentenced to 25 years in prison; awaiting appeal	25
Ernest Gakwaya	Belgium	Rwanda	●		●			Indicted; awaiting trial; detained	25
<b>Active personality</b> Etienne Davignon and Jacques Brassine de la Buisserie	Belgium	Democratic Republic of the Congo			●			Investigation into Etienne Davignon completed; Jacques Brassine de la Buisserie passed away	25
Hossin A.	Belgium	Syria		●	●			Charged while under investigation	26
Martina Johnson	Belgium	Liberia		●	●			Investigation completed; awaiting confirmation of the charges; on conditional release	27
Pierre Basabosé	Belgium	Rwanda	●		●			Convicted; committed to indefinite internment in a medical establishment; sentence confirmed on appeal	28



DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Séraphin Twahirwa	Belgium	Rwanda	•		•			Convicted; sentenced to life imprisonment; sentence confirmed on appeal; detained	28
<b>Active personality</b> S.D.	Belgium	Syria or Iraq						Investigation completed; awaiting confirmation of the charges; current location unknown	29
S.M.	Belgium	Rwanda			•			Under investigation; detained	29
V.K.	Belgium	Rwanda	•		•			Charged while under investigation	29
<b>Active personality</b> Ahmed Fouad Mostafa Eldidi	Canada	Iraq			•			Indicted; awaiting trial; detained	31
Yan Petrovsky	Finland	Ukraine			•			On trial; detained	32
<b>Active personality</b> Adib Mayaleh (André Mayard)	France	Syria		•	•			Under investigation; placed under the status of assisted witness	34
<b>Passive personality</b> Ali Mamlouk, Jamil Hassan and Abdel Salam Mahmoud	France	Syria		•	•			Convicted in absentia; sentenced to life imprisonment	35
Amesys and two of its executives	France	Libya				•		Under investigation; five indictments issued, two dismissed	36
<b>Passive personality</b> Bashar al-Assad, Maher al-Assad, Ghassan Abbas, Bassam al-Hassan	France	Syria		•	•			Under investigation; international arrest warrants issued; one arrest warrant under appeal	37
<b>Active personality</b> BNP Paribas and senior staff members	France	Sudan	•	•		•		Under investigation	38
Eugène Rwamucyo	France	Rwanda	•	•				Convicted; sentenced to 27 years in prison; awaiting appeal trial; detained	38

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
<b>Passive personality</b> Bashar al-Assad, Fahed Jassem al-Fraj, Ali Abdallah Ayoub, Ahmad Balloul, Ali Safetli, Nadim al-Jourdi, Ibrahim al-Chaher	France	Syria			•			Investigation completed; international arrest warrants issued	39
Kunti Kamara	France	Liberia		•		•		Conviction confirmed on appeal; case closed	40
<b>Active personality</b> Lafarge SA and top executives	France	Syria		•				Charged while under investigation	41
<b>Active personality</b> Lolita C.	France	Syria	•	•				Charged while under investigation; detained	43
Madjaliwa Safari	France	Rwanda	•	•				Indicted; detained	44
Mahamat Nouri	France	Chad and Sudan						Case dismissed	44
Majdi Nema (alias Islam Alloush)	France	Syria			•			Indicted; awaiting trial; detained	45
Callixte Mbarushimana	France	Rwanda						Case dismissed; under appeal	46
<b>Active personality</b> Nabil Greseque	France	Syria	•	•				Under investigation	47
Nexa Technologies and four executives and employees	France	Egypt				•	•	Under investigation; indictments dismissed	47
Philippe Hategekimana (Philippe Manier)	France	Rwanda	•	•				Convicted; sentenced to life imprisonment; confirmed on appeal; detained	48
Roger Lumbala Tshitenga	France	Democratic Republic of the Congo		•				Indicted; awaiting trial; detained	49
<b>Active personality</b> Sabri Essid	France	Syria	•	•				Indicted; awaiting trial; location of the suspect unknown	50

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
<b>Active personality</b> Several multinational garment companies	France	China						Case dismissed; under appeal	51
<b>Active personality</b> Sonia Mejri	France	Syria		•				Indicted; awaiting trial; detained	52
<b>Active personality</b> Abdelnasser Benyoucef (alias About Mouthana)	France	Syria	•	•				Indicted; presumed dead in Syria	52
Sosthène Munyemana	France	Rwanda	•	•				Convicted; sentenced to 24 years in prison; awaiting appeal trial; detained	52
<b>Passive personality</b> Unknown - investigation into killing of two French humanitarians	France	Ukraine			•			Under investigation	53
<b>Passive personality</b> Unknown - investigation into deaths of French journalists	France	Ukraine			•			Under investigation	54
<b>Active personality</b> Unknown members of the French military	France	Rwanda						Case dismissed; under appeal	54
Ahmad H.	Germany	Syria		•	•			Convicted; sentenced to ten years in prison; detained	56
Alaa M.	Germany	Syria		•				On trial; detained	57
Ammar A.	Germany	Syria		•	•			On trial; detained	58
Anwar Raslan	Germany	Syria		•				Convicted; sentenced to life imprisonment; confirmed on appeal; detained	58
Eyad al-Gharib	Germany	Syria		•				Convicted; sentenced to four and a half years in prison; confirmed on appeal; detained	58
Bai L.	Germany	The Gambia		•				Convicted; sentenced to life imprisonment; confirmed on appeal; detained	60

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Jihad A., Mahmoud A., Sameer S., Wael S. and Mazhar J.	Germany	Syria		•	•			Under investigation; detained	61
<b>Passive personality</b> Unknown - killing of a German-Palestinian family	Germany	Palestine						Under investigation	62
<b>Passive personality</b> Unknown - shooting of civilians in Ukraine	Germany	Ukraine			•			Under investigation	63
Zakaria B.	Germany	Syria			•			Convicted; suspended sentence of one and a half years in prison	63
Abdel J.S.	Germany	Iraq						Convicted; acquitted of war crimes; sentenced to four years in prison; detained	64
Amer A., Basel O. and Sohail A.	Germany	Syria			•			On trial; detained	65
<b>Active personality</b> Deniz B.	Germany	Syria and Iraq			•			Convicted; sentenced to five years in prison; detained	66
<b>Active personality</b> Jennifer W.	Germany	Iraq		•	•			Conviction confirmed on appeal; sentenced to 14 years in prison	66
Mohammad A. and Asmael K.	Germany	Syria			•			On trial; detained	67
Moustafa M.	Germany	Syria			•			On trial; detained	68
Ossama A.	Germany	Syria	•	•	•			Indicted; detained	68
Raed E.	Germany	Syria		•	•			Convicted; sentenced to 11 years in prison; appeal dismissed	69
Samra N.	Germany	Syria						Convicted; acquitted of war crimes; two-year suspended juvenile sentence	70

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Twana H. S. and Asia R. A.	Germany	Syria and Iraq	•	•	•			Indicted; detained	70
<b>Passive personality</b> Boris B., Vyacheslav K., Pavel M.	Lithuania	Ukraine		•	•			Indicted	72
<b>Active personality</b> Abdul Razaq Arif	Netherlands	Afghanistan			•			Conviction overturned on appeal; acquittal under appeal	73
<b>Active personality</b> Ayada K.	Netherlands	Syria			•			Under investigation; detained	74
Ayham al-S.	Netherlands	Syria			•			Indicted; detained	74
<b>Active personality</b> Hasna Aarab	Netherlands	Syria		•				Convicted; sentenced to ten years in prison; detained	75
<b>Active personality</b> Krista Van T.	Netherlands	Syria						Convicted; acquitted of war crimes; sentenced to four years in prison; detained	76
Mustafa A.	Netherlands	Syria		•	•			Convicted; sentenced to 12 years in prison; under appeal	76
Pierre-Claver Karangwa	Netherlands	Rwanda	•					Under investigation; detained	77
<b>Active personality</b> Xavier S.	Netherlands	Syria			•			Convicted; acquitted of war crimes; sentenced to 860 days in prison; under appeal	77
<b>Active personality</b> Yusra Lemouesset	Netherlands	Syria			•			Convicted; acquitted of war crimes on appeal; sentenced to 2 years' imprisonment; under appeal	78
<b>Active personality</b> Name withheld – Suriname-born Dutch national	Netherlands	Suriname			•			Under investigation; detained	79
<b>Active personality</b> Name withheld – Dutch national	Netherlands	Rwanda			•			Under investigation; detained	79

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Name withheld - Syrian national	Netherlands	Syria		•		•		Indicted; detained	80
Ammar Ameen	Portugal	Iraq			•			Convicted; sentenced to 16 years in prison; awaiting appeal; detained	81
Yaser Ameen	Portugal	Iraq						Convicted; sentenced to ten years in prison; awaiting appeal; detained	81
<b>Active personality</b> Manuel Terrén	Spain	Sierra Leone		•	•			Under investigation; under provisional release	82
<b>Active personality</b> Alex Schneider and Ian Lundin	Sweden	Sudan			•			On trial	83
Hamid Noury	Sweden	Iran			•			Convicted; sentenced to life imprisonment; sentence confirmed on appeal; released in prisoner exchange	84
<b>Active personality</b> Lina Laina Ishaq	Sweden	Syria	•	•	•			On trial; detained	85
Mohammed Hamo	Sweden	Syria						Acquitted	86
Munzer Al Hasan	Sweden	Syria			•			Convicted; four month suspended sentence	87
Walid Al Zaytun	Sweden	Syria						Acquitted	88
<b>Active personality</b> Names withheld - three Swedish nationals	Sweden	Syria		•	•			Under investigation; detained	88
Alieu Kosiah	Switzerland	Liberia		•	•			Sentence confirmed on appeal; sentenced to 20 years in prison; detained; under appeal	90

DEFENDANT(S)	COUNTRY OF PROSECUTION	COUNTRY OF COMMISSION	CHARGES / ALLEGED CRIMES*					CURRENT STATUS	PAGE
			Genocide	Crimes against humanity	War crimes	Torture	Enforced disappearance		
Ousman Sonko	Switzerland	The Gambia		●				Convicted; sentenced to 20 years in prison; awaiting appeal; detained	91
Rifaat al-Assad	Switzerland	Syria		●	●			Indicted	92
<b>Active personality</b> Names withheld - Five British soldiers	United Kingdom	Syria			●			Under investigation	94
Name withheld - Rwandan national	United Kingdom	Rwanda	●	●				Under investigation	95
<b>Passive personality</b> Dmitry Budnik, Suren Seiranovich Mkrtychyan, Valerii and Nazar	United States of America	Ukraine			●			Indicted; current location of suspects unknown	96
<b>Passive personality</b> Jamil Hassan and Abdul Salam Mahmoud	United States of America	Syria			●			Indicted; current location of suspects unknown	96
Michael Sang Correa	United States of America	The Gambia				●		Indicted; awaiting trial; detained	97
<b>Active personality</b> Ross Roggio and Roggio Consulting Co., LLC	United States of America	Iraq				●		Convicted; sentenced to 70 years in prison; conviction and sentence under appeal	98
Samir Ousman al-Sheikh	United States of America	Syria				●		Indicted; awaiting trial; detained	99

# Who

# We Are

## TRIAL INTERNATIONAL

TRIAL International is a non-governmental organization fighting impunity for international crimes and supporting victims in their quest for justice. TRIAL International takes an innovative approach to the law, paving the way to justice for survivors of unspeakable suffering. The organization provides legal assistance, litigates cases, develops local capacity and pushes the human rights agenda forward.

[www.trialinternational.org](http://www.trialinternational.org)

## THE CENTER FOR JUSTICE AND ACCOUNTABILITY

The Center for Justice and Accountability (CJA) is a United States-based human rights organization dedicated to accountability for torture, war crimes, crimes against humanity and other grave abuses. Using innovative litigation and transitional justice strategies, CJA partners with survivors and their communities to seek truth, justice and redress for atrocity.

[www.cja.org](http://www.cja.org)

## CIVITAS MAXIMA

Civitas Maxima, based in Geneva (Switzerland), is an independent non-governmental organization that supports and assists forgotten victims of war crimes and crimes against humanity, helping them to obtain justice before foreign or international courts in situations where legal actions have failed or are impossible at the domestic level. It documents crimes, initiates legal proceedings and provides assistance to judicial authorities. It shares its knowledge and expertise to strengthen the capacity of civil society groups and legal practitioners. It informs the public and communities in the countries where the crimes were committed about trials and advancements in international justice.

[www.civitas-maxima.org](http://www.civitas-maxima.org)



## THE EUROPEAN CENTER FOR CONSTITUTIONAL AND HUMAN RIGHTS

The European Center for Constitutional and Human Rights (ECCHR) is an independent, non-profit organization based in Berlin that makes use of groundbreaking strategic legal intervention to challenge impunity, injustice and human rights violations worldwide. ECCHR aims to hold the responsible state and non-state actors accountable and to bring about political, economic, legal and social change. In order to achieve that, ECCHR works closely with partners from around the world.

[www.ecchr.eu](http://www.ecchr.eu)

## THE INTERNATIONAL FEDERATION FOR HUMAN RIGHTS

The International Federation for Human Rights (FIDH) was established in 1922, and today unites 188 member organizations in 116 countries around the world. It takes action to protect, support and raise the voices of human rights defenders and victims of grave abuses, through investigation, prosecution and advocacy. FIDH influences political decision-makers, intergovernmental organisations, businesses and citizens to ensure that all civil, political, economic, social, environmental and cultural rights are respected.

[www.fidh.org](http://www.fidh.org)

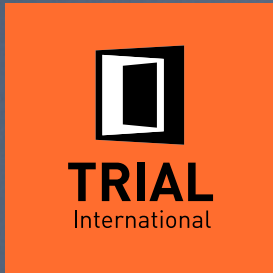
## REDRESS

REDRESS is a non-governmental organization that pursues legal claims on behalf of survivors of torture in the United Kingdom and around the world to obtain justice and reparation for the violation of their human rights. It empowers survivors to access justice through cases against governments, civil cases against individuals and cases where it advocates for law enforcement bodies to prosecute perpetrators under the principle of universal jurisdiction. REDRESS's approach is strategic, so that as well as representing an individual it targets the policy reasons that enabled the torture to take place, by building a campaign that uses advocacy, community engagement and communications to influence change.

[www.redress.org](http://www.redress.org)







[www.trialinternational.org](http://www.trialinternational.org)

This document has been produced with the financial assistance of the City of Geneva, the European Union, Oak Foundation and the Taiwan Foundation for Democracy. The contents of this document are the sole responsibility of TRIAL International and can under no circumstances be regarded as reflecting the position of the above-mentioned donors.



Co-funded by  
the European Union

