UNIVERSAL JURISDICTION ANNUAL REVIEW 2015



TRIAL
track impunity always

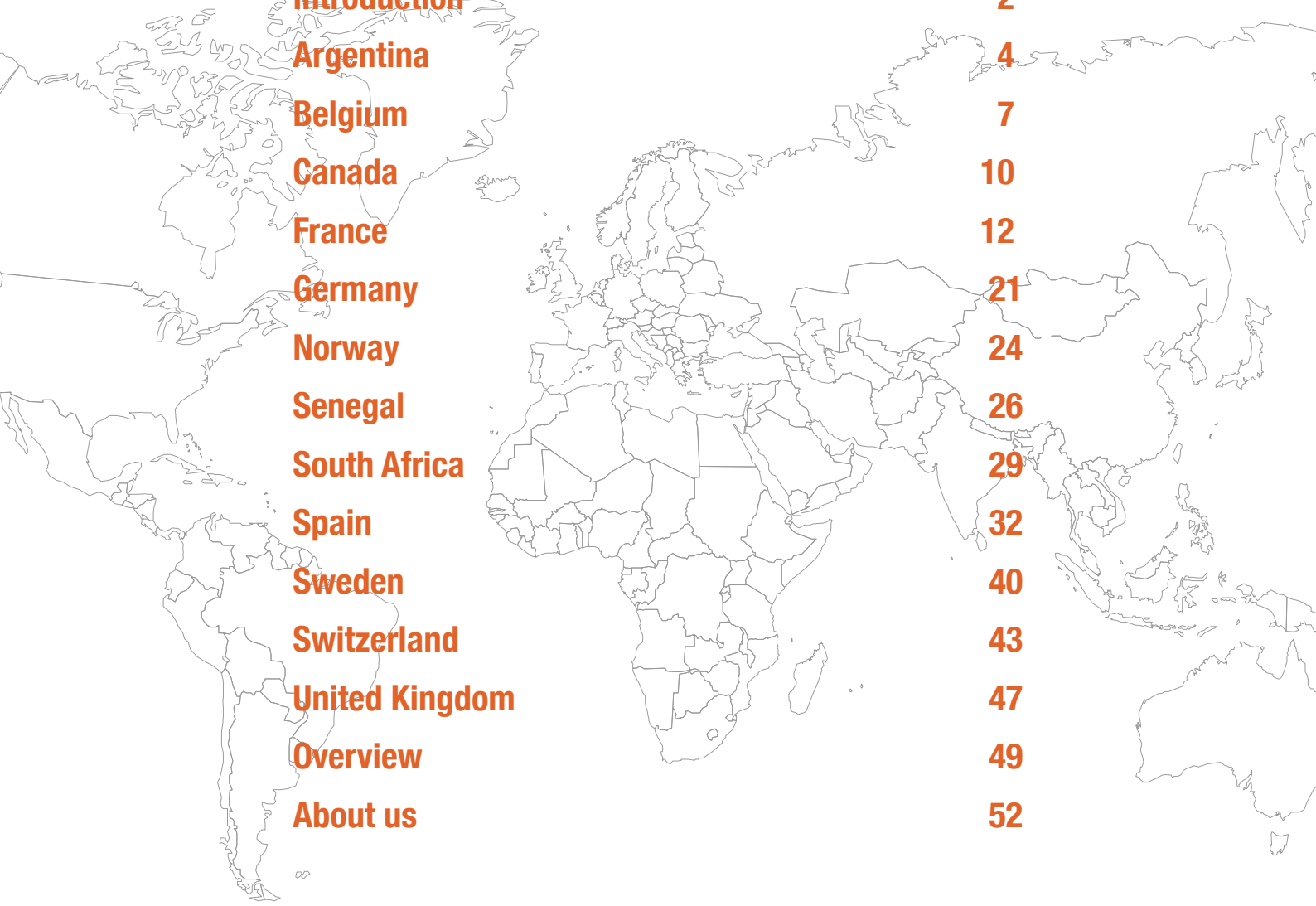
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INTRODUCTION

On 30 October 2014, South Africa's Constitutional Court ruled that the South African Police Service must investigate crimes against humanity allegedly committed in Zimbabwe in 2007. The Constitutional Court's landmark judgment was based on the principle of "universal jurisdiction" which provides any national jurisdiction with the competence to investigate, prosecute and judge the alleged perpetrator of certain serious crimes under international law - including genocide, crimes against humanity, war crimes, torture and enforced disappearance - irrespective of where the crime took place and irrespective of the nationality of the perpetrator or the victim. Universal jurisdiction is a principle of international law based on the recognition that certain crimes are so horrific that they affect the international community as a whole.

Universal jurisdiction is therefore a key component in the fight against impunity, in addition to a State's competence to exercise jurisdiction over crimes committed on its territory (territorial jurisdiction), crimes committed by one of its nationals (active personality principle) or against one of its nationals (passive personality principle).

Where the traditional forum (territorial state or state of the perpetrator) is unable or unwilling to act, victims may also sometimes see justice done through the intervention of an international jurisdiction or through the permanent International Criminal Court (ICC). International jurisdictions are however constrained by a limited mandate, specific to a territory or to a conflict, such as the two *ad-hoc* tribunals for the Former Yugoslavia and Rwanda, or the Special Court for Sierra Leone. The jurisdiction of the ICC on the other hand is limited to crimes committed after 1 July 2002.

In light of the limited mandate of international jurisdictions, the Office of the Prosecutor of the ICC warned that there is a "risk of an impunity gap unless national authorities, the international community and the ICC work together to ensure that all appropriate means for bringing other perpetrators to justice are used." Resorting to universal jurisdiction is therefore crucial for closing this impunity gap. An increasing number of States around the world has enforced legislation on universal jurisdiction to hold perpetrators accountable for their crimes and bring justice to victims.

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This first "Universal Jurisdiction Annual Review: Make way for Justice" is a retrospective of the relevant developments in twelve countries where universal jurisdiction proceedings took place in 2014. The findings in this report demonstrate that despite obstacles to the investigation and prosecution of serious crimes under international law, a significant practice has taken shape globally over the course of 2014. In the majority of the identified countries, civil society, victims and/or lawyers have been the driving force behind universal jurisdiction cases, while, in others, criminal justice authorities pro-actively seek to prevent their territory from being used as a safe haven by suspected perpetrators of international crimes. On the thirty-seven cases addressed in this report, progress was made in more than twelve cases, while in five other cases, individuals were found guilty of having participated in the 1994 genocide in Rwanda. In the twelve countries addressed, thirty-one cases are still ongoing, involving nineteen charges of genocide, fifteen charges of crimes against humanity and eight charges of war crimes.

The present report only highlights cases where a judge or prosecutor has initiated an investigation into the most serious international crimes. It does not, therefore, include the further complaints that victims, lawyers and NGOs filed under universal jurisdiction with national authorities during 2014, which did not result in significant advances, are still pending or have been dismissed by relevant national authorities. Exceptionally, the report will also refer to cases of serious crimes under international law based on active or passive personality jurisdiction where the relevant case has also had an impact on the practice of universal jurisdiction.

This report has been researched and written by Valérie Paulet, Project Coordinator from TRIAL, in collaboration with the European Center for Constitutional and Human Rights and the International Federation for Human Rights (Known by its French acronym FIDH). The organisations are grateful to the following for their assistance and collaboration in collecting the information compiled in this report: to Juergen Schurr from REDRESS for his precious collaboration and comments, Hugo Relva, from Amnesty International, for his comments on the Argentinean case profiles and his general advice and guidance; to Juan Adolfo Maida, for his expertise on the Paraguayan indigenous community case; to Vidal Martin for his expertise on the Jesuit murders case and the Guatemalan genocide case; to Ignacio Jovtis, from Amnesty International Spain for his advice; and to the volunteers who helped with research for the report (Margherita D'Ascanio and Shanthi Sivakumaran).

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ARGENTINA

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ARGENTINA
JUDICIAL DEVELOPMENTS

FRANCO DICTATORSHIP CASE

CONTEXT

Ongoing proceedings in Argentina against former Spanish officials and other actors of the Franco dictatorship for alleged serious crimes under international law committed in Spain between 1936 and 1977.

SUSPECTS

Former Spanish officials and other actors of the Franco dictatorship (including González Pacheco, former police officer, and Jesús Muñecas Aguilar, former captain of the civil guard and former government ministers Rodolfo Martín Villa and Jose Utrera Molina).

COUNTRY OF RESIDENCE OF SUSPECTS

Spain

CHARGES

Crimes against humanity, including torture, extrajudicial killings and enforced disappearances.

DEVELOPMENTS IN 2014

On 24 April 2014, the Spanish National Court («*Audiencia Nacional, Sala de lo Penal*») rejected an extradition request issued on 13 September 2013 by Argentinean investigating judge Servini de Cubría against González Pacheco and Jesús Muñecas Aguilar.

Notwithstanding the Court's decision, on 30 October 2014, the Argentinean investigating judge issued detention orders against twenty accused in order to request their extradition to Argentina.

CURRENT STATUS

Under investigation

PROCEDURE IN SPAIN

In December 2006, Spanish investigating Judge Baltazar Garzón opened an investigation into allegations of crimes against humanity committed during the Franco dictatorship. In October 2008, he ruled that the 1977 Spanish law granting amnesty for crimes committed during the Franco dictatorship could not apply owing to the nature of the crimes. This decision was overturned on appeal, however. The amnesty law therefore remains applicable, and the crimes committed by the Franco dictatorship cannot be investigated or prosecuted in Spain.

PROCEDURE IN ARGENTINA

On 14 April 2013, Spanish and Argentinean human rights organisations filed a criminal complaint with the Argentinean investigating Judge Servini de Cubría on behalf of Spanish victims. On 23 September 2013, Servini issued arrest warrants against four former officials of the Franco dictatorship (including González Pacheco and Jesús Muñecas Aguilar) and requested their extradition 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 this extradition request. Since then, approximately two hundred and fifty victims have joined the case, and testimonies from victims and witnesses were heard.

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PARAGUAYAN INDIGENOUS COMMUNITY CASE

CONTEXT

Ongoing proceedings in Argentina for alleged serious crimes under international law committed in Paraguay during the Alfredo Stroessner dictatorship (1954-1989). A Truth and Reconciliation Commission established in Paraguay in 2003 identified various serious human rights violations committed by State agents during the dictatorship, including arbitrary detentions, torture and other cruel, inhumane or degrading treatment, enforced disappearances and extrajudicial killings.

SUSPECTS

The Truth and Reconciliation Commission identified 448 suspects, allegedly involved in the commission of serious human rights violations, including Alfredo Stroessner himself, and institutions such as the state police, the armed forces and the public administration.

COUNTRY OF RESIDENCE OF SUSPECTS

Paraguay

CHARGES

Crimes against humanity and genocide

DEVELOPMENTS IN 2014

On 8 April 2014, the « *Federación Nativa Aché del Paraguay* » joined the proceedings opened in Argentina by sixteen plaintiffs, denouncing alleged crimes against humanity and genocide against the Aché Community committed between 1954 and 1989 in Paraguay. A second international rogatory commission was sent to Paraguay after the « *Federación Nativa Aché del Parguay* » joined the case.

CURRENT STATUS

Under investigation

FACTS

The Aché community in Paraguay has been persecuted since 1954 to expel them from their land, which is rich in natural resources. They have been victims of extrajudicial killings, arbitrary detentions, enforced disappearances, and forced displacements, as well as abductions of children, mistreatment, torture and inhumane working conditions. These violations were brought before the Inter-American Commission on Human Rights (IACHR), which in 1977 recognized violations of the right to life, of the right to liberty, security and integrity of person, of the right to family and the right to health and well-being. The IACHR requested that the Government of Paraguay investigate these human rights violations, but no investigation was ever opened.

PROCEDURE

On 5 August 2013, fourteen victims (Paraguayans and Argentinean) of the Stroessner dictatorship, and two victims'organisations («*Fundación Celestina Pérez de Almada*» and «*El Movimiento Nacional de Victimas de la Dictadura Stronista*») presented a complaint to Argentinean Judge Noberto Oyarbibe, for genocide and crimes against humanity, committed against the indigenous Aché community in Paraguay between 15 August 1954 and 3 February 1989. On 21 August 2013, Judge Noberto Oyarbibe sent an international investigative commission to Paraguay, in order to verify the existence of an investigation in Paraguay into the alleged crimes. On 11 September 2014, Paraguay responded and said that an investigation was ongoing. In spite of the Argentinean judge's request, Paraguay did not respond to the allegation of genocide committed against the Aché community (allegations that were included in the complaint).

For more information: See Centro Internacional para la Promoción de los Derechos Humanos website: www.cipdh.gov.ar/nota21.html

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BELGIUM
JUDICIAL DEVELOPMENTS

MARTINA JOHNSON

CONTEXT

The Martina Johnson case constitutes the first arrest and indictment for war crimes and crimes against humanity allegedly committed during the first Liberian civil war (1989-1996). Liberia's former president, Charles Taylor, was sentenced on 30 May 2012 to fifty years in prison (confirmed on appeal, on 10 December 2013) for the crimes he committed during the Sierra Leone civil war, in the 1990s. However, he was not prosecuted for the crimes committed in Liberia by his troops, the National Patriotic Front of Liberia (NPLF).

SUSPECTS

Former Liberian front line Commander of the NPFL, Martina Johnson was allegedly Charles Taylor's chief of the artillery during « Operation Octopus » in October 1992.

COUNTRY OF RESIDENCE OF SUSPECTS

Belgium

CHARGES

Direct involvement in alleged war crimes and crimes against humanity, including mutilation and mass killings.

DEVELOPMENTS IN 2014

Belgian police arrested Martina Johnson on 17 September 2014. She was released and placed under house arrest on 19 September 2014.

CURRENT STATUS

Under house arrest; indicted

FACTS

Martina Johnson was allegedly actively involved in « Operation Octopus » launched by Charles Taylor and his NPFL troops in October 1992. This offensive against the government and the peacekeeping forces was aimed at taking over the capital Monrovia and resulted in the deaths of hundreds of civilians, many of whom were targeted for ethnic reasons.

PROCEDURE

In 2012, three Liberian victims filed a complaint in Belgium against Martina Johnson for her alleged direct participation in mutilation and mass killing during « Operation Octopus » in October 1992. Martina Johnson had been living in Ghent, Belgium, for years prior to her arrest.

For more information on this case: See Civitas Maxima's website: www.civitas-maxima.org/

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FOCUS ON THE 1994 RWANDAN GENOCIDE CASES IN BELGIUM

Eight cases related to the 1994 genocide in Rwanda are currently pending before Belgium's criminal authorities (Thirty-four cases are currently opened). In particular, investigations have been opened in the following cases: two alleged members of the Interahamwe, Ernest Gakwaya and Emmanuel Nkunzuwimye; the former Colonel of the Rwandan Armed Forces, Jean-Marie Vianney Ndahimana; the former prosecutor of Butare, Mathias Bushishi; businessman and member of the former Rwandan Armed Forces, Fabien Neretse; and the Deputy Secretary General of the National Bank of Rwanda, Thadée Kwitonda.

Ernest Gakwaya and Emmanuel Nkunzuwimye obtained Belgian citizenship after fleeing Rwanda. They were arrested in Belgium in March 2011 and are prosecuted under the active personality jurisdiction principle. They are charged with genocide and crimes against humanity. They were released on bail on January 2012, but remain indicted.

Jean-Marie Vianney Ndahimana was arrested in March 2011 for his alleged participation in the 1994 genocide in Rwanda. He allegedly played a role in killings that took place in Kigali and in the Kibuye prefecture of the country. He was released on bail in January 2012, but remains indicted.

Mathias Bushishi was arrested in April 2011 in Brussels. He was allegedly involved in stadium killings in Butare. He was released on bail in February 2012, but remains indicted.

Fabien Neretse was arrested in France in June 2011, after Belgian authorities issued an arrest warrant against him. He is accused of crimes allegedly committed during the 1994 genocide in Rwanda. He was extradited to Belgium in August 2011, where he has been indicted.

Thadée Kwitonda acquired Belgium citizenship after fleeing Rwanda. An investigation regarding his involvement in the genocide was opened in Belgium in 2006. He was arrested in 2012 in Uganda and extradited to Belgium.

For more information: See the Trial Watch website: www.trial-ch.org/en/resources/trial-watch.html

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CANADA

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CANADA
JUDICIAL DEVELOPMENTS

DESIRE MUNYANEZA

Context
Closed proceedings in Canada against a former Rwandan militia commander for crimes committed during the 1994 genocide in Rwanda.

SUSPECTS
Businessman, linked to military officials and local government officials

COUNTRY OF RESIDENCE OF SUSPECTS
Canada

CHARGES
Genocide, crimes against humanity, war crimes

DEVELOPMENTS IN 2014
On 7 May 2014, the Quebec Court of Appeal upheld Désiré Munyaneza's conviction for genocide, crimes against humanity and war crimes. He appealed this judgement on the grounds that the charges were poorly defined. On 18 December 2014, the Supreme Court of Canada refused his leave for appeal.

CURRENT STATUS
Closed. Serving a life sentence with no chance of parole for 25 years.

FACTS
Désiré Munyaneza owned the largest shop in Butare and was linked to military officials and local government officials in charge of the 1994 genocide in Rwanda. He was accused of being a militia commander who ordered and carried out killings. One of Munyaneza's responsibilities was the surveillance of roadblocks across Butare. In 1997, he fled to Canada and claimed asylum. He was arrested on 19 October 2005.

PROCEDURE
Désiré Munyaneza was arrested in 2005 following a five-year investigation led by the Royal Canadian Mounted Police that included interviews of witnesses in Canada, Europe and Rwanda. In January 2007, a delegation of prosecutors, defence attorneys and a judge from Montreal spent five weeks in Rwanda in order to gather testimonies from witnesses unable to travel to Canada. On 22 May 2009, Quebec Superior Court declared Désiré Munyaneza guilty of all seven charges against him. He was sentenced to life in prison with no chance of parole for 25 years. He immediately filed an appeal.

For more information: See Trial Watch website: http://www.trial-ch.org/en/resources/trial-watch.html

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FRANCE

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FRANCE
JUDICIAL DEVELOPMENTS

PASCAL SIMBIKANGWA

CONTEXT
The trial of Pascal Simbikangwa was the first in France of a Rwandan citizen allegedly involved in the 1994 genocide in Rwanda. Around thirty cases related to the 1994 genocide in Rwanda are reportedly open before the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter « the specialized unit »).

SUSPECTS
Head of the *Service Centrale des Renseignements* (SCR), the Central Intelligence Service in Rwanda

COUNTRY OF RESIDENCE OF SUSPECTS
France

CHARGES
Genocide, aiding and abetting genocide and aiding and abetting crimes against humanity.

DEVELOPMENTS IN 2014
Pascal Simbikangwa's trial opened on 4 February 2014 before the Paris Criminal Court («*Cour d'Assises de Paris*»). The Court heard twenty expert witnesses and testimonies from fifty-three other witnesses, some of whom had travelled from Rwanda. The Prosecutor requested a life sentence. Nevertheless, on 14 March 2014 the Court sentenced Simbikangwa to 25 years imprisonment for his participation in the genocide and for aiding and abetting crimes against humanity. On 18 March 2014, he filed a notice of appeal.

CURRENT STATUS
Sentenced; Appeal pending

FACTS
Pascal Simbikangwa allegedly supplied weapons and other material to Hutu officers or militia, was responsible for roadblocks in the capital Kigali, and instructed and encouraged militiamen to actively participate in the crimes. On 28 October 2008, he was arrested by the French Police in Mayotte for trafficking fake identity cards, under a false identity, «*Safari Senyamuhara*». His true identity was discovered during his detention.

PROCEDURE
On 13 February 2009, the «*Collectif des Parties Civiles pour le Rwanda* » (CPCR) filed a criminal complaint in Mayotte. On 1 March 2013, the Office of the Prosecutor of the specialized unit requested the indictment of Pascal Simbikangwa for aiding and abetting genocide and aiding and abetting crimes against humanity committed in Rwanda between April and July 1994. He was indicted for these crimes on 29 March 2013.

For more information: See FIDH website: www.fidh.org/International-Federation-for-Human-Rights/Africa/rwanda/14932-pascal-simbikangwa-convicted-of-genocide-and-complicity-in-crimes-against

PURL: http://www.legal-tools.org/doc/ef5d31/

OCTAVIEN NGENZI AND TITO BARAHIRA

CONTEXT

The case against Octavien Ngenzi and Tito Barahira will be the second trial in France of Rwandan nationals suspected of involvement in the 1994 genocide in Rwanda.

SUSPECTS

Former Rwandan Mayors

COUNTRY OF RESIDENCE OF SUSPECTS

France

CHARGES

Genocide and crimes against humanity

DEVELOPMENTS IN 2014

On 13 May 2014, the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter «the specialized unit») sought the prosecution of Octavien Ngenzi and Tito Barahira before the Paris Criminal Court («*Cour d'Assises de Paris*») for crimes allegedly committed in Rwanda in April 1994. On 30 May 2014, the investigating judge referred their case to the Paris Criminal Court. The defendants appealed this decision but the French Supreme Court («*Cour de Cassation*») dismissed the appeal on 27 January 2015. The trial is expected to begin in 2016.

CURRENT STATUS

Detained, referred to the Paris Criminal Court

FACTS

The two accused allegedly participated on 13 April 1994 in the massacre of hundreds of Tutsis who had sought refuge in a church in Kabarondo

PROCEDURE

On 2 June 2010, the «Collectif des parties civiles pour le Rwanda» filed a complaint against Octavien Ngenzi to the Office of the Prosecutor at the Mamoudzou Tribunal («*Tribunal de Grande Instance de Mamoudzou, Mayotte*»). On 3 June 2010, Octavien Ngenzi was arrested and detained in Mayotte.

On October 2010, Tito Barahira was indicted by the National Public Prosecution Authority (NPPA) in Rwanda for his participation in the genocide and for incitement to commit genocide. Pursuant to an arrest warrant issued in Rwanda, he was arrested on 3 April 2013 in Toulouse (France). Nine civil parties have joined the case.

For more information: See Trial Watch website: www.trial-ch.org/en/resources/trial-watch.html

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FOCUS ON RWANDAN GENOCIDE CASES PENDING IN FRANCE:

Nearly thirty cases relating to the 1994 genocide in Rwanda are currently pending before French courts. The «*Collectif des Parties Civiles pour le Rwanda*»(CPCR) is currently involved as civil party in at least 24 cases relating to the genocide before the French courts.

These include the case of **Callixte Mbarushimana**, who, at the time of the genocide, was employed with the United Nations Development Programme in Kigali. The CPCR filed a complaint against him in February 2008 and the investigation into the complaint is ongoing. Another case the CPCR is currently pursuing is the case against **Agathe Kanziga Habyarimana**, the widow of former Rwandan President Habyarimana. Mrs Habyarimana, who has been living in France since shortly after the start of the genocide on 7 April 1994, was denied asylum by French authorities in January 2007.

In February 2007, the CPCR filed a complaint against her, and in March 2010, she was briefly arrested. A French court denied her extradition to Rwanda in September 2011, and the case against her remains pending before French authorities.

In 2007, the UN International Criminal Tribunal for Rwanda (UN ICTR) referred the cases of two accused residing in France to French authorities: **Wenceslas Munyeshyaka** and **Laurent Bucyibaruta**. Victims filed a criminal complaint against Wenceslas Munyeshyaka as early as 1995. In 1999, the case was brought before the European Court of Human Rights (ECtHR), in order to denounce the slowness of the proceedings. In 2004, the ECtHR found that France had violated the victims' right to a remedy and to a hearing within a reasonable time. In 2014, the case was still pending before French courts.

For more information on these and other cases related to the 1994 genocide pending before French courts, see: www.collectifpartiescivilesrwanda.fr/prosecuted-persons/ (in French).

PURL: http://www.legal-tools.org/doc/ef5d31/

NORBERT DABIRA (Brazzaville Beach case)

Context

Ongoing proceedings before the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter «the specialized unit») for alleged crimes committed in Brazzaville, Republic of the Congo, in 1999.

SUSPECTS

Congolese General, Overall Superintendent of the Armed Forces and the Gendarmerie

COUNTRY OF RESIDENCE OF SUSPECTS

France

CHARGES

Torture and crimes against humanity

DEVELOPMENTS IN 2014

On 23 July 2013, Norbert Dabira was arrested, indicted and placed under judicial supervision. A hearing on a request for the annulment of the procedure submitted by the defence was held on 3 July 2014 before the Paris criminal procedural Chamber («*Chambre de l'instruction de la Cour d'Appel de Paris*»). On 9 October 2014, the Chamber confirmed the indictment of Norbert Dabira for crimes against humanity.

CURRENT STATUS

Indicted, under investigation

FACTS

During the 1998-1999 internal armed conflict in the Democratic Republic of Congo (DRC), the governments of Congo and the DRC and the High Commissioner for Refugees reached an agreement aimed at facilitating the voluntary repatriation of Congolese civilians who had been forced into exile by the violence. Between 5 and 14 May 1999, 6599 refugees from Kinshasa, voluntarily crossed the River Congo, towards Brazzaville Beach. These refugees were separated into groups: soldiers, women, and able-bodied men. The latter were taken out of the line and transferred to secret locations from which they disappeared.

PROCEDURE IN CONGO

A trial began before the Brazzaville Criminal Court on 19 July 2005. On 17 August 2005, after a reportedly flawed process, the fifteen accused were found not guilty. The judge recognized, however, the disappearances of more than eighty-five people and ordered the Congolese government to pay reparation to the eligible claimants of each missing person whose name figured on a list established by the High Commissioner for Refugees.

PROCEDURE IN FRANCE

A complaint for torture and crimes against humanity was filed in France by the FIDH, the «*Ligue des droits de l'homme*» and «*Observatoire congolais des droits de l'Homme*» on 5 December 2001 against Norbert Dabira and other high profile officials including President Denis Sassou Nguesso and minister of the Interior Pierre Oba. Norbert Dabira was interrogated by the investigating judges on 16 September 2002. He was indicted in August 2013, as he was travelling to France. Numerous victims participate as civil parties in the ongoing proceedings.

For more information: See FIDH website: www.fidh.org/International-Federation-for-Human-Rights/Africa/congo/the-disappeared-of-the-beach-case/16341-the-brazzaville-beach-case-france-confirms-that-norbert-dabira-is-under

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ABDELLATIF HAMMOUCHI

Context

Ongoing proceedings before the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter «the specialized unit») against a Moroccan official for alleged crimes of torture committed in 2008 and 2010 in Morocco.

SUSPECTS

Head of the Moroccan intelligence services

COUNTRY OF RESIDENCE OF SUSPECTS

Morocco

CHARGES

Torture

DEVELOPMENTS IN 2014

On 20 February 2014, French association «*Association des Chrétiens pour l'abolition de la torture*» (ACAT), in the name of Naâma Asfari, submitted a criminal complaint as a civil party before the investigating judge at the specialized unit in Paris. On the same day, Abdellatif Hammouchi was in Paris, and visited the Moroccan Embassy. The French police was informed of his presence and tried without success to deliver a summons from the investigating judge.

CURRENT STATUS

Under investigation

FACTS

Adil Lamtalsi (of French-Moroccan nationality), one of the civil parties in this case, was arrested in Tangier on 30 September 2008 and brought to a secret detention centre in Temara, run by Moroccan intelligence services. He was allegedly tortured for three days and signed a confession. Based on this document, he was sentenced to ten years in prison for drug trafficking. He was transferred to France in May 2013. The other civil party, Naâma Asfari (of Moroccan nationality) was arrested on 7 November 2010 and allegedly tortured for several days by the intelligence services. He signed a confession under torture and was sentenced on 16 February 2013 to 30 years' imprisonment.

PROCEDURE

Three complaints have been filed in this case. On 21 May 2013, Adil Lamtalsi and ACAT presented the first criminal complaint, for acts of torture before the investigating judge at the Paris Tribunal («*Tribunal de Grande Instance de Paris*»). In December 2013, a judge was appointed to the case; an investigation is ongoing. On the morning of 20 February 2014, Naâma Asfari, his wife and ACAT filed a second criminal complaint before the investigating judge at the Paris Tribunal. The same day, another criminal complaint was filed in his name before the specialized unit in Paris, as ACAT learnt that Abdellatif Hammouchi was present on French territory. The complaint was rejected a few weeks later by the specialized unit, as there was no proof that the suspect was present on French territory.

For more information: See ACAT website: http://www.acatfrance.fr/

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RELIZANE CASE (Mohamed brothers)

Context

Ongoing proceedings in France against two Algerian militia leaders for alleged crimes of torture and enforced disappearances, committed in the province of Relizane in the 1990s during the Algerian civil war.

SUSPECTS

Abdelkader Mohamed (who has both Algerian and French citizenship) and Hocine Mohamed (Algerian citizenship), allegedly lead the Relizane militia (Group of Self Defence) during the Algerian civil war.

COUNTRY OF RESIDENCE OF SUSPECTS

France

CHARGES

Torture

DEVELOPMENTS IN 2014

On 26 December 2014, the investigating judge within the Nîmes Tribunal («*Tribunal de grande instance de Nîmes*») issued a final order to bring the two accused to trial before Nîmes Criminal Court («*Cour d'Assises de Nîmes*»). The Mohamed brothers appealed this order and a hearing will take place in October 2015 before the Court of Appeal.

CURRENT STATUS

End of the criminal investigation; pending trial

FACTS

In the 1990s, Algeria was facing a very violent internal armed conflict, between the army, state-armed militias and armed Islamic groups. Extrajudicial killings, acts of torture, rapes, abductions, and enforced disappearances were allegedly committed by all parties, with full impunity. Between 1993 and 1994, Algerian authorities started to arm militias, called «Self-Defence groups» to fight the armed opposition. These militias have allegedly committed numerous abuses of civilians, including extrajudicial killings, torture, rapes and enforced disappearances. Lead by the Mohamed brothers, the Relizane Group of Self-Defence is allegedly responsible for more than one hundred cases of extrajudicial killings and two hundred and eight cases of enforced disappearances committed in the province of Relizane between 1994 and 1998.

PROCEDURE

On 10 October 2003, the FIDH and the «*Ligue des droits de l'homme*» filed a complaint for torture and crimes against humanity before the Office of the Prosecutor at Nîmes Tribunal. On 11 December 2003, the Tribunal launched an investigation for crimes of torture.

On 29 March 2004, the Mohamed brothers were arrested, indicted and placed in custody. On 30 March 2004, they were released and placed under judicial surveillance.

On 18 June 2004, the investigating judge within the Nîmes Tribunal issued an international rogatory commission to investigate the crimes committed in Algeria. On 19 July 2005, Algerian authorities refused to collaborate with the investigating judge. The refusal notwithstanding, the investigation continued between 2006 and 2013, with direct confrontation between the victims and the accused. In July 2013, the Office of the Prosecutor at Nimes Tribunal issued an indictment of the Mohamed brothers before the Criminal Court.

For more information: See FIDH website: https://www.fidh.org/International-Federation-for-Human-Rights/north-africa-middle-east/algeria/16734-two-alleged-algerian-torturers-of-the-years-of-lead-will-be-judged-in

PURL: http://www.legal-tools.org/doc/ef5d31/

AMESYS CASE

CONTEXT

Ongoing proceedings before the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter « the specialized unit ») for allegedly aiding and abetting crimes of torture committed in Libya during the Muammar Gaddafi regime (from 1969 to 2011).

SUSPECTS

French company AMESYS and its management

COUNTRY OF RESIDENCE OF SUSPECTS

France

CHARGES

Aiding and abetting acts of torture, by selling surveillance material to the Muammar Gaddafi regime in Libya

DEVELOPMENTS IN 2014

The judicial investigation is still ongoing

CURRENT STATUS

Under investigation

FACTS

In 2007, AMESYS signed a contract with the Government of Libya to provide surveillance technologies for the purposes of intercepting communication, processing data and analysis. These materials allegedly allowed the Muammar Gaddafi regime to repress the opposition and to commit serious forms of human rights violations.

PROCEDURE

On 19 October 2011, the FIDH and the «*Ligue des droits de l'homme*» launched a criminal complaint as civil parties before the investigating judge at the Paris Tribunal (« *Tribunal de grand instance de Paris*») against AMESYS and its management, denouncing their alleged role as accomplices in acts of torture and other cruel, inhuman or degrading treatment, on the basis of universal jurisdiction.

For more information, see FIDH website: www.fidh.org/International-Federation-for-Human-Rights/north-africa-middle-east/libya/16959-the-AMESYS-case-the-victims-anxious-to-see-tangible-progress

PURL: http://www.legal-tools.org/doc/ef5d31/

QOSMOS CASE

CONTEXT

Ongoing proceedings before the French specialized unit for the prosecution of genocide, crimes against humanity, war crimes and torture within the Paris Tribunal (hereinafter "the specialized unit") for allegedly aiding and abetting crimes of torture committed in Syria since 2011.

SUSPECTS

French companies, including QOSMOS, and their management, as accomplices of acts of torture

COUNTRY OF RESIDENCE OF SUSPECTS

France

CHARGES

Aiding and abetting acts of torture by selling surveillance material to the Bashar al-Assad regime in Syria

DEVELOPMENTS IN 2014

On 1 April 2014, a judicial investigation into QOSMOS' alleged role in aiding and abetting acts of torture in Syria was opened by the Office of the Prosecutor at the Paris Tribunal (*Tribunal de grande instance de Paris*) and handed down to investigating judges from the specialized unit. Following the AMESYS case, this is the second investigation to be opened in France on the basis of universal jurisdiction for the alleged involvement of an information and communication technology (ICT) company in selling surveillance material to an authoritarian regime, on the basis of universal jurisdiction.

CURRENT STATUS

Under investigation

FACTS

In the past four years, the Syrian regime's repression against its own population has led to more than 130,000 deaths, mainly of civilians, as well as innumerable arbitrary detentions, enforced disappearances, and cases of systematic torture in detention centres. The Bashar al-Assad regime has targeted mainly human rights defenders, activists and cyber-activists. Identifying such targets was made possible through communication surveillance tools used by the regime.

QOSMOS is an ICT company, specialized in supplying material designed for real time analysis of digital data. This technology enables intelligence services to intercept live electronic communications with specific key words, and thus allegedly to target and repress dissident voices more precisely.

PROCEDURE

On 22 July 2012, FIDH and the «*Ligue des droits de l'homme*» filed a complaint before the Office of the Prosecutor at the Paris Tribunal, to urge the investigation and prosecution within France of French companies, including QOSMOS, for supplying the Bashar al-Assad regime with surveillance equipment.

For more information, see FIDH website: www.fidh.org/International-Federation-for-Human-Rights/

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GERMANY

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GERMANY
JUDICIAL DEVELOPMENTS

ONESPHORE RWABUKOMBE

CONTEXT
Ongoing proceedings in Germany against a former Rwandan official for his alleged participation in the 1994 Rwandan genocide.

SUSPECTS
Rwandan Mayor of the Muvumba commune, member of the local executive committee of the former governing party of Rwanda (MRND).

COUNTRY OF RESIDENCE OF SUSPECTS
Germany

CHARGES
Genocide

DEVELOPMENTS IN 2014
On 18 February 2014, Onesphore Rwabukombe was sentenced to 14 years in prison for aiding and abetting genocide. The prosecution had sought life imprisonment. All parties appealed this judgement.

CURRENT STATUS
Sentenced to 14 years in prison, detained in Germany, under appeal.

FACTS
During the 1994 genocide in Rwanda, Onesphore Rwabukombe allegedly incited the Hutu residents of Muvumba to kill Tutsis, and actively participated in killings in the nearby Murambi district. In particular, he is allegedly responsible for the death of at least 1200 people during the massacre in the Kiziguro church, on 11 April 1994.

PROCEDURE
In 2007, Rwandan authorities issued an international arrest warrant against Onesphore Rwabukombe. In March 2008, he was arrested in Germany, pending extradition. However, in November 2008, the German authorities denied this request, considering that doubts remain regarding the fairness of his trial in Rwanda. Consequently, Onesphore Rwabukombe was released.

Yet, on 26 July 2010 he was arrested near Frankfurt am Main and placed in pre-trial custody. On 8 December 2010, the higher regional Court of Frankfurt am Main confirmed the charges against Onesphore Rwabukombe. His trial began on 18 January 2011.

For more information: See Trial Watch website: www.trial-ch.org/en/resources/trial-watch.html

FOCUS ON SYRIA

In 2012, Germany opened a structural investigation to gather evidence of war crimes and crimes against humanity committed in Syria since 2011. This evidence has been gathered, mostly through witness interviews, in order to respond to future requests for mutual legal assistance by other States or international courts. Furthermore, it would allow Germany to prosecute suspects present on German territory.

For more information: See ECCHR website: www.ecchr.de/syria.html

PURL: http://www.legal-tools.org/doc/ef5d31/

IGNACE MURWANASHYAKA & STRATON MUSONI

CONTEXT

Ongoing proceedings in Germany against former officials of the Democratic Forces for the Liberation of Rwanda (FDLR in French), for alleged serious crimes under international law committed in the Democratic Republic of Congo (DRC). The FDLR, formerly the « *Armée de Libération du Rwanda* » (Liberation Army of Rwanda) was created in 2001 and has been operating in eastern DRC since then. Some of its members have been accused of participating in the 1994 genocide in Rwanda.

SUSPECTS

Ignace Murwanashyaka has been head of FDLR since 2001. Straton Musoni has been his deputy since 2004.

COUNTRY OF RESIDENCE OF SUSPECTS

Germany

CHARGES

Ordering and coordinating crimes against humanity and war crimes allegedly committed by the FDLR on Congolese territory between January 2008 and November 2009; belonging to a terrorist group.

DEVELOPMENTS IN 2014

The trial is ongoing before the higher regional Court of Stuttgart.

On 5 December 2014, in a separate case, the Higher Regional Court in Dusseldorf convicted three German citizens, originally from Rwanda, for their support to the FDLR.

CURRENT STATUS

On trial

FACTS

In 2009, Rwanda and the DRC led a joint military operation, aiming at neutralizing the FDLR. This operation resulted in various attacks by the FDLR on Congolese civilians, including women, children and other vulnerable persons. The two suspects are accused of having coordinated attacks that resulted in the death of civilians, pillage, recruitment of child soldiers, rapes and other forms of sexual violence.

PROCEDURE

Ignace Murwanashyaka and Straton Musoni were arrested in Germany on 17 November 2009, following an arrest warrant issued by the German Federal Court of Justice on 16 November 2009. Their trial before the Higher Regional Court in Stuttgart began on 4 May 2011.

For more information: See ECCHR website: www.ecchr.de/kongo-war-crimes-trial.html

PURL: http://www.legal-tools.org/doc/ef5d31/



NORWAY

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NORWAY
JUDICIAL DEVELOPMENTS

SADI BUGINGO

CONTEXT
Closed proceedings in Norway against a former member of the Interahamwe militia, for his participation in the 1994 Rwandan genocide.

SUSPECTS
Rwandan member of the Interahamwe militia

COUNTRY OF RESIDENCE OF SUSPECTS
Norway

CHARGES
Aiding and abetting genocide and murders

DEVELOPMENTS IN 2014
On 27 August 2014, the Borgarting Court of Appeal (Oslo) began to hear Sadi Bugingo's appeal. On 16 December 2014, the Court confirmed the verdict of guilty against Sadi Bugingo and on 16 January 2015, it confirmed his sentence of 21 years in prison.

CURRENT STATUS
Sentenced to 21 years' imprisonment

PROCEDURE
On 3 May 2011, the national criminal investigation service arrested Sadi Bugingo in Norway, following an arrest warrant issued by Rwanda in January 2008.

On 14 February 2013, the Oslo city Court sentenced Sadi Bugingo for genocide to 21 years in prison, the maximum sentence that can be imposed under Norwegian law. The judges unanimously found him guilty for the killing of two thousand civilians. The court considered that it had been proven that the defendant participated in the planning of murders. Sadi Bugingo appealed the judgement.

For more information: See Trial Watch website: http://www.trial-ch.org/en/resources/trial-watch.html

PURL: http://www.legal-tools.org/doc/ef5d31/



SENEGAL

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PURL: http://www.legal-tools.org/doc/ef5d31/

SENEGAL
JUDICIAL DEVELOPMENTS

HISSENE HABRE

Context
Ongoing proceedings against the former President of Chad for alleged serious crimes under international law, committed in Chad between 1982 and 1990.

SUSPECTS
President of Chad from 1982 to 1990

COUNTRY OF RESIDENCE OF SUSPECTS
Senegal

CHARGES
Crimes against humanity, war crimes and systematic use of torture

DEVELOPMENTS IN 2014
An investigation was ongoing before the Extraordinary African Chambers (EAC) at the Senegalese courts. In February 2015, the four judges of the EAC ruled that there was sufficient evidence to send Hissène Habré to trial for crimes against humanity, war crimes, and torture. His trial is expected to start in 2015.
In parallel, on 14 November 2014, the trial of more than twenty former officials of the era of Hissène Habré began in Chad.

CURRENT STATUS
Detained in Cape Manuel of Dakar, pending trial

FACTS
Hissène Habré was president of Chad from 1982 to 1990, establishing a cruel dictatorship, relying on its intelligence agency, the Directorate of Documentation and Security (DDS), to act as a tool for political repression. Through this agency, the regime committed widespread human rights violations and carried out collective arrests and mass murders, for reasons of ethnic origin.

The Truth Commission established by Hissène Habré's successor, Idriss Deby, in 1992 accused Habré of forty-thousand political assassinations and systematic torture.

PROCEDURE IN BELGIUM
On 30 November 2000, victims of Hissène Habré's regime who were living in Belgium filed a complaint in Brussels for crimes against humanity, torture, arbitrary detention and enforced disappearances. On 19 September 2005, Belgian Judge Fransen issued an international arrest warrant against Hissène Habré and requested his extradition to Belgium.
On 15 November 2005, Senegalese authorities arrested Hissène Habré. However, on 25 November 2005, the Dakar Court of Appeal decided that it had no jurisdiction to rule on the extradition request.

PROCEDURE IN SENEGAL
On 26 January 2000, seven victims and one association (the AVCRP, Association of the Victims of Crimes and Political Repression in Chad) filed a complaint against Hissène Habré before the Regional Tribunal of Dakar for acts of torture and crimes against humanity. On 3 February 2000, a Senegalese judge, Demba Kandji, indicted Hissène Habré for acts of torture, barbarous acts and crimes against humanity. On 4 July 2000, the Dakar Court of Appeal ruled that Senegalese courts could not pursue the charges because the crimes were not committed in Senegal. The victims appealed. On 20 March 2001, the Senegalese Supreme Court («*Cour de cassation*») confirmed that Senegalese courts do not have jurisdiction to judge Hissène Habré's crimes, as they were not committed in Senegal.

PURL: http://www.legal-tools.org/doc/ef5d31/

HISSENE HABRE (end)

PROCEDURE BEFORE THE EAC

On 2 July 2006, the African Union requested that Senegal prosecute Hissène Habré – a request to which President Wade agreed. On 31 January 2007, the Senegalese National Assembly adopted a law allowing Senegalese courts to prosecute Hissène Habré, even if the alleged crimes were committed outside Senegal.

On 16 September 2008, fourteen victims filed a new complaint against Hissène Habré for crimes against humanity and torture before a Senegalese court. However, from 2008 to 2010, Senegal refused to advance with the case unless it received full funding for the trial.

On 20 July 2012, following a submission from Belgium, the International Court of Justice ordered Senegal to prosecute Hissène Habré without delay if he is not extradited to Belgium. On 22 August 2012, Senegal and the African Union signed an agreement creating the EAC within the Senegalese court system.

On 2 July 2013, the EAC, in charge of « prosecuting and trying the person or persons mainly responsible for crimes and serious violations of international law, international custom, and international conventions ratified by Chad and committed in Chadian territory during the timeframe starting from June 7, 1982 to December 1, 1990 » indicted Hissène Habré. On 5 July 2013, 1015 victims joined the procedure as civil parties.

For more information: See Human Rights Watch website: www.hrw.org/fr/habre-case

UPCOMING CASE PAUL MWILAMBWE

CONTEXT

Ongoing proceedings against Paul Mwilambwe for the alleged murder of Floribert Chebeya on 2 June 2010 in the Democratic Republic of Congo (DRC) and the disappearance of his associate, Fidèle Bazana.

SUSPECT

Major in the Congolese National Police force (PNC)

COUNTRY OF RESIDENCE

Senegal

CHARGES

Torture and enforced disappearance of human rights defender Floribert Chebeya and his associate Fidèle Bazana

DEVELOPMENTS IN 2014

On 2 June 2014, FIDH and families of victims filed a criminal complaint as civil parties before a Senegalese court.
The judge heard the plaintiffs in August. Paul Mwilambwe was indicted on 8 January 2015.

CURRENT STATUTE

Placed under judicial supervision on 8 January 2015

FACTS

Floribert Chebeya, a prominent human rights defender in the DRC, was found dead in his car in Kinshasa on 2 June 2010. His associate, Fidèle Bazana, was reported missing. The night before, they had both gone to the PNC headquarters and have never been seen since.

For more information: See FIDH website: www.fidh.org/International-Federation-for-Human-Rights/Africa/democratic-republic-of-congo/16755-the-chebeya-bazana-case-indictment-of-paul-mwilambwe-in-senegal-on-the

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SOUTH AFRICA

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SOUTH AFRICA
JUDICIAL DEVELOPMENTS

ZIMBABWE TORTURE CASE

Context

This is the first case in South Africa to be opened under South Africa's Implementation of the Rome Statute of the International Criminal Court Act (ICC Act). The case was launched against Zimbabwean officials for serious crimes under international law allegedly committed during the March 2007 election in Zimbabwe and the raid of the opposition party's (MDC) headquarters by the state police.

SUSPECTS

Eighteen Zimbabwean security officials

COUNTRY OF RESIDENCE OF SUSPECTS

Zimbabwe, travelled to South Africa

CHARGES

Torture as a crime against humanity

DEVELOPMENTS IN 2014

The Constitutional Court ruled on 30 October 2014 that the South African Police Service (SAPS) must investigate crimes against humanity committed in Zimbabwe in 2007.

CURRENT STATUS

Under investigation

PROCEDURE

On 14 March 2008, the Southern Africa Litigation Centre (SALC) and the Zimbabwe Exiles Forum (ZEF) presented a complaint before the South African National Prosecuting Authority (NPA) and the SAPS against eighteen Zimbabwean security officials, for widespread and systematic acts of torture, as a crime against humanity. The NPA and SAPS refused to open an investigation. On 8 May 2012, the North Gauteng High Court, seized by the SALC, ordered the authorities to begin an investigation. The South African Supreme Court confirmed on 26 November 2013 that the NPA is required to investigate crimes against humanity. In January 2014, an appeal was launched against the Supreme Court decision.

For more information: See SALC website: www.southernafricalitigationcentre.org/cases/completed-cases/challenging-the-npas-refusal-to-act-in-terms-of-the-rome-statute-act/

PURL: http://www.legal-tools.org/doc/ef5d31/

FOCUS ON THE MARC RAVALOMANANA CASE

CONTEXT
Ongoing proceedings against the former president of Madagascar for alleged serious international crimes committed in Madagascar in 2009 during anti-government protests.

SUSPECT
Former President of Madagascar, 2002-2009

COUNTRY OF RESIDENCE
South Africa

CHARGES
Murder as a crime against humanity

DEVELOPMENTS IN 2014
Marc Ravalomanana was arrested on 13 October 2014 in Madagascar while he was traveling from South Africa.

CURRENT STATUTE
Under house arrest in Madagascar

FACTS
On 24 January 2009, while Marc Ravalomanana was head of State, his political opponent, Andry Rajoelina, called for a general strike. On 26 January 2009, anti-government protests turned increasingly violent. On 7 February 2009, twenty-thousand unarmed protesters marched towards the Presidential Palace and tried to enter the building. The guards shot at the crowds, killing at least thirty people and injuring eighty-six others. On 16 March 2009, the army seized the Presidential Palace. Marc Ravalomanana resigned the following day, and fled to Swaziland, before settling in South Africa.

PROCEDURE
On 28 August 2010, the Antananarivo Criminal Court found Marc Ravalomanana guilty of murder and aiding and abetting murder and sentenced him in absentia to life in prison with hard labour.
The Martyrs of Antaninarenina Square association (survivors of the attacks) filed a complaint against Marc Ravalomanana in South Africa. On 31 May 2012, the Office of the Prosecutor in South Africa announced it would investigate allegations of crimes against humanity allegedly ordered by Marc Ravalomanana in his role as president.

For more information: See Trial Watch website www.trial-ch.org/en/resources/trial-watch.html

PURL: http://www.legal-tools.org/doc/ef5d31/



SPAIN

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SPAIN
JUDICIAL DEVELOPMENTS

On 13 March 2014, Spain adopted new legislation restricting its universal jurisdiction law. Henceforth, Spanish jurisdictions are competent to investigate genocide, crimes against humanity and war crimes in three cases: the suspect is a Spanish citizen; the suspect habitually resides in Spain; or the suspect is a foreigner, present on Spanish territory, whose extradition has been denied. These new requirements do not apply to crimes of terrorism, and crimes connected to such an offence.

THE JESUITS MURDER CASE

Context
Ongoing proceedings in Spain against Spanish citizens and former Salvadoran officials for alleged serious crimes under international law committed in El Salvador, during the 1980-1992 internal armed conflict.

SUSPECTS
Twenty Salvadoran military officials and Spanish citizens

COUNTRY OF RESIDENCE OF SUSPECTS
El Salvador

CHARGES
Crime against humanity, murder and terrorism

DEVELOPMENTS IN 2014
On 6 October 2014, the criminal chamber of the Spanish National Court («*Audiencia Nacional, Sala de lo penal*») decided that Spain has jurisdiction to investigate and to prosecute as a crime against humanity the murder of the six Jesuits and their employees. The investigating judges used the charges of terrorism and the Spanish nationality of several victims to extend their investigation to all connected crimes, even crimes against humanity.
(For more information on the extradition request pending in the USA against one suspect, Inocente Orlando Montano, see the focus below)

CURRENT STATUS
Under investigation

FACTS
From 1980 to 1992, El Salvador was divided by an internal armed conflict between the rebel Farabundo Martí National Liberation Front (FMLN) and the Government, led by the Nationalist Republican Alliance (ARENA). In this context, on 16 November 1989, six Jesuit priests, their housekeeper and her 16 years old daughter were killed at the Pastoral centre of José Simeón Cañas Central American University in San Salvador. Following the ratification of the Chapultepec Peace Accords on 16 January 1992, a Truth Commission was established to investigate crimes committed during the war. The Truth Commission investigated the murder of the six Jesuits, their housekeeper and her daughter. It concluded that these crimes were ordered by Salvadoran officials and executed by the Salvadoran armed forces.

PURL: http://www.legal-tools.org/doc/ef5d31/

THE JESUIT MURDER CASE (end)

PROCEDURE

On 13 November 2008, the Spanish Association for Human Rights (APDHE) and the Centre for Justice and Accountability (CJA) filed a complaint before the Spanish National Court against former Salvadoran President Alfredo Cristiani Burkard and fourteen former military officers and soldiers.

On 13 January 2009, Judge Eloy Velasco charged fourteen former officers, including Colonel Ponce, former head of the Armed Forces at the time of the murders, General Rafael Humberto Larios, former Minister of Defence, Colonel Juan Orlando Zepeda, former Vice Minister of Defence, and Colonel Inocente Orlando Montano, former Vice Minister for Public Safety, with murder, crimes against humanity and terrorism for their role in the murders.

On 30 May 2011, six new defendants were added to the indictment, and international arrest warrants were issued. One of the defendants, Colonel Ponce, died of a heart attack in May 2011.

For more information: See Centre for Justice and Accountability website: www.cja.org/

FOCUS ON THE INOCENTE ORLANDO MONTANO CASE

CONTEXT
Ongoing proceedings for serious crimes under international law allegedly committed in El Salvador, during the 1980-1992 internal armed conflict.

SUSPECT
Officer in the military, Vice-Minister for Public Security (from 1 June 1989 to 2 March 1992) in El Salvador

COUNTRY OF RESIDENCE
The United States of America (USA)

CHARGES
Crimes against humanity

DEVELOPMENTS IN 2014
On 23 July 2014 the criminal chamber of the Spanish National Court submitted a supplemental brief to the US authorities in support of the pending request for extradition issued on 4 November 2011. In this request, the Spanish authority urged the US authorities to allow the extradition of Inocente Orlando Montano from the USA to Spain to face trial for the murder of the six Jesuits, their housekeeper and her daughter, committed in El Salvador on 16 November 1989.
At the end of 2014, US authorities were reviewing the extradition request.

CURRENT STATUTE
Detained in the USA for immigration fraud and perjury

FACTS
See above,"the Jesuits murder case"

PROCEDURE IN THE US
On 23 August 2011, US authorities arrested Inocente Orlando Montano under charges of federal immigration fraud. He was indicted on 10 February 2012 for false declarations to the US authorities regarding the date of his entry to the territory and his military training in El Salvador. On September 2012, he pled guilty, acknowledging he had given false statements. His trial took place in August 2013 and he was sentenced to 21 months in prison on 27 August 2013.

For more information on these two cases: See Centre for Justice and Accountability website: http://cja.org/section.php?id=518

PURL: http://www.legal-tools.org/doc/ef5d31/

TIBET CASE

CONTEXT

Closed proceedings against former Chinese officials for the alleged repression against the Tibetan population in the Tibet region, during the 1980s and 1990s, including massive campaigns of sterilization, the transfer of Chinese migrants into Tibet, control over religious activities, arbitrary detention and torture of dissidents.

SUSPECTS

Eight Chinese officials: Hu Jintao, former Party Secretary of the Tibet Autonomous Region from 1988 to 1992; Jiang Zemin, former President of the People's Republic of China (1993-2003), Former General Secretary of the Communist Party of China (1989–2002), Chairman of the Central Military Commission (1989 - 2004); Li Peng, former Chinese Prime Minister (1987-1998); Qiao Shi, former Vice Prime minister (1986-1997); Chen Kuiyuan, former Party Secretary (1992-2001); Ren Rong, Party Secretary, (1971-1980); Yin Fatang, Party Secretary (1980-1985); Deng Delyun, Chinese Minister for Family planning in the nineties.

COUNTRY OF RESIDENCE OF SUSPECTS

China

CHARGES

Genocide, crimes against humanity, torture and terrorism

DEVELOPMENTS IN 2014

On 10 February 2014, Judge Ismael Moreno issued five international arrest warrants against former Chinese officials (Jian Zemin, Li Peng, Qiao Shi, Chen Kuiyuan, Deng Delyun).

However, on 23 June 2014, the criminal chamber of the Spanish National Court dismissed the case. It considered that under the new law of universal jurisdiction, Spanish courts did not have jurisdiction to investigate and judge the crimes committed, as the defendants were not Spanish, nor ordinarily resident in Spain, nor foreigners whose extradition had been denied by the Spanish authorities.

On 18 September 2014 the «*Comité de Apoyo al Tíbet*» (CAT) and the co-plaintiffs - the «*Fundación Casa del Tíbet*» and Thubten Wangchen - lodged an appeal before the Spanish Supreme Court, based on the existence of terrorism charges (not concerned by the universal jurisdiction reform) and on the Spanish nationality of one of the victims of the alleged crimes.

CURRENT STATUS

Awaiting the Spanish Supreme Court decision

PROCEDURE

On 28 June 2005 the CAT filed a criminal lawsuit against eight defendants before the Spanish National Court for genocide, crimes against humanity, torture and terrorism committed against Tibetans in the late 1980s and 1990s. On 30 July 2008, this complaint was expanded to include new cases of torture, as well as charges of genocide. On 30 March 2011, war crimes charges were added to the case.

On 30 July 2008, another complaint was filed for crimes against humanity against eight other Chinese officials for crimes committed since 10 March 2008. However, on 26 February 2010, this case was dismissed as a consequence of the reform on universal jurisdiction.

For more information: See Rights International Spain website: http://rightsinternationalspain.org/

PURL: http://www.legal-tools.org/doc/ef5d31/

THE GUATEMALAN GENOCIDE CASE

CONTEXT

Ongoing investigation in Spain against former Guatemalan officials for the alleged crimes of genocide, torture and extrajudicial killings committed in Guatemala during the internal armed conflict between 1960 and 1996.

SUSPECTS

Eight senior Guatemalan government officials (nationality: Spanish and Guatemalan)

COUNTRY OF RESIDENCE OF SUSPECTS

Guatemala

CHARGES

Terrorism, genocide, systematic torture, summary execution, unlawful detention, and gender crimes.

DEVELOPMENTS IN 2014

On 21 May 2014, the criminal chamber of the Spanish National Court found that this case could proceed before Spanish courts. Judge Santiago Pedraz used the charges of terrorism to allow the investigation of connected crimes, such as genocide.

CURRENT STATUS

Under investigation

FACTS

Between 1960 and 1996, Guatemala was torn apart by a devastating internal armed conflict, leading to the killing and enforced disappearance of 200,000 persons.

The UN-sponsored Commission for historical clarification (CEH in Spanish), established on 23 June 1994 to clarify human rights violations related to this thirty-six year internal conflict, concluded in its 1999 Report («*Guatemala: Memoria del Silencio*», 25 February 1999) that the violence was mainly directed by State agents against the Mayan population (According to the CEH report, 83% of the 200,000 victims were Mayan civilians, with state forces responsible for 93% of the human rights violations documented).

The CEH concluded that the reiteration of repressive practices, extrajudicial killings, enforced disappearances and acts of torture, perpetrated by State agents and directed systematically against the Mayan population met the legal requirements to constitute crimes of genocide.

PURL: http://www.legal-tools.org/doc/ef5d31/

THE GUATEMALAN GENOCIDE CASE (end)

PROCEDURE

In December 1999, Rigoberta Menchú Tum and a group of Spanish and Guatemalan NGOs filed a criminal complaint with the criminal chamber of the Spanish National Court against senior Guatemalan officials for crimes of terrorism, genocide, systematic torture, summary execution, and unlawful detention in the 1980s campaign of terror against indigenous Maya peoples.

On 25 February 2003, the Spanish National Court allowed an investigation on crimes of torture and extrajudicial killings committed in Guatemala, against Spanish citizens to be opened. The case concerning Guatemalan victims was dismissed.

The Spanish Supreme Court upheld this decision. On 26 September 2005, the Constitutional Court overturned the Supreme Court's decision, and allowed the investigations for both Spanish and Guatemalan victims to go on.

In 2006, the Centre for Justice and accountability (CJA) officially joined the case. In July 2006, the investigating Judge Pedraz in Spain issued arrest warrants for the eight defendants and ordered that their assets be frozen.

In December 2007, the Guatemalan Constitutional Court found the extradition requests to be invalid. In 2008, several victims' groups presented their testimonies. In April 2011, Judge Pedraz issued an arrest warrant and an extradition request for Jorge Sosa Orantes.

For more information: See Centre for Justice and Accountability website: www.cja.org/downloads/Guatemala_U.C.Review_fall08.pdf

PURL: http://www.legal-tools.org/doc/ef5d31/

GUANTANAMO CASE

CONTEXT

Ongoing proceedings in Spain against unknown perpetrators for alleged torture committed against Spanish citizens at the US detention centre in Guantanamo Bay, Cuba.

SUSPECTS

Unknown US officials

COUNTRY OF RESIDENCE OF SUSPECTS

United States of America (USA)

CHARGES

Torture

DEVELOPMENTS IN 2014

On 21 October 2014, the criminal chamber of the Spanish National Court ruled that the criminal investigation into torture allegations against a Spanish citizen at the US detention centre in Guantanamo Bay can be pursued, despite the new legislation on universal jurisdiction.

CURRENT STATUS

Under investigation

FACTS

Hamed Abderrahman Ahmed, Ikassrien Lahcen, Jamiel Abdul Latif al-Banna and Omar Deghayes, all former Guantánamo detainees, were held in intense heat in cells made of chicken-wire. They were subjected to constant loud music, extreme temperatures and bright lights, and were repeatedly interrogated without counsel, sexually assaulted and subjected to forced nudity and severe beatings.

PROCEDURE

In April 2009, a preliminary investigation was opened into «an authorized and systematic plan of torture and ill-treatment on persons deprived of their freedom without any charge and without the basic rights of any detainee, set out and required by applicable international conventions» in US detention facilities. The preliminary investigation did not name any potential defendants. In May 2009, the investigating judge issued formal requests to the United States and the United Kingdom seeking information regarding any pending investigations in the respective countries. To date, neither country has responded. The Office of the Prosecutor filed an appeal against the decision to open the case.

The appeal was rejected by a decision from the Appeals Chamber of the Spanish National Court in April 2011, which confirmed that Spain has jurisdiction over the case. Two witnesses and one expert witness have already given testimony. In January 2011, the Centre for Constitutional Rights (CCR) and ECCHR submitted a dossier to the criminal chamber of the Spanish National Court on the former commander of Guantánamo, Geoffrey Miller, providing evidence of his role in the torture of detainees at Guantánamo and in Iraq. On 10 January 2013, ECCHR and CCR were formally admitted to the case as representatives of two former detainees.

For more information: See ECCHR website: www.ecchr.de/spain-600.html

PURL: http://www.legal-tools.org/doc/ef5d31/

FOCUS ON A PASSIVE PERSONALITY JURISDICTION CASE: THE COUSO CASE

CONTEXT
Ongoing investigation in Spain against three US soldiers for the alleged murder of José Couso, cameraman for the Spanish network Telecinco, during the Iraq war in 2003.

SUSPECT
Captain Philip Wolford (Captain of the 3rd Infantry Division of the US army in Iraq), Lieutenant Colonel Philip DeCamp and Sergeant Shawn Gibson

COUNTRY OF RESIDENCE OF SUSPECTS
United States of America (USA)

CHARGES
War crime (willful killing of a protected person)

CURRENT STATUTE
Under investigation

DEVELOPMENTS IN 2014
On 5 June 2014, the criminal chamber of the Spanish National Court ruled that the criminal investigation into the killing of José Couso by US soldiers in Iraq in 2003, can be pursued, despite the new legislation on universal jurisdiction.

FACTS
On 8 April 2003, during the Iraq war, Sergeant Shawn Gibson, commander of a tank in the 3rd Infantry Division, received the order from Captain Philip Wolford to fire at the Palestine Hotel, despite the fact that this building was used as a base for foreign journalists to cover the battle. José Couso and Taras Protsyuk, a Ukrainian cameraman for Reuters, were killed.

PROCEDURE
In May 2003, Couso's family launched a complaint against the three members of the tank crew, Captain Philip Wolford, Lieutenant Colonel Philip DeCamp and Sergeant Shawn Gibson. On 19 October 2005, Judge Santiago Pedraz issued international arrest warrants against them for war crimes.

On 4 October 2011, the soldiers were charged with war crimes, according to Article 611(1) of the Spanish Criminal Code. The Judge ordered each of them to post a bail of one million euros as a security for the reparation proceedings. In the same decision the Judge ordered an investigation against General Buford Blount and Colonel David Perkins, hierarchic superiors of Lieutenant Colonel Philip DeCamp for command responsibility.

For more information: See Rights International Spain website: http://rightsinternationalspain.org/

PURL: http://www.legal-tools.org/doc/ef5d31/



SWEDEN

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SWEDEN
JUDICIAL DEVELOPMENTS

FOCUS ON THE FIRST GENOCIDE TRIAL IN SWEDEN: THE STANISLAS MBANENANDE CASE

CONTEXT
Closed proceedings in Sweden for crimes of genocide committed during the 1994 genocide in Rwanda.

SUSPECT
Civil engineer and teacher. Stanislas Mbanenande gained Swedish citizenship in 2008. The prosecution was based on his Swedish citizenship, under the active personality principle.

COUNTRY OF RESIDENCE OF SUSPECTS
Sweden

CHARGES
Genocide

CURRENT STATUTE
Closed. Serving a life sentence.

DEVELOPMENTS IN 2014
On 19 June 2014, the Appeal Chamber upheld the district Court's verdict, and confirmed Stanislas Mbanenande's life sentence.

FACTS
Stanislas Mbanenande was in Kibuye during the genocide, where he was leading militia of young Hutus.

PROCEDURE
In 2009, Stanislas Mbanenande was sentenced in absentia to life imprisonment by a Gacaca Court. On 22 December 2011, following a red notice issued by Interpol at the request of Rwandan authorities, he was arrested by Swedish authorities. On 5 November 2012, the Stockholm district Court indicted him on counts of genocide and crimes against the «*jus gentium*» including crimes of murder, attempted murder and abduction. Stanislas Mbanenande pleaded not guilty. His trial started on 16 November 2012. On 20 June 2013, the Swedish court delivered its judgement and sentenced Stanislas Mbanenande to life imprisonment. The Court considered that he was directly involved in killings, attempted killings and the enforced disappearances of civilians in Kibuye between 6 April and 18 July 1994. He was also found guilty of attempted murder for firing with an automatic weapon at a group of people. Stanislas Mbanenande appealed this decision.

For more information: See Trial Watch website: www.trial-ch.org/en/resources/trial-watch.html

PURL: http://www.legal-tools.org/doc/ef5d31/

UPCOMING CASES: RWANDAN GENOCIDE CASES OPENED IN SWEDEN

CONTEXT
Ongoing investigation in Sweden against two suspects for crimes allegedly committed during the 1994 genocide in Rwanda.

SUSPECT
The identity of the two suspects has not been released. One of them has obtained Swedish citizenship, while the other is residing legally in Sweden. The main suspect was regarded as a leader in the area where he operated (Southern Rwanda).

COUNTRY OF RESIDENCE OF SUSPECTS
Sweden

CHARGES
Genocide

CURRENT STATUTE
Under investigation

DEVELOPMENTS IN 2014
On 24 September 2014, two suspects, originally from Rwanda, were arrested in Sweden for their alleged participation in the genocide, in Southern Rwanda. On 26 September 2014, the main suspect was held in prison while the other one was released. The detained suspect will remain in custody during the proceedings. The investigation is ongoing: the Office of the Prosecutor in Stockholm has heard witnesses in Rwanda and in other African countries. The trial of the two suspects is expected to start before the end of 2015.

PURL: http://www.legal-tools.org/doc/ef5d31/



SWITZERLAND

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SWITZERLAND
JUDICIAL DEVELOPMENTS

KHALED NEZZAR

Context
Ongoing proceedings against the former President of Chad for alleged serious crimes under international law, committed in Chad between 1982 and 1990.

SUSPECTS
General in the Algerian army, Minister of Defence in Algeria from 1990 to 1994 and Member of the High Council of State (HCS) from 1992 to 1994.

COUNTRY OF RESIDENCE OF SUSPECTS
Algeria

CHARGES
Various war crimes: torture, extrajudicial killings, enforced disappearances and other grave breaches of international humanitarian law

DEVELOPMENTS IN 2014
Investigations are still ongoing.

CURRENT STATUS
Under judicial supervision

FACTS
From 1992 to 1994, as Minister of Defence and member of the HCS, Khaled Nezzar allegedly incited, authorized and ordered military and public agents to commit acts of torture, murders, extrajudicial killings, enforced disappearances and other grave violations of international humanitarian law. The dirty war caused the death of around 200,000 persons, and the disappearance of some 20,000 others.

PROCEDURE
Three of Khaled Nezzar's torture victims filed a first complaint against him in France in 2001, but he managed to leave the country. In October 2011, TRIAL filed a new criminal complaint as he was travelling to Geneva. Two victims of torture joined the procedure. He was arrested in October 2011 and interrogated by the Swiss Attorney General. He appealed the procedure before the Federal Criminal Court. In a decision from 25 July 2012, Khaled Nezzar's appeal was rejected: the court considered that immunities cannot be invoked for international crimes.

For more information: See Trial Watch website: www.trial-ch.org/en/resources/trial-watch.html

PURL: http://www.legal-tools.org/doc/ef5d31/

FOCUS ON AN ACTIVE PERSONALITY PROCEEDING: THE ERWIN SPERISEN CASE

CONTEXT
Ongoing trial for assassinations allegedly committed in Guatemala in 2005 and 2006.

SUSPECT
Head of National Civilian Police (NCP) of Guatemala from 2004 to 2007. He has dual citizenship: Swiss and Guatemalan

COUNTRY OF RESIDENCE OF SUSPECTS
Switzerland

CHARGES
Extrajudicial executions in 2005 (three inmates who had escaped from the «*Infiernito prison*») and in 2006 (assassination of seven inmates at the « *Pavón prison* », Guatemala City)

CURRENT STATUTE
Under appeal, detained

DEVELOPMENTS IN 2014
The trial against Erwin Sperisen opened on 15 May 2014 in Geneva. He was convicted on 6 June 2014 and sentenced to life imprisonment for the crimes he committed in the Pavón prison, but he was acquitted for alleged involvement in the « *Gavilan Plan* » (see below). He filed a notice of appeal. His trial on appeal will start on 4 May 2015.

FACTS
In October 2005, nineteen prisoners escaped from «*Infiernito*», a high security prison in Guatemala City. Erwin Sperisen allegedly set up a plan aimed at finding and executing the escaped prisoners; this was known as the «*Gavilan Plan*». Nine prisoners were captured and three executed as a result of it.
In September 2006, Erwin Sperisen, along with three thousand NCP officers and members of the army, intervened in the «*Pavón prison*», a high security prison controlled by prisoners, to restore State authority. This intervention ended in the arrest and the alleged extra-judicial execution of seven prisoners.

PROCEDURE
In 2008, several Swiss organizations filed a criminal complaint against Erwin Sperisen to the Office of the Prosecutor in Geneva, after discovering he was living in Switzerland. He was arrested on 31 August 2012 in Geneva. In March 2013, the mother of one victim filed a complaint and joined the criminal proceedings. Fourteen witnesses travelled from Spain, France and Guatemala to be heard by the Swiss authorities.

For more information: See Trial Watch website: http://www.trial-ch.org/guatemala-fr/sperisen.html

PURL: http://www.legal-tools.org/doc/ef5d31/

UPCOMING CASE: ALIEU KOSIAH

CONTEXT
Ongoing investigation in Switzerland for serious crimes under international law allegedly committed in Liberia (Lofa County) between 1993 and 1995.

SUSPECT
Former Liberian United Liberation Movement of Liberia for Democracy (ULIMO) Rebel Commander

COUNTRY OF RESIDENCE OF SUSPECTS
Switzerland

CHARGES
War crimes, such as systematic killings, targeting civilians

CURRENT STATUTE
Under investigation, held in provisional detention

DEVELOPMENTS IN 2014
On 10 November 2014, Alieu Kosiah was arrested in Switzerland for his alleged involvement in war crimes committed between 1993 and 1995. On 13 November 2014, a Swiss Judge decided to hold him in detention. On 15 January 2015, the detention order was renewed until the 9 May 2015

FACTS
Alieu Kosiah allegedly committed war crimes, between 1993 and 1995, as commander of the ULIMO. This rebel group was fighting against the National Patriotic Front of Liberia (NPFL) of Charles Taylor, until 1996.

PROCEDURE
Seven Liberian victims filed a complaint in Switzerland against Alieu Kosiah for his alleged participation in war crimes and systematic killings committed between 1993 and 1995 in Lofa County, Northwestern Liberia.

For more information: See Civitas Maximas website: http://civitas-maxima.org/

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UNITED KINGDOM

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UNITED KINGDOM JUDICIAL DEVELOPMENTS

COLONEL KUMAR LAMA

Context

Ongoing trial against a former Nepali official for serious crimes under international law allegedly committed in Nepal between 2005 and 2006, during the non-international armed conflict that tore the country apart.

SUSPECTS

Colonel in the Nepali Army

COUNTRY OF RESIDENCE OF SUSPECTS

Sudan

CHARGES

Torture

DEVELOPMENTS IN 2014

The investigation was closed in 2014. His trial started in February 2015 in London, before the Old Bailey (London's central criminal court).

CURRENT STATUS

On trial

FACTS

In 2005, Colonel Kumar Lama allegedly participated in the torture of two detainees at an army barracks that was under his command. The torture took place during the nine-year-long internal conflict, which brought into opposition the Nepali Government and Maoist Insurgents. The conflict ended in 2006 following the signing of a Comprehensive Peace Agreement. Since the end of the conflict, army and police forces still enjoy immunity and there has been no investigation in Nepal into gross human rights abuses committed during the conflict.

PROCEDURE

Colonel Kumar Lama was arrested in the United Kingdom on 3 January 2013 when he was on leave from peacekeeping duty in Sudan. He claims to be entitled to immunity as he was acting on official duties in 2005. He argues that he currently enjoys immunity as a peacekeeper with the United Nations, and claims that he has already been convicted and punished in Nepal under the Nepalese Torture Compensation Act.

For More information: See Redress website: www.redress.org/case-docket/colonel-kumar-lama

PURL: http://www.legal-tools.org/doc/ef5d31/

This table provides an overview of the pending universal jurisdiction cases in 2014. It aimed to facilitate the use of this report. While every effort has been made to ensure the accuracy of the information presented in each case, readers are advised to confirm the currency of the information cited.

CASE	CHARGES					COUNTRY OF COMMISSION	CURRENT STATUS	COUNTRY OF PROSECUTION	PAGE
	TORTURE	GENOCIDE	CRIMES AG. HUMANITY	WAR CRIMES	OTHER CHARGES				
Franco dictatorship	✓		✓			Spain	Under investigation	Argentina	5
Paraguayan Indigenous community		✓	✓			Paraguay	Under investigation	Argentina	6
Martina Johnson			✓	✓		Liberia	Under house arrest; indicted	Belgium	8
Rwandan genocide in Belgium (over 8 cases)		✓				Rwanda	Under investigation; indicted	Belgium	9
Desire Munyaneza		✓	✓	✓		Rwanda	Condemned	Canada	11
Pascal Simbikangwa		✓	✓			Rwanda	Sentenced; on appeal	France	13
Octavien Ngenzi & Tito Barahira		✓	✓			Rwanda	Detained; Referred to the Paris Criminal Court	France	14
Rwandan genocide in France (over 30 cases)		✓				Rwanda	Under investigation	France	15
Norbert Dabira (Brazzaville Beach)	✓		✓			Congo	Under investigation; indicted	France	16
Abdellatif Hammouchi	✓					Morroco	Under investigation	France	17
Relizane (Mohamed brothers)	✓					Algeria	Pending trial	France	18

PURL: http://www.legal-tools.org/doc/ef5d31/

CASE	CHARGES					COUNTRY OF COMMISSION	CURRENT STATUS	COUNTRY OF PROSECUTION	PAGE
	TORTURE	GENOCIDE	CRIMES AG. HUMANITY	WAR CRIMES	OTHER CHARGES				
Amesys	✓					Libya	Under investigation	France	19
Qosmos	✓					Syria	Under investigation	France	20
Onesphore Rwabukombe		✓				Rwanda	Condemned	Germany	22
Syria			✓	✓		Syria	Under investigation	Germany	22
Ignace Murwanashyaka & Straton Musoni			✓	✓		Congo	On trial	Germany	23
Sadi Bugingo		✓				Rwanda	Condemned	Norway	25
Hissène Habré	✓		✓	✓		Chad	Pending Trial	Senegal	27-28
Paul Mwilambwe					✓ (Enforced disappearance)	Democratic Republic of Congo	Under investigation	Senegal	28
Zimbabwe torture case	✓		✓			Zimbabwe	Under investigation	South Africa	30
Marc Ravalomanana			✓			Madagascar	Under house arrest in Madagascar	South Africa	31
The Jesuits Murder			✓			El Salvador	Under investigation	Spain	33-34
Inocente Orlando Montana			✓			El Salvador	Under investigation	Spain	34
Tibet	✓	✓	✓			China (Tibet)	Closed	Spain	35
The Guatemalan genocide	✓	✓				Guatemala	Under investigation	Spain	36-37

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CASE	CHARGES					COUNTRY OF COMMISSION	CURRENT STATUS	COUNTRY OF PROSECUTION	PAGE
	TORTURE	GENOCIDE	CRIMES AG. HUMANITY	WAR CRIMES	OTHER CHARGES				
Guantanamo	✓					Cuba (Guantanamo Bay Us detention centre)	Under investigation	Spain	38
José Couso				✓		Iraq	Under investigation	Spain	39
Stanislas Mbanenande		✓				Rwanda	Condemned	Sweden	41
Rwandan genocide in Sweden (2 cases)		✓				Rwanda	Under investigation	Sweden	42
Khaled Nezzar	✓			✓		Algeria	Under investigation	Switzerland	44
Erwin Sperisen					✓ (Extradujudicial killings)	Guatemala	Under appeal	Switzerland	45
Alieu Kosiah				✓		Liberia	Under investigation; provisional detention	Switzerland	46
Colonel Kumar Lama	✓					Nepal	On trial	United Kingdom	47

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ABOUT TRIAL

Founded in 2002, TRIAL is an association under Swiss law based in Geneva that puts the law at the service of victims of international crimes (genocide, crimes against humanity, war crimes, torture and enforced disappearances). TRIAL fights against the impunity of perpetrators and instigators of the most serious crimes under international law and their accomplices. The organization defends the interests of victims before Swiss and foreign courts, and various international human rights bodies. TRIAL also raises awareness among the authorities and the general public regarding the need for an efficient national and international justice system for the prosecution of crimes under international law. In the past 12 years, TRIAL has defended close to 360 victims through 145 international procedures concerning Algeria, Bosnia and Herzegovina, Burundi, Libya, Nepal, Russia and Tunisia. The organisation has submitted 40 reports to the UN and filed or supported over 120 domestic proceedings in Algeria, Bosnia and Herzegovina, Burundi, France, Nepal, Switzerland, Tunisia and the United Kingdom, a significant number of which have resulted in investigations, convictions or are currently still pending. For further information on TRIAL, please consult our website at www.trial-ch.org.

ABOUT ECCHR

European Center for Constitutional and Human Rights (ECCHR), Berlin, Germany: ECCHR is an independent, non-profit legal organization that enforces human rights by holding state and non-state actors responsible for egregious abuses through innovative strategic litigation. ECCHR focuses on cases that have the greatest likelihood of creating legal precedents in order to advance human rights around the world. For further information on ECCHR, please consult our website at www.ecchr.eu.

ABOUT FIDH

FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice. A broad mandate: FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights. A universal movement: FIDH was established in 1922, and today unites 178 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level. An independent organisation: Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments. For further information on FIDH, please consult our website at www.fidh.org/La-Federation-internationale-des-ligues-des-droits-de-l-homme.

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