



Independent Legal
Representation of
Victims of War Crimes
and Crimes against
Humanity

**CIVITAS
MAXIMA**

2015 ANNUAL REPORT

“Injustice anywhere is a threat to justice everywhere”

– MARTIN LUTHER KING, JR.

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MISSION & VISION

MISSION

Civitas Maxima ensures the coordination of a network of international lawyers and investigators who work for the interests of women, children and men who have been victims of international crimes, particularly war crimes and crimes against humanity. The three core functions of Civitas Maxima are the **documentation** of these crimes, including the preservation of the information as long as necessary, the **pursuit of justice** for victims in any national or international legal forum with jurisdiction and **building the capacity** of partner organizations in countries where the crimes were committed whenever appropriate. Civitas Maxima targets only situations where no legal action has been successful in holding perpetrators accountable.

VISION

Civitas Maxima was founded upon the belief that all victims of international crimes must be leading actors in their own quest for justice. Thus, in situations where political will or resources are lacking, in order for investigations into international crimes to advance, the victims of these crimes must be enabled to pursue justice. With the assistance of independent and professional lawyers and investigators, victims can make every effort to bring to trial those suspected of atrocities. In cases where political circumstances make it temporarily impossible for investigations to happen, the effective documentation of crimes and the preservation of evidence is paramount and the only way to ensure that there could one day be justice for victims.

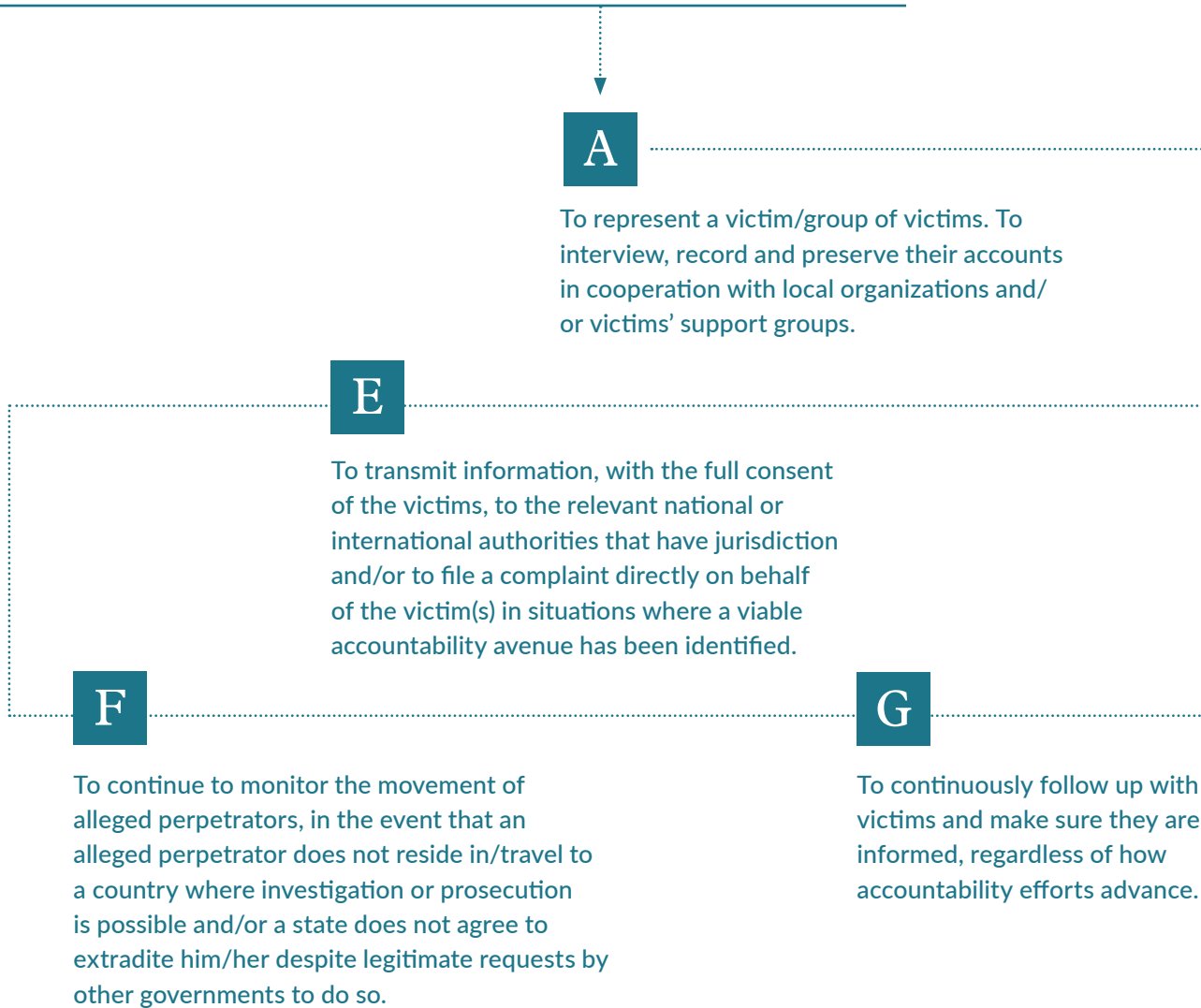
THE NAME

Civitas Maxima is a Latin term used for the legal doctrine that maintains that all human beings, as members of the international community, share certain core values. The doctrine thus promotes the idea that the most egregious violations of these values call for a vigorous and equitable response. Further, the doctrine contends that there is a common interest among states, which surpasses their own national interests, and obligates them to punish the most serious crimes against those values.



GANTA, LIBERIA, JUNE 2003. IN THE SUMMER OF 2003, THE LIBERIAN GOVERNMENT OF THE FORMER WAR LORD, NOW PRESIDENT, CHARLES TAYLOR IS CHALLENGED BY TWO REBEL MOVEMENTS. THE TOWN OF GANTA, ON THE BORDER WITH GUINEA, HAS JUST BEEN RECAPTURED FROM LURD-REBELS. FEMALE MEMBERS OF TAYLOR'S ARMED FORCES STANDING ON GUARD. © TEUN VOETEN 2013

CIVITAS MAXIMA'S WORK METHODOLOGY



CIVITAS MAXIMA'S MODEL IS UNIQUE

- Civitas Maxima is the only organization in the world with the sole objective of documenting international crimes with a view to obtaining criminal justice on behalf of victims.
- Civitas Maxima is completely independent and apolitical.
- Civitas Maxima does not take money from governments to safeguard its independence.
- Civitas Maxima has a bottom up approach: everything starts with a victim on the ground and thorough investigations are conducted with local partners before any litigation is initiated.

B

To store all relevant information in a secure electronic database.

D

To explore any appropriate accountability avenues on behalf of the victims.

C

To build a list of potential alleged perpetrators, based on the factual and legal analysis of victims' accounts.

H

To record and preserve victims' accounts, keeping in mind that political circumstances may change and prosecutions that seem impossible today may become a reality in the future.

I

To assist local partners in building their capacity to investigate, whenever appropriate and possible.

- Capacity building and strengthening of grassroots organizations is one of Civitas Maxima's core functions.
- Civitas Maxima makes the link between grassroots organizations and relevant national and international authorities to accelerate the judicial process.
- Civitas Maxima combines unique expertise in international criminal law from its board members and international staff with the invaluable knowledge of a country's history, culture and customs from local partners. The grassroots organizations have the necessary legitimacy to work with victims.
- Civitas Maxima has developed a method which can work in various settings and can be replicated.
- Civitas Maxima has a small structure which allows flexibility, swift adaptation, and recalibration if needed.
- Civitas Maxima builds capacity with a view to independence of local actors and has exit strategies in place to that effect.
- Civitas Maxima has a clear vision of the potential effect on institutional reform that its documentation work can have in countries where alleged crimes were committed.



LIBERIA, MONROVIA, JUNE 2003.
DISPLACED PEOPLE HAVE SQUATTED RUN-DOWN AND
DESERTED BUILDINGS ALL OVER THE CITY. CHILDREN
PLAYING SOCCER ON A VACANT LOT. © TEUN VOETEN 2013

DEFINITIONS

International crimes are infractions that are considered so grave that they are of concern for humanity as a whole.

— International crimes that Civitas Maxima focuses on include, among others: mass killings, torture and inhuman treatment, enslavement and sexual and gender-based crimes. When such acts are committed as part of a widespread or systematic attack against a civilian population, they can be characterized as crimes against humanity. When they are committed in connection to an armed conflict of internal or international character they can be characterized as war crimes. Other war crimes that Civitas Maxima focuses on, for example, are pillage and recruitment of child soldiers.

States have the primary duty to investigate and try these crimes in their domestic courts. These domestic courts can mainly use four different types of jurisdiction to try these international crimes:

- **Territorial Jurisdiction:** As a general rule national criminal courts have jurisdiction to try all persons, native or foreign, who have committed any crime within their national borders, regardless of the nationality of the victim and the alleged perpetrator.
- **Universal Jurisdiction:** Some states have provisions in their laws granting their domestic courts jurisdiction to investigate and try all persons, regardless of their nationality and their location or residence, suspected to have committed international crimes, even if such crimes were committed on the territory of another state against foreign nationals. In many countries, however, the exercise of universal jurisdiction in practice is restricted to potential accused persons who are present in their territory and who can realistically be investigated and/or arrested (*forum deprehensionis*).

- **Jurisdiction based on active personality:** Most national legal systems provide for jurisdiction over their own nationals suspected of certain international criminal activity, even if the crime(s) were committed outside their own borders against a foreign national.
- **Jurisdiction based on passive personality:** In a certain number of countries, laws provide for jurisdiction over any person committing certain international crimes against one of its nationals, even if the crime was committed by a foreign national in a foreign country.

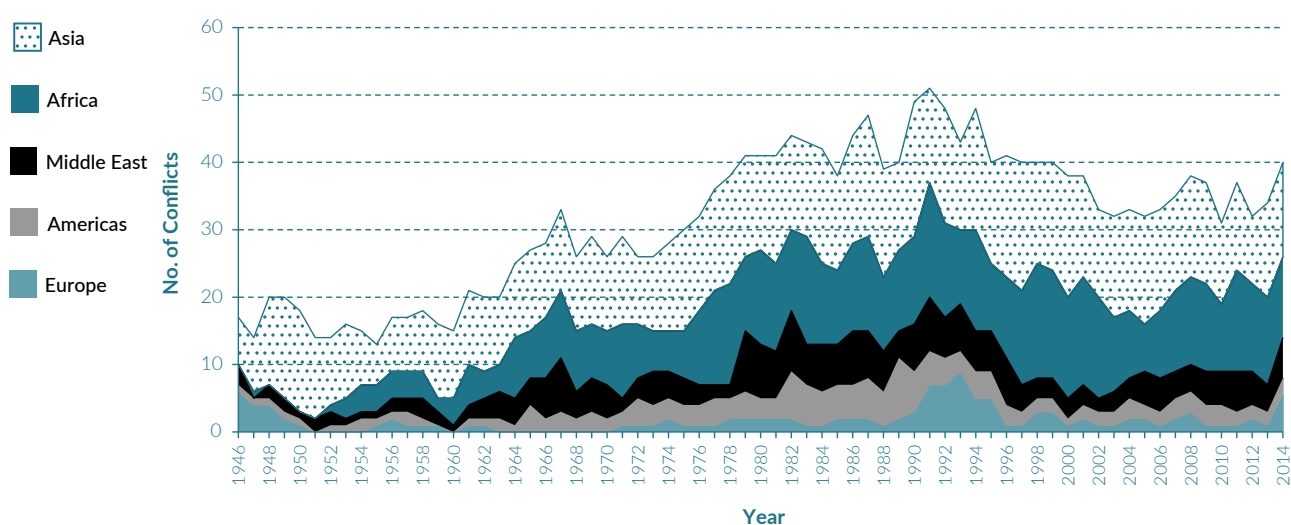
When victims of international crimes cannot obtain justice in the country where the crimes were committed (territorial jurisdiction) because of political or other reasons, Civitas Maxima strives to pursue justice on their behalf in other countries, using one of the remaining forms of jurisdiction (universal jurisdiction/forum deprehensionis, active personality and passive personality), or in international legal fora, such as the International Criminal Court (ICC).

FIGURES

NUMBER OF CONFLICTS AND VICTIMS OF CONFLICTS

— According to the Uppsala Conflict Data Program in 2014, **40 armed conflicts were active in 27 locations worldwide**, representing an **increase of 18%** in comparison to the 34 conflicts reported in 2013.¹ **This is also the highest number of conflicts reported since 1999.** The trend that was visible during the early 2000's, which showed a decreasing number of armed conflicts, seems now to have been reversed.

Armed conflict by regions | 1946-2014

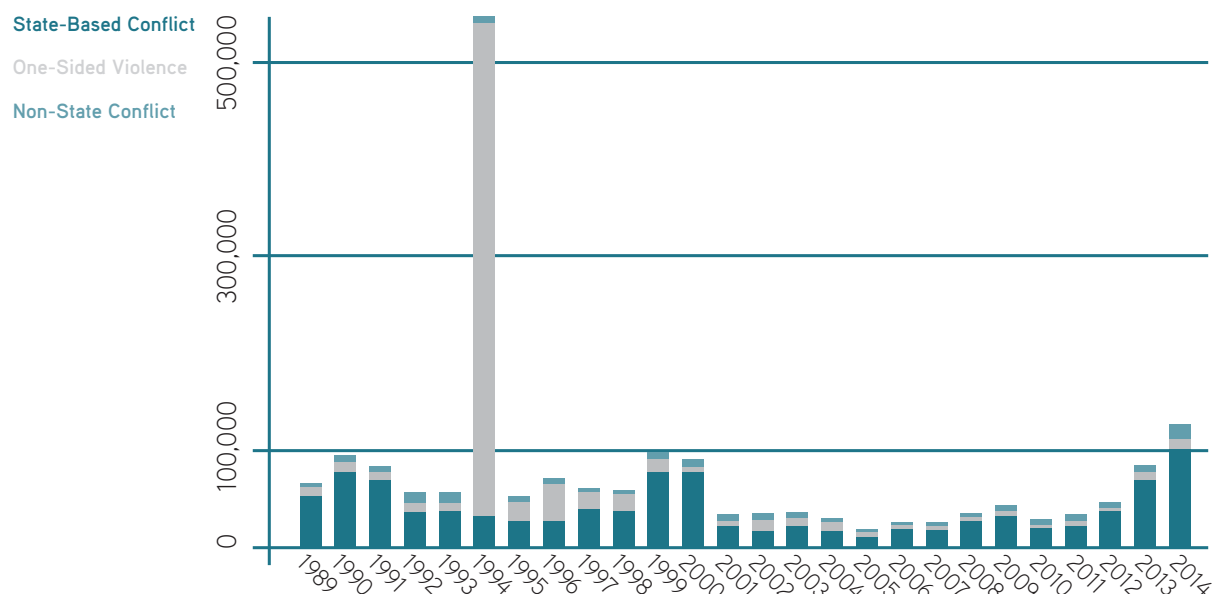


Pettersson, Therése & Peter Wallensteen (2015)
Armed Conflicts, 1946-2014. *Journal of Peace Research* 52(4).

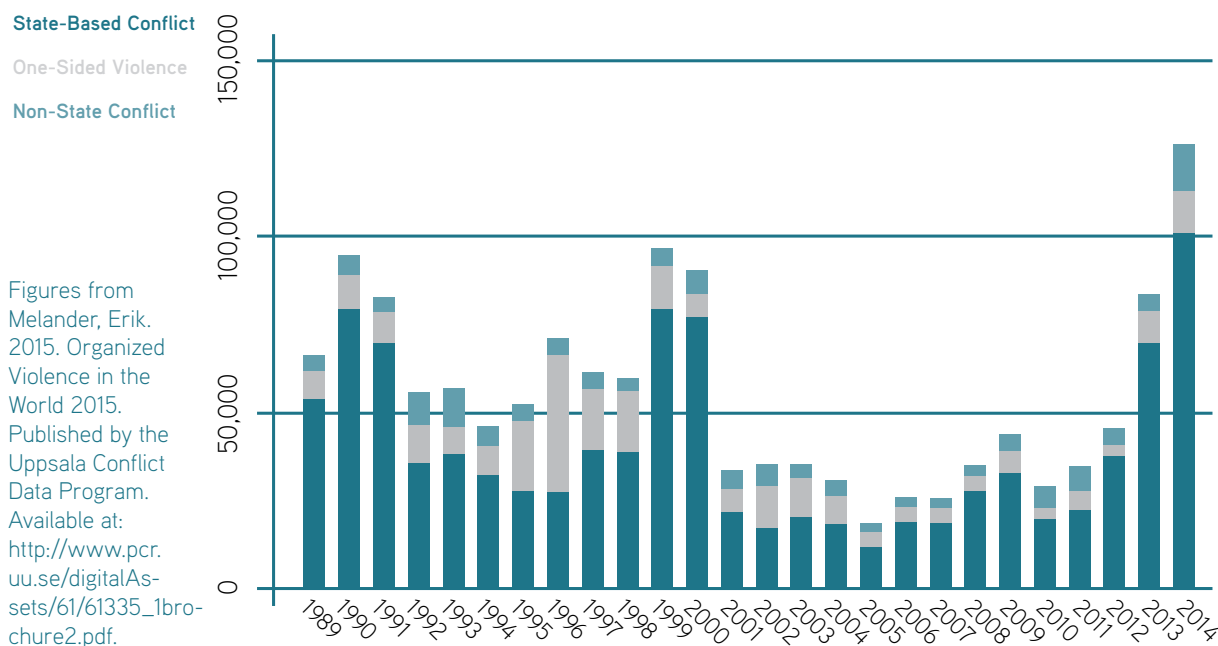
1 | Uppsala Conflict Data Program, Uppsala University, available at <http://www.pcr.uu.se/research/UCDP/>

According to the same source, between 1989 and 2014, **almost 2 million people have died in armed conflict**. The increased number of wars in 2014 also translated into an increase in the number of battle-related deaths that year with the most conservative estimate being **over 100.000 people killed**.² The yearly death count in organized violence per year has not exceeded 100.000 since 1994, when the Rwandan genocide took place.

Yearly fatalities in organized violence (1989-2014) including the Rwandan Genocide



Yearly fatalities in organized violence (1989-2014) excluding the Rwandan Genocide



Figures from Melander, Erik. 2015. Organized Violence in the World 2015. Published by the Uppsala Conflict Data Program. Available at: http://www.pcr.uu.se/digitalAssets/61/61335_1brochure2.pdf.

2 | Battle-related deaths occur in what can be described as « normal » warfare involving the armed forces of the warring parties. This includes traditional battlefield fighting, guerrilla activities (e.g. hit-and-run attacks/ambushes) and all kinds of bombardments of military units, cities, and villages etc. The targets are usually the military itself and its installations, or state institutions and state representatives, but there is often substantial collateral damage in the form of civilians killed in crossfire, indiscriminate bombings etc. All deaths – military as well as civilian – incurred in such situations are counted as battle-related deaths.

While the bulk of fatalities in 2014 occurred in the conflict in Syria, battle-related deaths increased substantially in other conflicts as well.³ In fact, excluding Syria, The Uppsala Conflict Data Program recorded more than 47.000 deaths in 2014, **which is the highest number of fatalities recorded since 2000.**⁴

While not all killings recorded in conflicts amount to international crimes, the number of such crimes committed against civilians in conflicts is certainly not decreasing. Speaking to the Security Council in early 2015, a representative of the International Committee of the Red Cross (ICRC) concluded: “*I regret to say, based on our observations in the field, that I cannot report any significant progress in the way armed conflicts are being waged, or any significant alleviation of their impact on civilians throughout the world*”.⁵

In addition, the 2015 annual report of the Secretary-General on conflict-related sexual violence highlighted harrowing accounts of rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence of comparable gravity in 19 different countries as well as a “*shocking trend of sexual violence employed as a tactic of terror by radical groups*”.⁶

NUMBER OF CASES FOR INTERNATIONAL CRIMES

The basis of the current system of international criminal justice is largely built around the Rome Statute, which established the International Criminal Court (ICC) based in The Hague in the Netherlands. The Rome Statute has been ratified by 124 countries and the ICC today is the only permanent international body to try alleged perpetrators of international crimes including war crimes and crimes against humanity, provided it can assert jurisdiction.⁷

There are several major issues with the ICC, which leave high numbers of victims without access to justice:

1) Various conflicts do not fall under the ICC’s jurisdiction. Many countries where violent conflicts rage never ratified the Rome Statute and they do not fall under the ICC’s jurisdiction. The only other way for the Court to acquire jurisdiction over a situation is through a state’s self-referral or through a referral by the UN Security Council, which is often blocked on this issue due to differing political interest of states.⁸

3 | Theresé Pettersson & Peter Wallensteen, “Armed Conflicts – 1946–2014”, Uppsala Conflict Data Program, Uppsala University, Journal of Peace Research 2015, Vol. 52(4) 536–550.

4 | Other sources put the body count of people killed in conflicts in 2014 significantly higher at more than 160.000 people killed or an increase of 28.70% compared to 2013 (Alexander Mattes, « Death Toll in 2014’s Bloodiest Wars Sharply Up on Previous Year », Project for the Study of the 21st Century, March 17, 2015) or at 180 000 people killed or an increase of 37.23% compared to 2013 (Armed Conflict database of the International Institute for Strategic Studies; <http://acd.iiss.org/>).

5 | International Committee for the Red Cross Statement, « Protection challenges and needs faced by women and girls in armed conflict and post-conflict settings », 30 January 2015 available at <https://www.icrc.org/en/document/protection-challenges-and-needs-faced-women-and-girls-armed-conflict-and-post-conflict>.

6 | Report of the Secretary-General, “Conflict-Related Sexual Violence, UN Doc. S/2015/203”, United Nations Security Council, March 23, 2015, available at http://www.securitycouncilreport.org/atf/cf/%7B65BF-CF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf.

7 | See Rome Statute Articles 5-20 which lay out the rules of jurisdiction at <http://legal.un.org/icc/statute/>.

8 | For example, China and Russia have blocked efforts to refer the current situation in Syria to the International Criminal Court, see <http://www.theguardian.com/world/2014/may/22/russia-china-ve-to-un-draft-resolution-refer-syria-international-criminal-court> [rome fra.htm](http://www.theguardian.com/world/2014/may/22/russia-china-ve-to-un-draft-resolution-refer-syria-international-criminal-court).

2) The ICC only has jurisdiction over crimes which were committed after its establishment in July 2002. Thus, a high number of forgotten victims of conflicts that happened before 2002 do not have access to the ICC.

3) The ICC does not have a police force and is dependent upon states' cooperation to conduct its investigations. Investigations in countries where those accused of atrocities hold positions of power are, thus, extremely difficult for the ICC.

The ICC has been operational since 2002 and, despite the rising number of civilian conflict-related casualties in recent years, it has so far only convicted 3 people (Thomas Lubanga Dyilo, Germain Katanga and Jean-Pierre Bemba) and acquitted one (Mathieu Ngudjolo Chui). **This figure highlights the fact that the ICC system cannot possibly be the only answer in the fight against impunity for international crimes.**

In theory, the criminal courts of national states should be the first ones – before the ICC – to be trying the alleged perpetrators of war crimes and crimes against humanity. This is provided in the Rome Statute itself with the principle of complementarity, which means that the ICC only has jurisdiction when its member states are unwilling or unable to genuinely investigate or prosecute alleged perpetrators of international crimes.⁹

In some situations ad hoc international or hybrid tribunals have been set up by the international community, in cooperation with local governments, to address international crimes that were committed on a large scale.¹⁰ However, a large number of victims are still left without redress, as many other alleged atrocities have not been addressed by such tribunals or national courts due to political circumstances.¹¹

Unfortunately, national states have only arrested and tried an extremely limited number of perpetrators. The number of alleged perpetrators of international crimes arrested or tried by national courts using the principles of universal jurisdiction or jurisdiction based on the active or passive personality principles has remained very low. **According to one recent study, only eight arrests based on the abovementioned principles happened worldwide in 2014 and 2015, as well as six convictions in first instance and five convictions on appeal.**¹³

In view of the rising number of civilian casualties in armed conflict and the very low number of cases brought against the alleged perpetrators of international crimes, an independent and professional organization, such as Civitas Maxima, which represents victims and seeks justice on their behalf, is needed more than ever. The following section describing the impact that Civitas Maxima's work has had in 2015, with limited means, only reinforces this assertion.

9 | See Rome Statute Preamble: "Emphasizing that the International Criminal Court established under this Statute shall be complementary to national criminal jurisdictions" and Article 17 (1) « (...) the Court shall determine that a case is inadmissible where: (a) The case is being investigated or prosecuted by a State which has jurisdiction over it, unless the State is unwilling or unable genuinely to carry out the investigation or prosecution » at <http://legal.un.org/icc/statute/romeofra.htm>

10 | For Example, the Special Court for Sierra Leone (SCSL), the International Criminal Tribunal for Rwanda (ICTR), the Extraordinary Chambers in the Courts of Cambodia (ECCC), the International Criminal Tribunal for the Former Yugoslavia (ICTY).

11 | For example, atrocities committed during the Liberian Civil Wars.

13 | TRIAL, ECCHR, FIDH, "Make Way for Justice 1", 14 April 2015, available at <https://www.fidh.org/en/issues/international-justice/universal-jurisdiction/make-way-for-justice-2-40-cases-to-understand-universal-jurisdiction>; TRIAL, FIBGAR, ECCHR and FIDH, "Make Way for Justice 2", 29 February 2016, available at <https://www.fidh.org/en/issues/international-justice/universal-jurisdiction/make-way-for-justice-universal-jurisdiction-in-2014-scrutinized-by>.

SUMMARY OF CIVITAS MAXIMA'S IMPACT IN 2015

The most valuable but least visible impact of Civitas Maxima's work is the impact the documentation work has on the victims that Civitas Maxima represents and the countries where it works. Since it was founded in 2012, Civitas Maxima has documented crimes committed against over 500 victims.

— Being able to talk to qualified and experienced professionals working for Civitas Maxima not only has a therapeutic and important psychological effect on many of the victims, it also provides them with hope that they may see justice one day in the future and with the certainty that they are not alone, that somebody will be fighting for accountability alongside them in the long-term. By documenting crimes and preserving information in a secure manner, Civitas Maxima preserves not only personal stories but also information that could be used as evidence in future national or international criminal proceedings. When this documentation work leads to cases that become public, justice not only becomes real for victims but it can also provide a new impetus to relaunch national discussions about institutional reforms and justice mechanisms in the countries where the alleged crimes were committed.

Moreover, as in 2014, with groundbreaking arrests in Belgium and Switzerland of two Liberian commanders for war crimes,¹⁴ 2015 also produced highly visible and compelling developments in Civitas Maxima's work. The most visible outcome of Civitas Maxima's work in 2015 was the arrest of a US and Belgian businessman in September 2015 in Malaga, Spain for his alleged participation in the trade of blood diamonds from Sierra Leone during the civil war. He was extradited to Belgium where he is still detained (see page 29).

14 | see Civitas Maxima's annual report 2014

This is the **very first time** that someone has been arrested and indicted for participation in the trade of blood diamonds, qualified as a war crime – pillage – and crime against humanity – forced labor.

The criminal complaint which led to his arrest was based on information collected by Civitas Maxima and its partner in Sierra Leone, the Centre for Accountability and Rule of Law (CARL).

It has been well researched and documented over the years that the trade of minerals from war-torn zones prolongs fighting and thus directly contributes to the commission of atrocities. According to the UN Environmental Program, **at least forty percent** of recent intrastate conflicts had links to natural resources, and the presence of natural resources **makes conflicts twice as likely to recur**.¹⁵ Nevertheless, **nobody** has ever been charged with crimes directly connected to the trade of diamonds from conflict zones as a war crime or crime against humanity.

Therefore, this particular arrest combined with the fact that acts of pillage and forced labor connected to the blood diamond trade were characterized as a war crime and a crime against humanity, respectively, have concretely contributed to filling a significant impunity gap. Furthermore, both the well publicized arrest and charges have sent the message that the trade of minerals from conflict zones by foreign actors can incur criminal responsibility and does not operate in a space of impunity. A legal precedent could be created if this case is brought to trial.

15 | UNEP, 2009, From Conflict to Peacebuilding: the Role of Natural Resources and the Environment, available at www.unep.org.



**SIERRA LEONE, NEWTON, NEW FREETOWN, MAY 2000.
MILITIAS STEP OUT OF THEIR VEHICLE TO MOVE TO THE
FRONT LINE TO COUNTER A REBEL ATTACK. © TEUN VOETEN 2013**

ARRESTS IN 2014 AND 2015

There were 8 arrests by national authorities for international crimes not committed on their territory worldwide over a two-year period in 2014 and 2015.¹⁶

In spite of its limited budget and size, Civitas Maxima's work and the work of its partners led directly to 3 out of these 8 arrests.

— 2014



MARTINA JOHNSON – BELGIUM

Arrested by Belgian police on 17 September 2014.

FACTS: Former Liberian front line Commander of the NPFL and allegedly Charles Taylor's chief of the artillery unit during "Operation Octopus" in October 1992.

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

CLEVER BERINKINDI – SWEDEN

Arrested on 24 September 2014 in Sweden.

FACTS: Alleged leader in attacks against Tutsi in Southern Rwanda during the Rwandan genocide

ALLEGED CRIMES: Genocide and crimes against international law.



ALIEU KOSIAH – SWITZERLAND

Arrested on 10 November 2014 in Switzerland.

FACTS: Allegedly committed war crimes between 1993 and 1995, in Liberia, as commander of the ULIMO, a rebel group fighting against the NPFL of Charles Taylor.

ALLEGED CRIMES: War crimes such as systematic killings, targeting civilians.

16 | TRIAL, ECCHR, FIDH, "Make Way for Justice 1", 14 April 2015, available at <https://www.fidh.org/en/issues/international-justice/universal-jurisdiction/make-way-for-justice-2-40-cases-to-understand-universal-jurisdiction>; TRIAL, FIBGAR, ECCHR and FIDH, "Make Way for Justice 2", 29 February 2016, available at <https://www.fidh.org/en/issues/international-justice/universal-jurisdiction/make-way-for-justice-universal-jurisdiction-in-2014-scrutinized-by>. It should be noted that the reports also mentioned the arrest of Marc Ravalomanana, former president of Madagascar who was arrested in 2014 upon his return from South Africa to Madagascar and has since been pardoned. Civitas Maxima did not include this case here, as we do not consider it a case of an accused who committed international crimes outside of the territory where he was arrested. The accused was from Madagascar and arrested in Madagascar for crimes he allegedly committed in Madagascar.

— 2015



MICHEL DESAEDELEER – BELGIUM

Arrested in Malaga, Spain on 28 August 2015

FACTS: Belgian/ American citizen allegedly implicated in enslavement and the looting of “blood diamonds” in Sierra Leone, between 1999 and 2001.

ALLEGED CRIME: Enslavement as a crime against humanity and pillage as a war crime.

IRAQI TWIN BROTHERS – FINLAND

Arrested in Forssa, Finland, in September 2015.

FACTS: Islamic State fighters arrested for alleged implication in the Camp Speicher massacre, Iraq, in June 2014.

ALLEGED CRIMES: Murders committed with terrorist intent.

SADEQ ALAMYAR – NETHERLANDS

Arrested on 27 October 2015 in Rotterdam.

FACTS: Dutch national originally from Afghanistan arrested for alleged war crimes committed in Afghanistan during the civil war which started in 1978.

ALLEGED CRIMES: Direct participation in and superior responsibility of war crimes in Afghanistan.

KARENZI KARAKE – SPAIN

Arrested at London Heathrow airport on 20 June 2015. Extradition demand of Spain rejected on 10 August 2015 and suspect returned to Rwanda (provisionally closed).

FACTS: Commanding officer of the Directory Military intelligence. Arrested for crimes allegedly committed in the Great Lakes region between 1994 and 2000 against 9 Spanish citizens and other victims.

ALLEGED CRIMES: Genocide, crimes against humanity, war crimes, torture, terrorism and terrorist group membership.

PAUL MWILAMBWE – SENEGAL

Indicted on 8 January 2015 and placed under judicial supervision.

FACTS: Alleged murder of Floribert Chebeya on 2 June 2010 in Kinshasa and disappearance of his associate, Fidèle Bazana.

ALLEGED CRIMES: Enforced disappearance and murder of human rights defender.

CIVITAS MAXIMA'S UNIQUE EXPERTISE IN INTERNATIONAL CRIMINAL LAW

The staff and the board members of Civitas Maxima have worked in nine international criminal courts created in the past 25 years and therefore have unparalleled experience and knowledge in the field.

ALAIN WERNER, DIRECTOR OF CIVITAS MAXIMA WHO REPRESENTED VICTIMS IN THE HISSEIN HABRÉ TRIAL, PLEADING IN DAKAR AT THE EXTRAORDINARY AFRICAN CHAMBERS DURING CLOSING ARGUMENTS, 09 FEBRUARY 2016.



- **ICTY (International Criminal Tribunal for the former Yugoslavia):** Nicholas Koumjian (Civitas Maxima Board Member/Prosecution Trial Attorney), Emmanuelle Marchand (Civitas Maxima Staff/Legal Assistant for the Defense).
- **ICTR (International Criminal Tribunal for Rwanda):** Roland Adjovi (Civitas Maxima Board Member/Senior Legal Officer within the Office of the President of the Tribunal).
- **SCSL (Special Court for Sierra Leone):** Nicholas Koumjian (Civitas Maxima Board Member/Principle Trial Attorney for the Prosecutor), Lesley Taylor (Civitas Maxima Board Member/Senior Trial Attorney, Office of the Prosecutor), Corinne Dufka (Civitas Maxima Board Member/Senior Investigator for the Prosecutor), Alain Werner (Civitas Maxima Director/Trial Attorney for the Prosecutor).
- **East Timor Tribunal (Special Penals of the Dili District Court):** Nicholas Koumjian (Civitas Maxima Board Member/Chief International Prosecutor).
- **ECCC (Extraordinary Chambers in the Courts of Cambodia):** Nicholas Koumjian (Civitas Maxima Board Member/International Co-Prosecutor), Alain Werner (Civitas Maxima Director/Attorney for the Civil Parties), Emmanuelle Marchand (Civitas Maxima Staff/Legal Coordinator for the Civil Parties).
- **ICC (International Criminal Court):** Nicholas Koumjian (Civitas Maxima Board Member/Defense lawyer), Roland Adjovi (Civitas Maxima Board Member/Legal Officer within the Office of Public Counsel for Victims).
- **EAC (Extraordinary African Chambers in Senegal):** Alain Werner (Civitas Maxima Director/Lawyer for Civil parties), Emmanuelle Marchand (Civitas Maxima Staff/Legal Consultant for Civil Parties), Lisa-Marie Rudi (Civitas Maxima Staff/Legal Consultant for Civil Parties).
- **War Crimes Chamber of the Criminal Division of the State Court of Bosnia-Herzegovina:** Nicholas Koumjian (Civitas Maxima Board Member/Prosecutor).
- **STL (Special Tribunal for Lebanon):** Robert Roth (Civitas Maxima Board Member/Presiding Judge of Trial Chamber).

CIVITAS MAXIMA'S 2015 BOARD MEMBERS

In 2015, Civitas Maxima's Board was comprised of well-respected practitioners and academics from 9 different countries on 5 continents.

Robert Troxler (USA).

Former Executive in investment related activities at the Citibank and Founder and Director of GlobalView Investments SA in Geneva.

Corinne Dufka (USA).

Senior Human Rights Watch Africa Division researcher with specialized expertise in Sierra Leone, Liberia, Ivory Coast, and Guinea. In charge of the organization's work in West Africa.

Olympia Bekou (Greece).

Professor of Public International Law and Head of the International Criminal Justice Unit at the University of Nottingham, United Kingdom.

Kim Thuy Seelinger (USA).

Director of the Sexual Violence Program at the Human Rights Center of the University of California, Berkeley, School of Law. Member of UN High Commissioner for Refugees' Advisory Group on Gender, Forced Displacement, and Protection.

Nicholas Koumjian (USA).

International Co-Prosecutor at the Extraordinary Chambers in the Courts of Cambodia. He has worked in various other criminal tribunals throughout his career.

Roland Adjovi (Benin).

Visiting Professor at Arcadia University, Glenside, USA. He was Lead Counsel for Rev. Mtikila before the African Court on Human and Peoples' Rights and worked at the International Criminal Tribunal for Rwanda and at the International Criminal Court. He is also a Member of the United Nations Working Group on Arbitrary Detention.

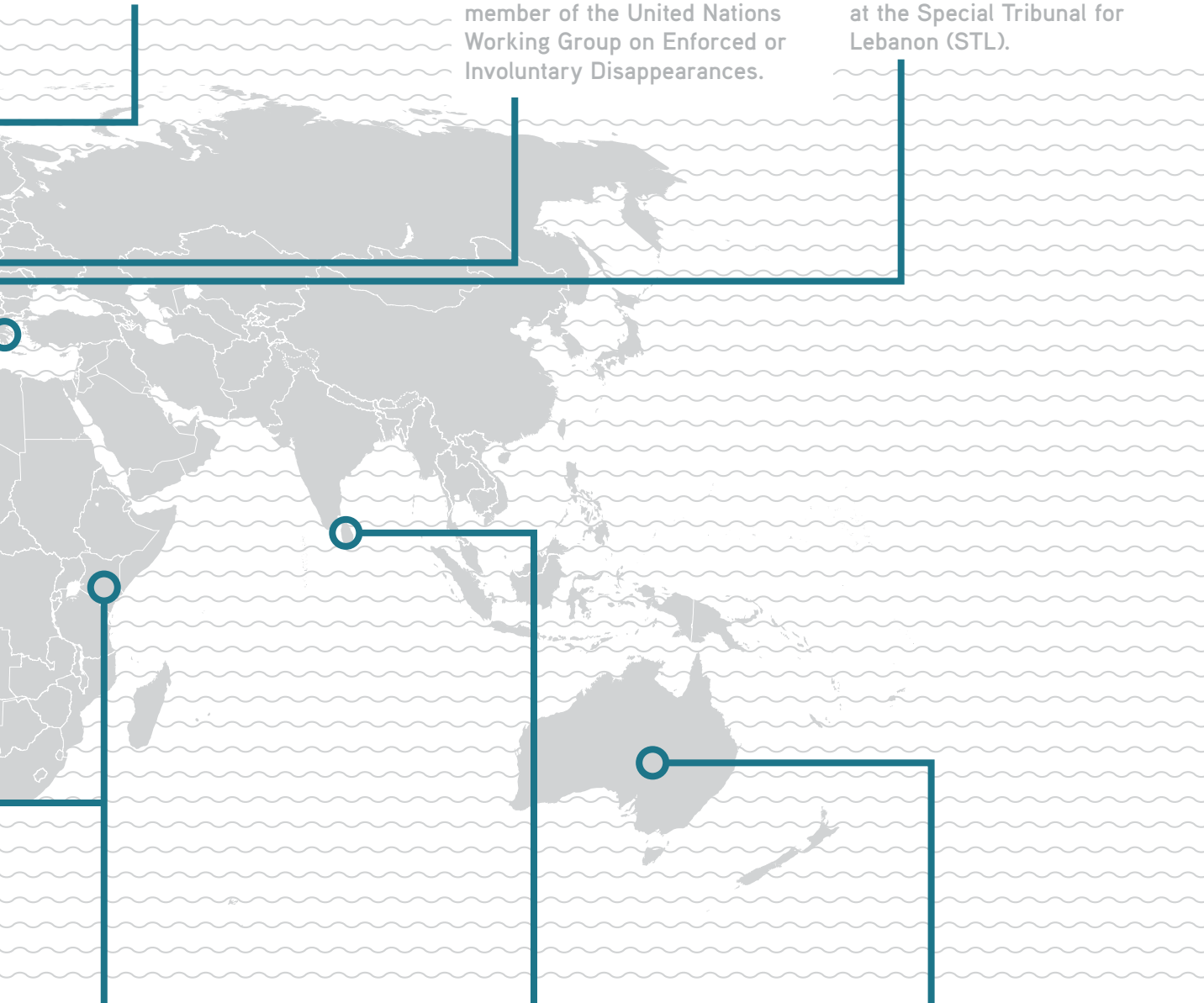
Maina Kiai (Kenya).

United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association and Co-Director of InformAction in Kenya.

Nigel Pleming QC (United Kingdom). Barrister, practices mostly in England and Wales, but also in Hong Kong, Belize and the Caribbean. He is a Deputy Judge of the High Court and a Judge of the Courts of Appeal of Jersey and Guernsey.

Olivier de Frouville (France). Professor of Public Law at the University of Paris 2 (Panthéon-Assas), Deputy Director at the Center of Research on Human Rights and Humanitarian Law and a member of the United Nations Human Rights Committee. Former member of the United Nations Working Group on Enforced or Involuntary Disappearances.

Robert Roth (Switzerland). Professor of national and international criminal law at the University of Geneva and Director of the Geneva Academy of International Humanitarian Law and Human Rights. Former Presiding Judge of Trial Chamber at the Special Tribunal for Lebanon (STL).



George Kegoro (Kenya). Executive Director of The Kenya Human Rights Commission. Former Executive Director of the International Commission of Jurists (ICJ) Kenya.

Basil Fernando (Sri Lanka). Lawyer, leading scholar and former officer of the United Nations. Former Executive Director of the Asian Human Rights Commission and Asian Legal Resource Center based in Hong Kong and presently serves as their Director of Policy and Programmes.

Lesley Taylor QC (Australia). Barrister at the Victorian Bar in Melbourne, Australia. Former member of prosecution team at the Special Court for Sierra Leone (SCSL).

CAPACITY BUILDING

One of the unique features of Civitas Maxima's work is its prioritization of capacity building efforts. Civitas Maxima helps in a concrete and sustainable manner local organizations to build capacity, work hand in hand on common projects and become leading local actors in the fight against impunity.

— In 2015, Civitas Maxima continued to strengthen at all levels the capacity of its Liberian partner, the Global Justice and Research Project (GJRP) to become the leading actor in Liberia in the fight against impunity.¹⁷

Civitas Maxima has therefore provided in 2015, for the 4th consecutive year, the entirety of GJRP's operational budget. As it was the case in 2013 and 2014, Civitas Maxima also ensured that members of the GJRP received the best possible training for investigation of international crimes in The Hague at the Institute for International Criminal Investigation (IICI) where they received full scholarships.¹⁸

The IICI is a non-governmental international organization providing criminal justice and human rights professionals with training in the techniques and knowledge necessary to impartially investigate international crimes and egregious human rights violations. The IICI is highly respected and has become the partner of choice of major players in the field.

Civitas Maxima has also made it possible for Hassan Bility, Director of the GJRP and another staff member to spend five weeks in Eastern Africa with the International Commission of Jurists Kenya (ICJ-Kenya) in Nairobi. They spent their time shadowing the teams and took a broad set of best practices home, which they can apply at the GJRP.

17 | www.globaljustice-research.org

18 | <http://www.iici.info/>

During this period, Hassan Bility met with African actors of several countries involved in the fight against sexual violence in Kampala, Uganda, during a conference organized by The Human Rights Centre of the UC Berkeley School of Law, the Uganda Fund, the US Institute of Peace (USIP), Women In International Security(WIIS) and the Peace Research Institute Oslo (PRIO).

He also travelled to Arusha (Tanzania) and Dakar (Senegal) to attend workshops organized by TrustAfrica and met with other African actors of several civil society organizations to discuss and provide inputs around the common issues arising in documenting atrocity crimes.¹⁹

Very few independent organizations in Africa work exclusively on fighting impunity by documenting international crimes to make criminal accountability possible. Thanks to the tireless work of capacity building done by Civitas Maxima since 2012, GJRP is already today a major player in the fight against impunity in Africa with unique results: hundreds of statements taken from victims of war crimes and crimes against humanity and a key contribution in the arrest of two persons charged with war crimes in two different European countries.

In Sierra Leone, Civitas Maxima cooperates with the Centre for Accountability and the Rule of Law (CARL).²⁰ CARL is a well-established, independent organization led by human rights defender Ibrahim Tommy.

CARL works towards a just society in Sierra Leone, through monitoring, advocacy for institutional transparency, capacity building and empowerment of citizens.

CARL has its origin in the Special Court Monitoring Group (SCMG), which was established in May 2004 to monitor and produce objective reporting on proceedings before the Special Court for Sierra Leone for both local and international community.

Civitas Maxima has created and nurtured links between CARL and European war crimes units to work on Sierra Leonean cases, enabling CARL to become an even more credible partner for European investigators and giving their work a wider international reach.

19 | TrustAfrica (<http://www.trustafrica.org/en/>) an independent foundation that seeks to strengthen African initiatives that address the most difficult challenges confronting the continent such as securing the conditions for democracy; fostering African enterprise and achieving broadly shared prosperity; and cultivating African resources for democracy and development.

20 | <http://www.carl-sl.org>



HUMAN RIGHTS WATCH

<http://human.hrw.org/bility/>

Kidnapped by the Big Man

Hassan Bility,

Hellman/Hammett Grant

Awarded 2003¹

by Daniel Bergner, 22 April 2015

Hassan Bility's three-year-old son, Cherish, wanted some popcorn. Bility had brought the boy downtown to the offices of the *Analyst*, one of Monrovia's thin, scrappy newspapers, where Bility held the title of editor-in-chief but performed every role from reporter to copy editor. He set aside his work, took Cherish's hand, and stepped outside amid buildings gutted by civil war. He headed toward a shop that sold popcorn. A moment later, he was fighting a swarm of men trying to force him into a red car, and Cherish was fighting, too, clinging to the pants of someone in the swarm. "He's my dad," the three-year-old tried to make everyone understand.

Through the car's rear window, Bility watched his son standing, abandoned, on the anarchic street. Soon the journalist was blindfolded; when the black cloth came off, he was at the White Flower, the compound of Charles Taylor, Liberia's president. Taylor had risen to power by waging one of Africa's most devastating civil wars; he'd amassed a fortune in diamonds by stoking the equally brutal civil war in neighboring Sierra Leone; and his army was now – on that June night in 2002 – battling rebels not far from the capital. Security men ushered Bility in front of the dictator. Surrounded by his ministers, Taylor, in a short-sleeve khaki shirt, looked up from his desk, peering over a pair of reading glasses that he wore almost comically low on his nose. "So this is the guy who wants to overthrow my government," Taylor said.

As a teenager, Bility supported himself by selling used clothes, hawking them on the streets. He put himself through college by driving one of Monrovia's dilapidated taxis, and then began selling stories, as a freelancer, about Liberia's warlords and their human rights abuses. By the time Taylor stared at him over his spectacles, Bility had been arrested six times before; he'd been accused of false reporting about Taylor's involvement in Sierra Leone; he'd been



jailed and beaten with rifle butts until he bled from his ears. Arrests and beatings were a kind of norm for Liberian journalists. But Bility, like so many in similar situations, somehow persuaded himself that things wouldn't get any worse.

Interrogating him for over two hours that night at the White Flower, Taylor insisted that Bility had purchased weapons in Europe and hired mercenaries in the Ivory Coast, and that he was keeping both the guns and the private platoon at the US Embassy while he conspired with a Liberian Catholic archbishop and American diplomats to topple the government. When the journalist refused to confess, the president's henchmen drove him out of Monrovia toward the Firestone rubber plantation, where, until the war chased the company away, Liberians in rags had tapped the trees for two or three dollars a day. The driver stopped at a defunct weigh station. Security men opened a manhole cover and ordered Bility down a ladder. He looked around his cell. (...)

1 | The Hellman/Hammet grants were awarded to writers all around the world for their commitment to free expression and the courage they showed when facing political persecution.



CASES

LIBERIA: EXTENSIVE, LONG-TERM DOCUMENTATION AND HISTORICAL GROUND-BREAKING ARRESTS

— At the time of writing, Civitas Maxima and GJRP have collected roughly 300 accounts of Liberian victims and stored them in a secure database.

This work of documentation has already led to the filing of criminal complaints both in Belgium and in Switzerland and to the arrest of Martina Johnson in Belgium and Alieu Kosiah in Switzerland. For political reasons there is a de facto impunity in Liberia for crimes committed during the war and several current high level Liberian politicians are connected to these crimes. Therefore, these arrests outside Liberia represent the only hope for many Liberian victims and send the signal that justice and not impunity will one day eventually prevail.

Martina Johnson

Martina Johnson, Liberian citizen and former artillery commander of the National Patriotic Front of Liberia (NPFL) of Charles Taylor, was arrested in September 2014 in Gent, Belgium, and charged with war crimes and crimes against humanity.

This was the first time ever a Liberian was criminally charged for international crimes allegedly committed during the 1st civil war in Liberia (1989-1996).

Civitas Maxima and the GJRP had documented crimes allegedly committed by Martina Johnson and the NPFL in Liberia and helped victims to file a criminal complaint against her in Belgium with the Belgian lawyer Luc Walley. The Belgian authorities conducted a two-year non-public investigation based on the information Civitas Maxima and GJRP collected.

Throughout 2015 the criminal investigation carried on and a decision is likely to be made in the course of 2016 by Belgian judges on whether or not to send Martina Johnson to trial.

Alieu Kosiah

Alieu Kosiah, Liberian citizen and former commander of the United Liberation Movement of Liberia for Democracy (ULIMO) was arrested and charged for war crimes in Switzerland in November 2014 and his arrest was made public in January 2015.

This was the first time ever a member of this armed group which was fighting against Charles Taylor and the NPFL during the Liberian civil war was arrested and charged.

Civitas Maxima and the GJRP documented crimes committed by ULIMO in Liberia and Alain Werner, Director of Civitas Maxima, filed on behalf of five Liberian victims a criminal complaint against Alieu Kosiah in 2014 in Switzerland after having discovered that he had resided in Switzerland for several years. Alieu Kosiah is suspected by the Swiss authorities to have committed war crimes between 1993 and 1995.

Throughout 2015, the criminal investigation proceeded and a Swiss Judge decided several times to prolong M. Kosiah's detention. A decision may be made in 2016 by a Swiss Prosecutor on whether or not to send Alieu Kosiah to trial for the alleged crimes committed against Liberian victims in Liberia.

A criminal trial of Alieu Kosiah would be the first time someone would be tried for war crimes in front of a non-military criminal court (the Federal Criminal Court) in Switzerland.

SIERRA LEONE

Michel Desaeleer

The Special Court for Sierra Leone (SCSL) whose mandate was to try those who bore the greatest responsibility for the crimes committed during the civil war in Sierra Leone made very important achievements, in particular the landmark trial of former Liberian President Charles Taylor. However, the Court failed in one key aspect: the prosecutors did not indict anyone specifically for crimes committed in connection to the trade of so-called blood diamonds. In fact, they did not investigate the involvement of Western players in this trade at all, even though it was well known that the diamonds were sold on the international market and that the machines sent to the mines to extract diamonds were not manufactured in Monrovia or in Freetown but in Europe or the United States.

For several years the efforts of Civitas Maxima and its Sierra Leonean partner – the Center of Accountability and Rule of Law (CARL) – have filled this important impunity gap by extensively documenting the responsibility of key actors in the so-called blood diamond trade.

Civitas Maxima and CARL in Freetown have worked in partnership and documented for several years the accounts of people used by the Revolutionary United Front (RUF)²¹ as slaves in the diamonds pits of Kono in the Eastern part of Sierra Leone as part of the trade of so-called “blood diamonds”. A criminal complaint against M. Desaeleer, US and Belgian citizen, was filed in 2011 in Belgium on behalf of several Sierra Leonean plaintiffs. This complaint prompted an official and non-public federal investigation by Belgian authorities against M. Desaeleer.

In September 2015, after several years of investigation, M. Desaeleer was arrested in Malaga, Spain, following the issuance of a European arrest warrant against him. He was then transferred to Belgium where he was charged for war crimes and crimes against humanity, being accused of having participated with Charles Taylor and the rebels of the RUF in Sierra Leone in the trade of so-called «blood diamonds».

The investigation is expected to carry on for several months, before a decision will be taken by the Belgian authorities on whether or not to send the case to criminal trial.

21 | The RUF is a rebel group that tried to overthrow the government which subsequently started the Sierra Leone civil war 1991–2002.

IVORY COAST – REPRESENTATION OF A LARGE GROUP OF IVORIAN VICTIMS

Since 2012, Civitas Maxima has represented a large group of Ivorian victims who were targeted because of their ethnicity during the post-election violence in 2011 in Ivory Coast. These victims are part of the Guéré ethnic group which is traditionally perceived as supporting Laurent Gbagbo. These civilians were subjected to egregious crimes allegedly committed by militias loyal to the current president and Gbagbo opponent Alassane Ouattara. For the most part, the crimes committed against these persons were not reported by anyone and were undocumented.

The documentation collected (250 statements) has allowed so far Civitas Maxima to reveal several patterns of military attacks by forces loyal to Alassane Ouattara against unarmed civilians in camps on ethnic and discriminatory grounds. As of late 2015, Civitas Maxima has carried out months of investigation on the ground and documented over 35 attacks against remote camps in the forest over a period of two months. The villagers who were without any protection were expelled from their land and often chased like animals. The crimes they suffered include torture, forced displacement, murder of adults and children. Many women were victims of heinous acts of sexual violence and several were enslaved for some period of time.

Based on the evidences collected, Civitas Maxima devised a comprehensive legal strategy to obtain justice for the Ivorian victims it represents which could become a blueprint for other work. This strategy entails assessing the possibility of the ICC investigating the crimes documented and filing a complaint at the ECOWAS Court.

This project currently benefits from a favorable environment. Several declarations have been made by the ICC Prosecutor Fatou Bensouda throughout 2015 on the will of the ICC to start looking into crimes committed on Ouattara's side. In October 2015, in an interview given to Shehzad Charania, Legal Advisor and Head of the International Law Team for the British Embassy in The Hague, who reported on it for "Justice in Conflict": *"The Prosecutor was clear that her office, the Office of the Prosecutor (OTP), is only guided by the evidence, and did not only pursue those most responsible for atrocity crimes in opposition, pointing to the situation in Darfur where she had brought charges against government actors as well as the rebels. In Cote d'Ivoire, she was intensifying investigations with respect to alleged crimes committed by pro-Ouattara side of the 2010-2011 conflict."*²²

22 | Shehzad Charania - "Without Fear or Favour" - An interview with the ICC prosecutor Fatou Bensouda, Oct 15 2015 available at <http://justiceinconflict.org/2015/10/15/without-fear-or-favour-an-interview-with-the-icc-prosecutor-fatou-bensouda/>



CIVITAS MAXIMA STAFF MEMBERS CONDUCTING
INTERVIEWS AND GROUP MEETINGS WITH VICTIMS
OF INTERNATIONAL CRIMES, WESTERN AFRICA, 2015.



INTERNATIONAL EDITION

'BLOOD DIAMONDS' ARREST SHEDS LIGHT OVER GRIM AFRICAN TRADE

By Tim Lister, CNN

Updated 1127 GMT (1827 HKT) August 31, 2015

MALAGA, Spain (CNN)—Last Friday, a 64-year old Belgian citizen, Michel Desaeleer, was waiting to board a flight from Malaga in southern Spain to New York. But his name registered on a Europe-wide database of arrest warrants and he was detained by police at the airport, according to Spain's Interior Ministry.

(...)

The warrant for Desaeleer's arrest was based on testimony gathered by a Swiss-based NGO, Civitas Maxima from witnesses who were in Kono between 1999 and 2001. According to a statement from Spanish police, the allegation is that Desaeleer "would have been one of the supervisors in charge of overseeing the extraction works on site" at the end of 1999 and the beginning of 2000.

<http://edition.cnn.com/2015/08/31/europe/blood-diamonds/>

The Washington Post

BUSINESS

Spain to hand over US-Belgian arrested over blood diamonds

By Ciaran Giles | AP August 31

MADRID — An American-Belgian businessman arrested for suspected involvement in enslavement and pillaging blood diamonds during Sierra Leone's civil war will be handed over shortly to Belgium, a Spanish court official said Monday.

The National Court spokesman said the man, identified as Michael Desaeleer, has agreed to be handed over to the Belgian authorities who sought his arrest. The official spoke on condition of anonymity in keeping with court regulations.

AFRICA

BELGIUM ARRESTS LIBERIAN EX-REBEL COMMANDER

By Associated Press September 18

BRUSSELS — Belgium has arrested a high-ranking member of the rebel movement that plunged Liberia into conflict more than two decades ago and charged her with war crimes and crimes against humanity, a spokesman for federal prosecutors said Thursday.

The charges against Martina Johnson, former head of the heavy artillery unit for the National Patriotic Front of Liberia, are believed to be the first against a Liberian for international crimes committed during the country's first civil war.

Johnson has been described as a leader of Operation Octopus, a brutal battle for Liberia's capital city, Monrovia, in 1992 that killed thousands and saw extensive rapes and looting by the NPFL's Small Boys Unit. Liberian victims filed a complaint against her in 2012 in Belgium that focused heavily on Operation Octopus. Johnson was arrested in Belgium this week, said Jean-Pascal Thoreau, the Belgian prosecutors' spokesman. She is scheduled to appear Friday before a judge who will decide whether to hold her in continuous detention or set her free, Thoreau said.

Led by Charles Taylor, the NPFL launched its assault on Liberia in December 1989. Tens of thousands of people were killed before the civil war ended in 1996, the year before Taylor became president.

A second, four-year civil war ended when Taylor stepped down and fled to Nigeria in 2003. The two wars are often said to have killed more than 250,000 people, though some scholars believe that figure is inflated.

Taylor was never tried for crimes committed in Liberia. He is serving a 50-year sentence in Britain, convicted by an international court of war crimes and crimes against humanity related to his involvement in neighboring Sierra Leone's civil war.

His son, Chuckie Taylor, was the only Liberian besides Johnson to be charged with international crimes for Liberia's wars. A U.S. court in 2008 found Chuckie Taylor guilty of torture committed while he headed his father's Anti-Terrorist Unit from 1997 to 2003.

There has been no observable progress on establishing a war crimes tribunal in Liberia.

In 2009, the country's Truth and Reconciliation Commission recommended the prosecution of more than 100 people, including Johnson.

Justice advocates say Martina Johnson's indictment is an important step toward establishing some accountability for Liberia's wars.

"Impunity has been almost absolute for the alleged perpetrators who committed war crimes in Liberia during the war," said Alain Werner, director of Civitas Maxima, a Geneva-based organization that provides legal representation for victims of war crimes and crimes against humanity.

Civitas Maxima has worked since 2012 with the Global Justice and Research Project in Liberia to document war crimes during Liberia's wars.

"The initiative came from Liberian victims who were seeking justice, and without the determination of those Liberian victims this arrest will never have taken place as nobody would have known about these crimes," said Werner, who also worked on Charles Taylor's prosecution.

Operation Octopus began on Oct. 15, 1992, when Taylor's forces attacked positions of a West African peacekeeping force, ECOMOG. The assault was led by intoxicated boys and teenagers who were unpaid but were given permission to loot Monrovia, according to Human Rights Watch.

The World Health Organization later estimated that up to 3,000 civilians and fighters were killed in the operation, and HRW said 200,000 people were displaced. Officials from the interim government and five American nuns living in a Monrovia suburb were summarily executed.

Adrian Peterson reveals...

Belgium arrests Liberian ex-rebel commander - The Washington Post... <http://www.washingtonpost.com/world/africa/belgium-arrests-...>

Corey-Boulet reported from Abidjan, Ivory Coast. Associated Press writer Jonathan Paye-Layle contributed reporting from Monrovia, Liberia.

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SIERRA LEONE: UN BELGO-AMÉRICAIN ARRÊTÉ POUR TRAFIC DE “DIAMANTS DU SANG”



*Sierra Leone:
un ancien acteur
du trafic de
diamants arrêté*

Par RFI – Publié le 30-08-2015 à 23:50

Un citoyen américano-belge a été arrêté en Espagne en début de semaine. Sous le coup d'un mandat d'arrêt européen, Michel Desaeleer est soupçonné d'avoir participé au trafic des diamants de sang durant la guerre civile en Sierra Leone. Deux associations d'aides aux victimes, le Centre for Accountability and Rule of Law, basé à Freetown et la Suisse Civitas Maxima, avaient déposé une plainte en Belgique en 2011 pour crimes de pillage et crimes de réduction en esclavage. Alain Werner, avocat et directeur de Civitas Maxima se réjouit de cette arrestation. (...)



AFRIQUE

“Diamants du sang”: une arrestation

08/30/2015 02:02 PM

Michael Desaeleer, un citoyen belge et américain, est arrêté depuis la semaine dernière, selon Civitas Maxima, une organisation de soutien aux victimes des crimes de guerre basée à Genève, en Suisse.

Desaeleer est poursuivi pour sa participation présumée au trafic des diamants ayant alimenté la guerre civile sierra-léonaise, entre 1991 et 2002.

Il est arrêté sur la base d'une plainte déposée par des Sierra-Léonais auprès de la justice belge, en 2011.

Michael Desaeleer est accusé d'avoir soutenu le trafic de diamants, dans la région de Kono, dans l'est de la Sierra Leone.

Des dizaines de milliers de personnes auraient trouvé la mort dans les mines de ce pays d'Afrique de l'Ouest, où elles étaient condamnées par les belligérants à mener des activités d'orpaillage.

Selon Civitas Maxima, c'est la première fois qu'un homme d'affaires impliqué dans ce trafic dit des “diamants du sang” est arrêté.

Les enquêteurs espagnols vérifient si Michael Desaeleer a soutenu le trafic ayant permis à l'ancien président libérien Charles Taylor de réduire des personnes aux travaux forcés, dans les mines de diamant.

En 2012, un tribunal international a condamné Taylor à 50 ans de prison, pour son rôle dans la guerre civile sierra-léonaise.

Des associations des victimes de cette guerre ont salué son arrestation. Ils estiment que c'est un pas vers la fin de l'impunité.

http://www.bbc.com/afrique/region/2015/08/150830_sier-ra-leone-diamonds

US BUSINESSMAN ARRESTED IN SIERRA LEONE 'BLOOD DIAMOND' CASE

By THE ASSOCIATED PRESS AUG. 30, 2015, 5:15 A.M. E.D.T.

ABIDJAN, Ivory Coast — A legal aid organization says Spanish authorities have arrested a businessman with dual American-Belgian citizenship who is accused of enslavement and pillaging “blood diamonds” during Sierra Leone’s civil war.

Civitas Maxima, a Geneva-based organization that provides legal representation for victims of war crimes, said in a statement late Saturday that Michael Desaeleer was arrested last week. It said a complaint filed by several Sierra Leone citizens in 2011 in

Belgium details his crimes in Sierra Leone’s eastern Kono district between 1999 and 2001.

Tens of thousands of people died during the West African nation’s civil war from 1991 to 2002, during which fighters forced civilians to mine so-called “blood diamonds.”

Civitas Maxima said it was the first time a businessman had been arrested for exploiting the diamonds.

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<http://www.reuters.com/article/us-leone-justice-idUSKCN0QZ00520150830>

American arrested on Sierra Leone “blood diamond” charges

Sun Aug 30, 2015 7:30am GMT

DAKAR (Reuters) - Spanish authorities have arrested a American man on charges of enslavement and diamond pillaging during Sierra Leone’s civil war, a victims’ association said on Saturday.

Michel Desaeleer, who has U.S. and Belgian citizenship, is suspected of forcing enslaved civilians to mine for diamonds in Sierra Leone’s eastern district of Kono between 1999-2001, according to Swiss-based Civitas Maxima.

During Sierra Leone’s long conflict, the diamonds were sent to neighbouring Liberia where former President Charles Taylor used the proceeds to finance weapons for rebels.

“(The case) will help to raise awareness of the

pivotal role played by financial actors in the trade of mineral resources that fuel armed conflicts in Africa and elsewhere,” said Alain Werner, director of Civitas Maxima, which has been working for years to document the crimes and assist victims.

A Belgian investigation led to a European arrest warrant being issued against Desaeleer earlier this year. He is normally resident in the United States.

More than 50,000 people died in the 11-year conflict and many more were left maimed by the notorious Revolutionary United Front. Taylor is now serving a 50-year sentence for war crimes.

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SPANISH POLICE ARREST FIRST MAN FOR TRADE IN SIERRA LEONE BLOOD DIAMONDS

THE 64-YEAR OLD STANDS ACCUSED OF FORCING SIERRA
LEONEANS TO WORK, EFFECTIVELY AS SLAVES, IN THE
COUNTRY'S DIAMOND MINES

Alistair Dawber



<http://www.liberation.fr/monde/2015/08/31/un-h...>

Un homme d'affaires soupçonné de trafic de diamants et esclavage au Sierra Leone

AFP 31 AOÛT 2015 À 21:05

Un homme d'affaires belgo-américain accusé d'esclavage et de trafic de diamants pendant la guerre civile au Sierra Leone va être extradé vers la Belgique, a annoncé lundi la justice espagnole.

Michel Desaeleer, 64 ans, avait été interpellé vendredi à l'aéroport de Malaga au sud de l'Espagne, alors qu'il s'appretait à partir aux Etats-Unis, où il réside. Il ne s'est pas opposé à son extradition, a annoncé un porte-parole du tribunal devant lequel il a été présenté.

La justice belge le recherche depuis une plainte déposée contre lui à Bruxelles en janvier 2011 par cinq anciens forçats des mines de diamants au Sierra Leone.

Ces diamants ont financé la guerre civile qui a

ensanglanté ce pays d'Afrique de l'ouest de 1991 à 2002.

«C'est la toute première fois qu'un homme d'affaires est arrêté pour son implication dans les deux crimes internationaux de pillage de 'diamants de sang' et d'esclavage de civils», a souligné l'ONG suisse Civitas Maxima, chargée de défendre les victimes de crimes de guerre et qui a constitué un dossier contre M. Desaeleer.

Les «diamants de guerre» ou «de sang», qui représentent 4% de la production mondiale selon Amnesty International, ont servi à financer des guerres civiles ayant déchiré le continent africain dans les années 1990.

(...)

US NATIONAL ARRESTED ON SIERRA LEONE 'BLOOD DIAMOND' CHARGE

VICTIMS' ASSOCIATION SAYS SPANISH
AUTHORITIES HAVE ARRESTED MICHEL
DESAEDELEER, WHO IS SUSPECTED OF FORCING
CIVILIANS TO MINE DIAMONDS IN 1999-2001

EL PAÍS

Diamantes de sangre: el caso Desaeleer

POR: CHEMA CABALLERO

14 DE SEPTIEMBRE DE 2015

Por primera vez en la historia, un empresario, Michel Desaeleer, es detenido por saqueo de "diamantes de sangre" y por esclavizar civiles para su obtención. Una noticia que tiene una gran importancia para las víctimas de la guerra de Sierra Leona que todavía, a punto de cumplirse 14 años del final de la contienda, buscan justicia. Además, ayudará a desenmascarar la cooperación necesaria de los agentes internacionales que trafican con los recursos naturales de África y financian sus conflictos.

(...)

La orden internacional de arresto emitida por las autoridades belgas se basó en testimonios recogidos por la organización suiza Civitas Maxima de testigos y víctimas que se encontraban en Kono, entre 1991 y 2001. (...)

L'OBSS

TOP NEWS

Un Belgo- Américain arrêté pour trafic de "diamants de sang"

Doing Justice for the Liberian Victims of Mass Atrocity

NGOs in Aid of Universal Jurisdiction

Olympia Bekou

Abstract

The article takes the Belgian universal jurisdiction case against Martina Johnson, recently arrested for her alleged involvement in the Liberian civil war, as an example to analyse non-governmental organization (NGO) involvement in the processes of international criminal justice in general and universal jurisdiction in particular. According to the author, NGOs (still) play a significant role in 'litigating universal jurisdiction' and fill a gap when states, either territorial or those able to take action on grounds of universal jurisdiction, fail to do so. In this regard, they not only act as advocates in support for international criminal justice, but also play a key role as 'service providers', in particular by furnishing information necessary to launch an investigation and acting as 'evidence gatherers'. In addition, they play an important role in bringing the message of justice back to the affected communities.

15 Mars 2015

<http://jicj.oxfordjournals.org/>



EUROPEAN ARRESTS REFUEL IMPUNITY DEBATE IN LIBERIA

Julia Crawford | 28.05.15

Recent arrests of two Liberian war crimes suspects in Belgium and Switzerland are historic, says a lawyer defending victims. They have also reignited debate in Liberia over justice for the victims of that country's civil war.

"These arrests are historic for several reasons," says Alain Werner, who represents victims in the Swiss case of former militia leader Alieu Kosiah and is also head of the Geneva-based NGO Civitas Maxima, which helped get National Patriotic Front of Liberia (NPFL) ex-commander Martina Johnson arrested in Belgium. "There have never before been any arrests in Europe for suspected war crimes committed during the Liberian civil war by Liberians. There was one prosecution in The Netherlands for war crimes during the Liberian war but it was not against a Liberian citizen. In Liberia, there has been nothing at all. Before the efforts we made with our Liberian colleagues, there was almost total impunity. There was just one successful conviction in the US in 2008 of Chuckie Taylor (son of ex-president Charles Taylor) for torture committed in the Liberian war."

Werner says it will also be historic in Switzerland if Kosiah's case is brought to trial, since Swiss courts have not tried any war crimes cases since Rwandan Fulgence Niyonteze, who was sentenced in 2000 by a Swiss military court to 14 years in jail. Kosiah would be tried under a new Swiss law, entailing trial before a non-military court (the Federal Criminal Tribunal of Bellinzona).

Swiss legal advocacy group Civitas Maxima helped bring the cases against both suspects, working with the Liberia-based Global Justice and Research Project (GJRP). The GJRP was founded by ex-journalist Hassan Bility, who was tortured under the regime of former Liberian president Charles Taylor.

(...)

<http://www.justiceinfo.net/en/component/k2/351->

A FORMER COMMANDER OF LIBERIAN REBELS IS ARRESTED IN SWITZERLAND

By CLAIR MacDOUGALL | JAN. 16, 2015

MONROVIA, Liberia — The Swiss authorities have arrested a former commander of a Liberian rebel military faction who is accused of ordering civilian massacres, rapes and other atrocities in northern Liberia during the nation's first civil war from 1989 to 1996.

The arrest was reported this week on the website of Civitas Maxima, a network of international lawyers and investigators.

The former commander, Alieu Kosiah, of the military faction United Liberation Movement of Liberia for Democracy, known as ULIMO, had been living in Bern, in western Switzerland, since 1997, said Morisara Doumbia, a leader of a Liberian association in the city.

Mr. Kosiah was arrested on Nov. 10 in connection with accusations that he was involved in mass killings in parts of Liberia's Lofa County from 1993 to 1995, when he was a commander of ULIMO, a faction that later split along ethnic lines.

Complaints had been filed against him by seven Liberians, represented by Alain Werner, director

of Civitas Maxima, which has been working since 2012 with the Global Justice and Research Project in Liberia to document crimes committed during the wars. The seven witnesses are currently in Liberia. A pretrial investigation could take months.

Liberia's back-to-back civil wars killed about 250,000 people. The fighting ended in August 2003, with the signing of a cease-fire agreement and President Charles Taylor's departure into exile.

Mr. Doumbia contended that Mr. Kosiah's forces did not commit major crimes and only defended themselves against Mr. Taylor's forces. He called Mr. Kosiah "a well-disciplined commander."

Mr. Kosiah's arrest is the second of a Liberian in Europe in connection with accusations of atrocities committed during Liberia's civil war. Martina Johnson, a commander of a heavy artillery unit of the National Patriotic Front of Liberia led by Mr. Taylor, was detained in Belgium in September.

<http://nyti.ms/1CylyW1>

2015 FINANCIAL SITUATION

Operating statement for the year ended december 31, 2015

In 2015 Civitas Maxima's accounts were once again reviewed by PriceWaterhouseCoopers (PwC).

		2015	2014
INCOME	NOTES	CHF	CHF
Grants & donations	9	662,938	550,462
Other income		5,360	-
TOTAL INCOME		668,298	550,462
EXPENSE			
Project-associated expenses		-242,514	-199,558
Personnel expenses	10	-246,000	-188,852
Operating expenses	11	-129,548	-99,578
Depreciation	12	-4,285	-25,110
TOTAL EXPENSE	7	-622,348	-513,098
EARNINGS BEFORE FINANCIAL RESULT		45,951	37,364
Financial expense		-9,428	-3,276
Financial income		543	9,062
EARNINGS AFTER FINANCIAL RESULT		37,066	43,150
Extraordinary costs		-	-10,811
Extraordinary income		-	6,615
INTERMEDIATE RESULT		37,066	38,953
Allocation to restricted funds		-543,851	-
Use of the restricted funds		485,787	-
RESULT FOR THE FINANCIAL YEAR		-20,997	38,953

A WORD OF THANKS

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Sierra Leone,
Kenema, May 2000.
Diamond dealer shows
some precious stones.
The conflict in Sierra
Leone is fueled by the
diamond trade.

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