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US Judge: Somali Colonel Responsible for Torture

By ANDREW WELSH-HUGGINS Associated Press Legal Affairs Writer
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A former military colonel with a Somali security force dubbed the "Gestapo of Somalia" by its critics was responsible for the torture of a human rights advocate in the 1980s, a federal judge ruled Tuesday in a decision that opens the door for a hearing on potential financial damages.

Abdi Aden Magan, who lived for several years in Ohio, did not present any evidence to dispute the allegations that he directed subordinates in carrying out human rights abuses under the regime of former dictator Siad Barre, U.S. District Judge George Smith said in Columbus.

Abukar Hassan Ahmed, a lawyer and human rights advocate now dividing his time between London and Mogadishu, Somalia's capital, alleged in a 2010 lawsuit that the three months of torture he endured make it painful for him to sit and injured his bladder to the point that he is incontinent.

Ahmed says the torture occurred when Magan served as investigations chief of the National Security Service of Somalia, a force dubbed the "Black SS" or the "Gestapo of Somalia" because of techniques used to gain confessions from detainees.

Magan "has not come forth with any evidence demonstrating that he took steps to prevent abuses from occurring or to punish his subordinates for engaging in human rights abuses," Smith wrote.

Magan's attorney had not seen Tuesday's ruling and could not immediately comment. Magan declined to comment to The Associated Press when the lawsuit was first filed. He fought the allegations in court filings for a while, but he has since left the U.S. for Kenya and has not responded to additional court motions.

Initially, Magan argued the lawsuit was filed in the wrong country and too long after the alleged abuse. He also said he was immune from prosecution as long as he was acting within his official capacity and on behalf of the government.

The fact that Magan left the U.S. makes it uncertain whether Ahmed could ever receive financial damages, but the judge will have a hearing where Ahmed can testify about what happened to him, said Kathy Roberts, staff attorney at the San Francisco-based Center for Justice and Accountability, which brought the lawsuit.

She said the case has never been about the money.

"Today's decision is important not only because it acknowledges Col. Magan's crimes against Professor Ahmed, but it's also important because it sheds light on the role of the security services in suppressing dissent against the Barre regime."

In August, a federal judge in Virginia ordered the former prime minister of Somalia, Mohamed Ali Samantar, to pay \$21 million in compensatory and punitive damages to several members of the minority Isaaq clan, who said they suffered brutal repression — including torture and mass killings — under the Barre regime.

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