



Former Somali General Admits Liability For War Crimes

Nina Totenberg
February 23, 2012

A seven year court battle that went all the way to the U.S. Supreme Court ended in a federal courtroom in Virginia on Thursday when former Somali Gen. Mohamed Ali Samantar admitted liability for war crimes and human rights abuses committed in the late 1980s, when he was the defense minister and commander of military forces in Somalia.

The case against Samantar was brought by former Somali citizens who were granted asylum in the U.S. They had suffered years of imprisonment, torture, rape and abduction — one even survived a firing squad under a pile of bodies. When they discovered that Samantar, their one-time tormentor, was living in the U.S. too, they sued him in federal court under the Torture Victim Protection Act, a law passed in 2006 to ensure that the U.S. would not be a safe haven for human rights abusers.

For seven years, Samantar sought to head off a trial. Having lost in the Supreme Court once, and twice after that in a federal appeals court, Samantar tried a last-ditch maneuver. Late Sunday night, he filed for bankruptcy, a move that could have prevented this week's scheduled trial from taking place.

But that strategem failed, too. And on Thursday morning, in open court, Samantar defaulted, meaning that he accepted liability for the crimes charged against him.

For the rest of the day, U.S. District Judge Leonie Brinkema heard evidence about the damages she will assess against him.

In addition to testimony from the victims who brought the suit, the judge heard from a U.S. military official about the breadth of the war crimes that were committed under Samantar's command. Also testifying via video hook-up was a witness who talked about digging mass graves and a BBC reporter who interviewed Samantar, winning an admission that he had ordered his forces to carpet-bomb to an area politically opposed to the regime. Samantar had previously maintained that the BBC interview was a fake.

The hearing marked the first time that anyone has been held accountable for the atrocities of the brutal Siad Barre regime, which ruled Somalia in the late 1980s and was eventually overthrown, leaving chaos and instability that persists to this day.

A final decision on damages is expected from Judge Brinkema either Friday or soon after.