

# The Washington Post

## **Judge: Ex-Somali leader in US can be questioned under oath in suit alleging rights abuses**

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ALEXANDRIA, Va. — A judge ruled Friday that a former Somali prime minister who has been living quietly in the U.S. for the last 14 years can be questioned under oath in a federal lawsuit alleging he oversaw war crimes and other abuses against his own people more than a quarter century ago.

U.S. District Judge Leonie Brinkema denied a motion to dismiss the suit against Mohamed Ali Samantar, who was Somalia's defense minister, and later prime minister, in the 1980s under the regime of dictator Siad Barre.

The suit against Samantar, who now lives in Fairfax, was first filed in 2004, alleging that he oversaw abuses committed as part of the government's campaign of repression against the Isaaq clan in the northern part of the country.

The case has languished in the courts for nearly seven years. Brinkema dismissed the case in 2007, ruling that Samantar was entitled to immunity. But the U.S. Supreme Court reinstated the case. And earlier this year the State Department, in a rare move, recommended to the judge that Samantar should not receive immunity, in large part because there is no longer a recognized central government in Somalia that can request immunity on Samantar's behalf.

Following Brinkema's ruling on Friday allowing the case to proceed, Samantar's accusers will for the first time be able to question him in a deposition about alleged abuses, including killings and torture, against the Isaaq clan.

"This is a great day for justice," said Natasha Fain, a lawyer with the San Francisco-based Center for Justice and Accountability, which is representing the plaintiffs. "For all this time the defendant has been saying he shouldn't even have to answer his accusers in court."

One of the plaintiffs, Aziz M. Deria of Bellevue, Wash., who alleges that his father and other family members were killed by forces under Samantar's direction, flew across the country to attend Friday's hearing. He has traveled to Somalia several times to document abuses that occurred there.

“I really want this guy to answer our questions,” said Deria, who acknowledged that efforts to hold Samantar accountable for his actions are not universally well received among the Somali community. “Back home, authority figures are considered above the law.”

Joseph Peter Drennan, Samantar’s lawyer, argued Friday that the case should be tossed out for several reasons, including an expiration of the statute of limitations. He also said the courts should not wade into what he argues is essentially a political dispute.

Samantar has denied any wrongdoing and did not attend Friday’s hearing, though many of his family members did.