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## US court to hear Somali ex-minister torture case

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\* Lawsuit by victims cites killings, rapes and torture

\* Former prime minister says he is entitled to immunity

By James Vicini

WASHINGTON, Sept 30 (Reuters) - The U.S. Supreme Court said on Wednesday it will rule on whether a former Somali prime minister is protected by sovereign immunity from a lawsuit seeking to hold him responsible for torture and human rights abuses.

The justices agreed to review a ruling by a U.S. appeals court that allowed the lawsuit to proceed against Mohamed Ali Samantar, who served as Somalia's defense minister in the 1980s and then as prime minister from 1987 to 1990.

The lawsuit, seeking financial damages from Samantar, was filed by a small group of Somalis who said they endured torture or other abuses in violation of international law by Somali soldiers or other government officials under Samantar's general command. Some of the plaintiffs are naturalized U.S. citizens.

A U.S. federal judge ruled that Samantar, who now lives in Virginia, was entitled to immunity under a U.S. law, the Foreign Sovereign Immunities Act, and dismissed the lawsuit.

But the appeals court disagreed and reinstated the lawsuit. It ruled that the law extended immunity only to foreign states and their agencies, not to individuals.

The appeals court also said the law does not apply to foreign officials who were already out of office when the lawsuit was filed against them.

Samantar's attorneys appealed to the Supreme Court and argued that the law extended to individuals for acts taken in their official capacity.

The plaintiffs do not claim that Samantar personally committed the atrocities or that he was directly involved.

But they said the Somali intelligence agencies and the military police under his command engaged in the killings, rapes and torture, including the use of electric shocks, of civilians.

The Supreme Court is expected to hear arguments in the case early next year, with a decision likely by June.

Somalia has been without central rule since warlords toppled former dictator Mohamed Siad Barre in 1991. A cycle of civil conflicts has ensued. In the latest chapter of Somalia's bloody recent history, al Qaeda-linked Islamists have been waging an insurgency against a U.N.-backed interim government.

(Editing by Will Dunham)

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