

# The Washington Post

## Ex-prime minister of Somalia says he will not contest war crime allegations made in US court

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ALEXANDRIA, Va. — The former prime minister of Somalia on Thursday ended an eight-year legal battle by accepting legal liability for alleged war crimes and killings that occurred under the regime of dictator Siad Barre. But he denied wrongdoing and said he never approved any slayings.

Mohamed Ali Samantar, 76, was a top official in the Barre regime serving throughout the 1980s as vice president, defense minister and prime minister, up until the months before the regime's collapse in 1991. But for more than a decade, he has lived quietly in the Washington suburb of Fairfax, Va., surrounded by a large extended family.

Samantar was sued in 2004 in U.S. District Court in Alexandria by several members of the Isaaq clan, who said they suffered brutal repression — including torture and mass killings — under the Barre regime.

Samantar fought for years to have the case tossed out of court and was initially successful. In 2007, U.S. District Judge Leonie Brinkema ruled that Samantar enjoyed immunity from the litigation as a former official of a foreign state. But the U.S. Supreme Court reinstated the lawsuit.

He tried to avoid a trial and filed for bankruptcy protection Sunday in the hope it would be postponed. But a bankruptcy judge allowed the case to go forward.

On Thursday, as jury selection was about to begin, Samantar said he would accept a default judgment against him and would not contest the allegations.

He made clear, though, that while he accepts legal liability he admits no wrongdoing.

“I request to accept default, but that doesn't mean I'm guilty,” he told the judge.

The Center for Justice And Accountability, a California-based nonprofit legal firm that brought the case on behalf of the Somali plaintiffs, said the judgment against Samantar is the first time anywhere in the world that a court has held the Barre regime responsible for its actions.

Samantar said he could no longer afford the costly litigation, and his failing health — he is on dialysis — make it harder for him to defend himself. He also told The Associated Press on Thursday that he believes the case is politically motivated and that rehashing allegations from more than 20 years ago would serve to divide Somalia at a time when unification efforts are under way.

“I have a legacy in my country,” he said in an interview, speaking in Somali and interpreted for a reporter by family members. “I want to allow the reconciliation process to continue.”

Samantar’s lawyer made a similar argument, and the judge said she would have dismissed the case if the State Department determined it could harm international relations. But the Obama administration said the lawsuit could proceed.

Samantar told the AP he was fundamentally offended by the idea that an American court could pass judgment on a Somali dispute.

“I worked 40 years for my country,” he said. “I was faithful to my country and abided by the law.”

The judge began hearing evidence from victims in the case Thursday to help her decide what kind of monetary damages should be awarded, though Samantar was not present to hear that testimony. And collecting any money may be difficult because Samantar has filed for bankruptcy.

The default judgment left mixed feelings for the four Somali plaintiffs — two of whom are now U.S. citizens — who brought the lawsuit.

Bashe Abdi Yousuf, testified about the torture he suffered, followed by more than seven years of solitary confinement, after he and 20 others were convicted on what he said were trumped-up charges of belonging to a political party that was trying to overthrow the government.

He testified that he was bound, suffered an electric shock, and beaten so badly that he could not walk for three days. But he said the torture was nothing compared to the mental suffering from seven years in solitary confinement. He said Samantar should be held accountable, even if he did not directly beat or torture him.

“General Samantar was the vice president of the country. He was a commander of the highest rank ... in Somalia,” said Yousuf, now a U.S. citizen living in Atlanta. “My ordeal was at the hands of the military people.”

After testifying, Yousuf said that the opportunity to tell his story in court was important for him and that he felt vindicated by the default judgment. But he still wished that Samantar had been required to defend himself.

“I really hoped for him to defend himself because I can’t see how he could defend himself,” Yousuf said.

Another plaintiff, Aziz Deria of Bellevue, Wash., said he felt cheated by the default judgment, as Samantar could walk out of court without hearing the victims’ testimony.

“I wanted him to sit there and personally feel the pain” that was suffered by the victims, said Deria, whose brother and father were killed during mass reprisals against the city of Hargeisa, an Isaaq stronghold.