

International law under attack

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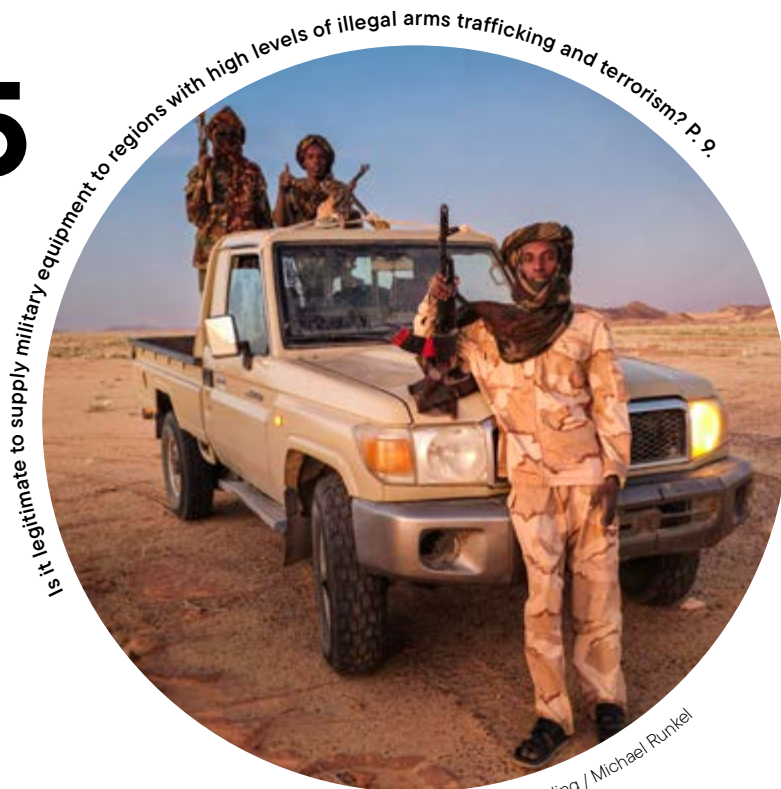


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Cover: Artwork by Sherif Arafa (see p. 4).

International law is under pressure. The US is withdrawing from UN organisations and cutting funding; the Russian and US governments are exerting pressure on the ICC; and the UN Security Council is blocking crucial decisions. Despite all these setbacks, the international courts continue their work. Civil society groups from the Global South are turning to international law to challenge global power imbalances. The more states unequivocally commit to international law, the more opportunities victims and civil society worldwide have to defend themselves against the abuse of their rights.

Artist of the month

Sherif Arafa is a bestselling Arab author from Egypt, a positive psychology researcher and an editorial cartoonist whose work focuses on social and intellectual freedoms such as the freedom of expression, the freedom of the press and resistance to extremism and dogmatism. Through both his books and cartoons, he explores ways to improve mental health, promote open-mindedness and acceptance of others and encourage scientific thinking as a practical framework for understanding everyday issues beyond rigid judgements and polarisation.

His multidisciplinary background gives him a distinctive perspective. He holds a degree in dentistry, a Master of Business Administration and a master's degree in Applied Positive Psychology. This combination of science, psychology, management and art shapes his work, which seeks to simplify complex ideas and turn them into visual and human messages that resonate across cultures.

drsherif.net



7.8 %

of the global population faced hunger in 2025, according to a recent [*report on the state of food security and nutrition*](#) by the Food and Agriculture Organization (FAO). More

specifically, this figure represents the share of the global population whose usual kilocalorie intake falls below the minimum required to maintain a normal, active and healthy life. The 2025 figure not only marks a decrease from 2024 (8.1%) and 2022 (8.6%), but also falls below the pre-pandemic level of 8.0% recorded in 2019.

FAO Chief Economist Máximo Torero, however, stresses that these figures only cover 2025 and therefore do not account for potential setbacks caused by the Iran war and the subsequent blockade of the Strait of Hormuz. Projections that consider the effects of the conflict estimate that around 510 to 520 million people could still face hunger in 2030, compared with 503 million in a scenario without the conflict. Other factors, including extreme weather events such as El Niño in 2026 and 2027, are not reflected in these estimates and could further slow progress.

Good News

The UN General Assembly has adopted a resolution calling for the introduction of a world map that more accurately reflects the actual proportions of the continents. The resolution, *introduced by Togo and other member states of the African Union*, is aimed in particular at depicting the size of the African continent more accurately. The widely used Mercator projection, developed in the 16th century for European navigators, distorts the proportions because of the way the curved surface of the Earth is transferred onto a flat map: regions near the poles consequently appear oversized, while regions close to the equator appear smaller than they actually are. The United States was the only nation to vote against the non-binding resolution.

Photo: Sherif Arafa

DIGITAL PAYMENTS

How Bitcoin can be used to drive development

Cryptocurrencies have a problematic reputation, particularly amongst people who oppose the use of technology for excessive personal gain, as well as those who believe that they cannot do any good. However, tangible success has already been achieved for people in Global South countries thanks to Bitcoin, the leading cryptocurrency.

BY CHRISTOPH SCHNEIDER-YATTARA



"Bitcoin accepted" – in some restaurants in cities such as Kampala, customers can pay with Bitcoin.

Every invention comes into being in a similar way: pioneers, sceptics, opponents, winners and losers. When the innovation catches on, it often changes the way we live. The aim of this text is not to defend Bitcoin; rather, I am fascinated by the principles underlying it – the Satoshi or Bitcoin protocol, that is, the rules that govern how Bitcoin works. Its key components and principles are: a decentralised peer-to-peer network without centralised oversight; blockchain technology, a public ledger in which all Bitcoin transactions are recorded; mining and proof-of-work (the process of creating new Bitcoins and verifying transactions), and cryptographic security.

“Following a volcanic eruption in the Democratic Republic of the Congo in 2021, a restaurant worker and a blogger from Goma gave Bitcoin to displaced families and persuaded local traders to accept it as payment.”

When wars, natural disasters, political barriers or poor infrastructure bring banking networks, payment services or border control points to a standstill, cryptocurrencies can offer an alternative means of transferring value. A Bitcoin payment is settled directly between the parties involved and recorded on the network itself, without the involvement of a bank or similar intermediary – provided that users have internet access, a suitable device and control over their private keys. The biggest obstacle often lies in converting Bitcoin into local cash or goods, as this still requires a nearby trading partner who is willing to trade.

Bitcoin is not a substitute for national currencies. Volatility and technical difficulties remain a genuine problem, and the legal situation is inconsistent. In most countries, the ownership and use of Bitcoin are legal; a handful of countries ban it; and – more relevant to cross-border relief efforts – the associated activities are subject to increasingly stringent regulation. Exchanges, custodians and fundraising platforms are subject to authorisation, anti-money laundering and sanctions regulations. The EU's Markets in

Crypto-Assets Regulation (MiCA) framework is one example of this. Transfers to conflict zones are subject to particularly close scrutiny.

Consequently, the greater risk lies not simply in holding Bitcoin, but in the manner, location and intermediaries through which the transfer takes place. Nevertheless, it can enable people in exceptional circumstances to receive, hold or spend funds when traditional channels are disrupted.

I would like to explore the benefits of this technology by looking at two different areas of application – one humanitarian and one entrepreneurial.

THE HUMANITARIAN CASE

A satoshi is one hundred-millionth of a bitcoin, the smallest unit of the cryptocurrency. It is too tiny to be of any significance – until you see what people can do with it in difficult circumstances. In 2023, a taxi driver from Gaza began collecting more than a quarter of a billion satoshis – worth over \$170,000 at the time – and used them to provide water, food and fuel for around 20,000 families. Following a volcanic eruption in the Democratic Republic of the Congo in 2021, a restaurant worker and a blogger from Goma gave Bitcoin to displaced families and persuaded local traders to accept it as payment.

In Gaza, the practical solution ran up against political obstacles. In order to comply with the EU's MiCA, the fund behind the fundraising campaign had to recognise that transferring currency to a conflict zone quickly came under the scrutiny of the authorities and is too risky for a platform that wishes to survive in the long term. Some described this as financial censorship.

“The cryptocurrency is doing work here that our largest institutions are unable to do.”

However, the fact that Bitcoin-based platforms can be shut down is not a genuine argument against using Bitcoin, because freedom lies in the Bitcoin protocol and there alone – in the open, shared set of rules that anyone can use directly, without the authorisation of a company or a government. A crowdfunding platform may be instructed to terminate a campaign; but the decentralised network that uses Bitcoin in the background cannot be ordered to refuse a payment between two parties.

For anyone who has ever tried to buy or trade cryptocurrency, Bitcoin can seem daunting and technical. However, the humanitarian use cases discussed here do not rely on that level of technicality. They rely on a free smartphone app – digital wallets – which works in a similar way to a messaging app or a mobile money service: the recipient displays a code, the sender scans it, and the money is transferred within seconds, often for less than a cent. Neither a bank account nor any knowledge of the underlying technology is required. The real hurdles lie elsewhere – owning a mobile phone, accessing an internet connection and, above all, converting Bitcoin back into local cash.

The Digital Assets Research Institute reports that Bitcoin has helped over 329,000 displaced people to safeguard or restore their savings, and estimates that this figure could rise to a total of up to 7.5 million people by 2035. The cryptocurrency is doing work here that our largest institutions are unable to do.

THE ENTREPRENEURIAL CASE

In the 19th century, huge amounts of capital were channelled into railway construction, and every decade opened up a new market – from Japan and South Africa to Canada and Kenya. Today's railways are data centres, chips, fibre optics and electricity.

Bitcoin can play a role here too. A company called Gridless uses Bitcoin mining to extend electrification to even the most remote areas of Africa.

The core concept involves selling the same electricity to multiple consumers within a defined hierarchy. Priority is always given to the community – residential buildings, shops, clinics and schools. Any surplus not consumed by these is then sold to companies that use artificial intelligence; these pay more and generate the bulk of the revenue. Whatever remains after that goes towards Bitcoin mining – the consumer of last resort, which is prepared to take on surplus electricity at any time, pay for it in cash and release it immediately as soon as the communities or AI companies need it.

The facility itself does not need to purchase the costly hardware. Capital partners buy and own the expensive AI computers; energy partners own the generation facilities; the local communities buy ordinary electricity; AI customers buy computing power; and Bitcoin takes whatever is left over. The company operating the system merely manages the flow.

As the demand from the community and the AI sector rises, Bitcoin's share decreases – yet it never disappears entirely,

as there are almost always a few surplus watts for which there is no better buyer, and Bitcoin ensures that these are not wasted. It is this certainty that makes building the facilities worthwhile.

It is important to note, however, that "Bitcoin" is not a company, but a network. Specialised computers, known as miners, run continuously to process and secure the network's transactions, and are rewarded for this with newly created bitcoins. In the Gridless model, these machines behave like a customer who is prepared to buy surplus electricity at any time and pay for it immediately.

The model is already being implemented in three African countries – Kenya, Malawi and Zambia. It has reduced electricity prices for local communities by a third and provided electricity to a further 30,000 people, as well as hundreds of new businesses that use this electricity. Since 2022, Gridless has demonstrated that flexible digital demand can make off-grid energy in Africa both affordable and profitable.

“The real question for development cooperation is simpler: do we simply want to watch from the sidelines, or do we want to get involved and have a say in the direction this technology takes?”

The model is also remarkable because it circumvents a cost factor of Bitcoin mining that is very real and deserves to be mentioned: the Bitcoin network consumes around 138 terawatt hours of electricity annually, which corresponds to around 0.5% of global consumption – similar to that of a medium-sized country. However, this is only a modest proportion compared to what industrialised nations consume daily for data centres, cooling, cars or heating. At the same time, mining is becoming increasingly clean: according to a 2025 study by the University of Cambridge, around 52% of mining is currently powered by sustainable energy, whilst the share of coal is declining sharply.

The crucial point is the source of the electricity. In the Gridless model, mining utilises surplus electricity from renewable energy sources that would otherwise be lost, and the revenue helps to supply electricity to communities that previously had none.

Humanitarian aid and entrepreneurial innovation are two different worlds, yet both offer a glimpse of what cryptocurrencies might become. Their full potential remains to be explored and raises difficult questions. Control, cyber security, ownership, profit, traceability and transparency are just a few of them. These issues will need to be resolved over time.

The real question for development cooperation is, at first glance, simpler: do we simply want to watch from the sidelines, or do we want to get involved and have a say in the direction this technology takes?

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CONFLICTS

Europe's arms supplies and Africa's illicit weapons trade

Numerous NGOs and political decision-makers have questioned the legitimacy of supplying military equipment – much of which is lethal – to regions with high rates of arms diversion, illicit trafficking and misuse. One such region to which the EU, for example, supplies arms is Africa.

BY GEORGE LIVINGSTONE

In 2004, the African Peace Facility (APF) was established to support regional peace and security missions. It was funded by the European Union (EU) through the European Development Fund; the missions had to be approved by the African Union (AU). In 2021, however, the EU replaced the APF by establishing the European Peace Facility (EPF) – a more comprehensive body whose remit extends beyond the original scope of the APF, as it operates globally rather than solely in Africa and, unlike the APF, can also cover expenditure on weapons and ammunition. It therefore also supplies military equipment to various regions of the continent.

The primary aim of EU arms exports is to counter the escalating wave of terrorism in certain regions of Africa. The aim is to enable inadequately armed national armed forces to stand up to, or even thwart, the increasingly complex tactics and weapons systems employed by today's terrorist networks. However, given the rampant cross-border illicit arms trade in Africa, the question arises as to what extent these arms supplies are actually sensible.

As with many cross-border crimes, there are both state and non-state actors involved in the transnational arms trade.

According to a research report published in 2019 by the “Small Arms Survey” and the AU, African non-state actors (civilians, companies such as private security firms and armed groups) are estimated to possess more than 40 million small arms and light weapons (SALW) – almost 80% of all SALW on the continent. State actors (the military and law enforcement agencies), by contrast, are estimated to possess fewer than 11 million of these weapons. Fewer than 6 million of the civilian-held firearms are officially registered.

It is likely that 85% of these weapons can be classified as illicit, having been acquired through trafficking and the illegal arms trade in the region. This is a worrying situation that justifies the concerns of various decision-makers in Europe as to whether Africa is a suitable destination for a continuous supply of weapons to stabilise the security situation.

TERRORISM AS A LUCRATIVE MARKET

Whilst there are many actors involved in the cross-border illegal arms trade, transnational criminal organisations (TCOs) and corrupt state actors are at the forefront. TCOs thrive in secret and are actively supported by well-connected moles in the highest echelons of power.



Armed rebels in Chad.

Ethnic conflicts and civil wars, the exponential rise in crime among the young population, high unemployment in many areas and the inadvertent diversion of weapons are among the causes of the proliferation of the illegal arms trade in Africa. However, the spread of terrorism remains a primary driver – and the most readily accessible lucrative market for smuggled weapons, most of which travel via the following routes:

- Corrupt state actors responsible for military equipment.
- Attacks on poorly secured or remote weapons depots.
- Attacks during the transport of weapons from exporting countries – which are now on the rise in the age of AI, where even top-secret systems can be infiltrated and data accessed, thereby making it available to criminal networks.

Terrorism also plays a significant role in sustaining the TCOs, which in many cases supply terrorist organisations not only with weapons but also with a wealth of information and the illegal fuel they urgently need to keep their operations on the ground running.

“The spillover effects from war zones also play a decisive role in the surge in the arms trade.”

There are also cases in which weapons inadvertently fall into the hands of terrorists, although many of these go unrecorded; for example, when a government patrol unit in a remote area is forced to abandon its vehicles because it has run out of fuel or has to flee from attackers.

COWS FOR AMMUNITION

In the affected areas – situated predominantly in the Sahel, the Horn of Africa and East Africa – criminal organisations frequently employ the tactic of using nomads to transport weapons to recipients. In such cases, the TCOs often successfully coerce or recruit people with limited ability to refuse – who are considered less likely to arouse suspicion – such as children, women and elderly people. The same approach is also used in coastal and lake re-

gions, which are other hubs for the illicit arms trade. Here, fishermen are used to transport illicit weapons in their fishing nets.

It has also been observed that warlords, particularly in regions affected by ethnic conflicts, exchange ammunition and rifles for cows. The “Small Arms Survey” reported that 500 rounds of ammunition can be exchanged for a cow, which provides an incentive for cattle herders to become involved in the illegal arms trade.

The spillover effects from war zones also play a decisive role in the surge in the arms trade. Organised criminal groups exploit crises to a great extent. A notable example is the NATO-led military intervention in Libya during the Libyan Civil War, which had devastating knock-on effects, with heavily armed, hostile militias attacking weapons depots and seizing stocks of foreign weapons. According to reports, an alarmingly large proportion of these weapons found their way into many countries in the Sahel, a region notorious for having one of the highest levels of terrorist activity in the world.

Even though states here and elsewhere hold a monopoly on the use of force, in certain contexts they can only exercise it at great risk to their own populations, risking an escalation of conflicts that could lead to numerous civilian casualties. Agreements between the state and terrorist groups are therefore sometimes a comparatively viable solution. In

“Criminal organisations often successfully use people who are considered less likely to arouse suspicion, such as children, women and elderly people.”

the Sahel and the Horn of Africa in particular, states have often found themselves with no better alternative than this.

For example, illegal mining sites are widespread in many countries of the Sahel. These sites are controlled by militias and also serve as storage facilities for illegal weapons, as

well as recruitment and training centres for terrorists. Essentially, this is a calculated strategy, as the militias are always keen to ensure a steady concentration of civilians at these sites. In such regions, it should also be noted that these very militias create jobs for civilians and – more crucially – provide social services which the states themselves find very difficult to deliver in such hostile regions.

As they feel neglected by their own government, vulnerable civilians then tend to pledge their allegiance – sometimes under coercion – to the militia groups rather than to their government and thus become accustomed to the militias’ system of governance. This is a worrying pattern in various militia-controlled regions, such as in Nigeria, Chad, Niger, Sudan and Somalia.

THE RIGHT APPROACH TO DISARMAMENT CAMPAIGNS

Disarmament campaigns have encountered numerous obstacles. Some governments want to enforce disarmament through military measures, for example, whilst civil society groups consider this dangerous. The forcible disarmament of groups in possession of illegal weapons carries the risk of significant collateral damage and civilian casualties – particularly in densely populated areas controlled by militias.

Civil society groups favour targeted disarmament campaigns based on public education. Stricter regulations on the legal possession of firearms by private individuals and companies are also being proposed. However, as some experts argue, this approach does not yield results commensurate with the threat. The weapons seized as part of such campaigns are merely a small cog in a much larger machine.

There are, however, a number of specific measures that can be taken in this regard:

- The government bodies responsible for issuing licences to private individuals and companies as gun owners should impose stricter conditions for obtaining authorisation to legally possess firearms. When granting a licence to possess firearms, public safety must not be subordinated to the personal or self-serving interests of the individual.
- Criminal state actors found guilty of arms trafficking should face the full force of the law, without exception.
- The state authorities responsible for disarmament campaigns should neither arrest nor torture individuals who are willing to hand over illegal weapons (even if these are military-grade weapons). This instils fear in many others who wish to do the same.

- Software – particularly in the age of artificial intelligence – capable of infiltrating military installations or paralysing critical infrastructure (such as CCTV networks) should neither be publicly available nor acquired without state authorisation.
- The state should form and train specialised disarmament units drawn from its law enforcement agencies, rather than relying on the police in general for this purpose.

African and European decision-makers should be aware that simply allowing matters to take their course is a recipe for escalation. The EU and the AU should therefore strengthen joint mechanisms to monitor arms transfers, prevent diversion and support effective, locally informed disarmament efforts.

FURTHER READING

Maletta, G. and Héau, L., 2022: *Funding arms transfers through the European Peace Facility. Preventing Risks of Diversion and Misuse*. Stockholm International Peace Research Institute (SIPRI).



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REFUGEES

How a tailor makes a difference where the aid system fails

Aid cuts and a lack of formal employment have made informal enterprise essential in Kenya's Kakuma refugee camp. One tailor's growing workshop demonstrates how refugee-led businesses can strengthen livelihoods – if they receive lasting support.

BY REY BULAMBO



Biclair Shukrani trains young people in tailoring at the Kakuma refugee camp.

Photo: Rey Bulambo

Early in the morning, customers begin to arrive at the small room that Biclaire Shukrani has rented in Block 1 of the Kakuma refugee camp in northern Kenya. Panels of fabric hang from nails along the mud walls. Young people cut fabric to size, measure hems and thread the fabric through whirring needles. The customers are refugees from neighbouring blocks, traders from the market and, increasingly, clients from outside the camp.

“When I see that the shop is doing well and everyone is working, it gives me hope. That’s why I’ve been able to send my children to a private school and make sure they have enough to eat,” says Shukrani.

Her story reflects a general shift in refugee policy, in which humanitarian systems are increasingly promoting self-reliance. Nevertheless, structural barriers to regular employment and social mobility remain firmly entrenched.

“According to the WFP, food rations were reduced in June 2025 to 28 % of a full diet, whilst cash assistance was suspended due to funding shortfalls.”

NO FORMAL EMPLOYMENT

Shukrani arrived in Kakuma from the Democratic Republic of the Congo (DRC) with her younger brother in 2012. According to the UNHCR, more than 5700 Congolese refugees were registered in Kenya that year. There were no regular employment opportunities for her. Her freedom of movement was restricted. Food aid was predictable only insofar as it was steadily decreasing.

More than 316,000 refugees and asylum seekers were living in Kakuma and the neighbouring settlement of Kalobeyei in May, according to UNHCR Kenya. This makes it one of the largest refugee settlements in Africa.

The settlement is jointly administered by the Kenyan government and the UNHCR and is subject to regulations that

restrict freedom of movement and limit access to the regular labour market. More than half of the refugee population consists of women and children. Many of them, like Shukrani, live with disabilities or have care responsibilities that further limit their employment opportunities.

DWINDLING AID

For years, Shukrani had to rely on aid. Then it began to dwindle. “You still have responsibilities. You still have children. But there’s less food,” she says.

According to the World Food Programme (WFP), food rations were reduced in June 2025 to 28 % of a full diet – based on a recommended daily intake of 2100 kilocalories – whilst cash assistance was suspended due to funding shortfalls. These cuts reflect widespread funding gaps across the humanitarian system, where protracted refugee crises continue to be underfunded despite rising needs. The impact was immediately felt. Households reported that they were skipping meals, selling essential goods or taking on debt.

Youth unemployment in Kakuma has worsened, and it is estimated that three out of four people in the camp are already out of work. The risk of extreme poverty has increased further for single mothers and people with disabilities.

Against a backdrop of restrictions on movement and a lack of formal jobs, informal businesses have become one of the few viable coping strategies. In 2018, a joint International Finance Corporation (IFC)–UNHCR study identified more than 2100 refugee-run shops and businesses operating in Kakuma and Kalobeyei, including tailoring workshops, food stalls, hairdressing salons, cafés and electronics repair shops.

SHIFT TO SELF-RELIANCE

For Shukrani, waiting for aid to resume was no longer an option. In 2021, she rented a small room and began working with two sewing machines, for which she paid a fee to use. At first, she worked alone – taking on small tailoring jobs from other refugees, mending clothes, sewing dresses and making school uniforms. The income was modest, but unlike the aid payments, it was reliable.

What began as a personal struggle for survival soon developed into something more. As the number of orders increased, young people asked to learn the trade. Many had completed secondary school or vocational training but could not find work in the camp. Shukrani allowed them to stay and taught them how to sew, set prices and deal with customers and deadlines.

“That wasn’t the plan,” she says. “I just knew I wouldn’t be able to survive on my own.” Her decision came at a time

when humanitarian policy was undergoing change. Government policies and international organisations are increasingly promoting the self-reliance of refugees, the economic empowerment of women and the inclusion of people with disabilities. Yet the structural reforms necessary to put them into practice are lacking.

WOMEN AND PEOPLE WITH DISABILITIES ARE MOST AFFECTED

More broadly, these efforts are in line with the continent's commitments under Agenda 2063 and the African Union's "Strategy for Gender Equality & Women's Empowerment", both of which prioritise economic participation and self-reliance. However, implementation gaps at national and local levels continue to limit their impact in refugee contexts.

In principle, refugees are encouraged to establish a means of livelihood. In practice, however, the majority of humanitarian aid funds are channelled into food and emergency aid, whilst long-term income generation is neglected.

"Women, single parents and people with disabilities are hit the hardest," says Clement Otiang of "Build Up", an NGO supported by the German development agency GIZ that works at the intersection of peacebuilding and technology. "They carry family responsibilities while facing physical, social and economic barriers that limit their ability to earn."

A disability leads to further marginalisation. According to the UNHCR, refugees with disabilities are more likely to be unemployed than people without disabilities and are significantly more dependent on assistance.

CUSTOMERS IN THE US AND AUSTRALIA

In Shukrani's shop, however, these statistics are losing their bearing. Orders come from all over the camp and beyond – including from the US, Canada and Australia, where former refugees have settled. On average, Shukrani's earnings can amount to up to \$12 a day.

Shukrani has since opened a second tailoring workshop, which is run by her brother. To date, Shukrani has trained more than 10 young people. Some of them have since even moved abroad and continue to work there as tailors.

Others are still in Kakuma, either working alongside her or running their own businesses. One former trainee, Faraja, for example, now runs a tailor's shop right next to Shukrani's shop in the Ethiopian market at Kakuma 1.

FAR-REACHING IMPACT

The positive effects are evident. Every trained tailor provides for their family. Every business reduces its reliance on food aid.

Customers can access affordable services at the camp itself, rather than having to travel long distances or rely on charity.

Nevertheless, refugee-run businesses such as Shukrani's continue to operate on the fringes of society. Despite the increasing emphasis on self-reliance, structural barriers continue to limit the scale and sustainability of such businesses. Access to finance remains restricted, for example, since refugees cannot easily open bank accounts or obtain loans. Work permits are difficult to obtain. In livelihood programmes, short-term training courses are often prioritised over long-term business support.

"It's not just about implementing policy measures," says Otiang. "It's about showing people how they can gain access to resources, particularly financial resources. Someone like Shukrani has the potential, the resilience and the skills. With the support of mentors and capital, she could achieve so much more."

"It all began with my need to survive," says Shukrani. "Now it's about helping others to survive too." In a place where aid can vanish overnight, her attitude makes a huge difference. It remains to be seen, however, whether the political framework will finally evolve to allow for structural change and address the realities that refugees are navigating in Kakuma today.



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INDIGENOUS KNOWLEDGE

How Indigenous rules can help curb wildfires

Environmental authorities are making considerable efforts to enforce laws and regulations designed to prevent forest fires. However, drawing on local customs, spiritual beliefs and traditional practices could also help reduce the amount of forest cover lost to fire each year in Tanzania.

BY LAWRENCE KILIMWIKO



Photo: picture alliance / Design Pics / Kenneth Whitten

Hadzabe hunters light a fire near Lake Eyasi in northern Tanzania.

Mlevela village is situated in Tanzania's southern highlands. Here lies a small 2.5-hectare wood which, for decades, has withstood all the adversities inflicted by humans.

Alex Msigwa is the custodian of a shrine in this forest, acting on behalf of the chief of the local ethnic community, the Bena. Both the forest and the shrine are called "Nyumba Nitu" ("dark house"). Community accounts emphasise the site's protected status: Msigwa reports that in 1948 a British investor acquired 28,000 hectares of land for an acacia plantation. When bulldozers began clearing the site, they allegedly failed to uproot the trees in the area of the sacred shrine, which still stand to this day.

"The FAO advocates taking traditional practices and values into account in fire prevention and containment."

According to Msigwa, not even a fire that broke out around that time could burn down the trees in the shrine area. He goes on to report that, following the investor's takeover, it did not rain for a whole year. Community members explain that the rain only returned after the investor had paid a substantial reconciliation fine to the shrine stewards on behalf of the ancestors buried there.

Regardless of whether or not such reports can be independently verified, they influence local decisions and practices regarding environmental protection. According to Msigwa, the area has been sacred since time immemorial; to this day people still go into the forest to make offerings, pay homage and give thanks to their ancestors.

SACRED SITES AS COMMUNITY FIRE BUFFERS

In many rural communities, people avoid felling or burning trees in sacred forests or at sites such as ancestral graves for fear of angering the dead. 68-year-old Magwisa Sambilole from the village of Utalingolo in southern Tanzania explains this belief in the local spiritual context: "The dead dwell in sacred sites and should never be disturbed. Felling trees incites their deadly wrath." Adhering to such customs is believed to protect trees even in places where forests are threatened by climate change or deforestation.

Temilinga Ngwega, a 70-year-old elder from the village of Magunga in central Tanzania, describes another precautionary measure. Before a fire is lit near a sacred site, people clear a path around the area to be burned. "We do this to prevent the fire from spreading to unintended areas and to make it easier to contain should it get out of control," he explains. Ngwega adds that lighting fires during the day is strictly forbidden in his community because hot and windy conditions can make fires difficult to control.

These practices reflect both practical knowledge and cultural beliefs, which can prove more effective than government regulations in protecting certain areas from fires and deforestation. In many communities among the more than 120 ethnic groups in Tanzania, rules regarding the sanctity of trees, the protection of burial sites and respect for cultural forests have been documented.

In the Usambara forests in north-eastern Tanzania, for example, local communities also adhere to certain strict rules when gathering timber, which serve to protect resources. For instance, at certain times people are only allowed to fell trees on the left-hand side, leaving the others untouched. The area is also said to be home to people who consult trees in spiritual practice.

Communities in the south-eastern district of Iringa and in the tobacco-growing areas of the drylands south of Dodoma in central Tanzania also follow strict guidelines when lighting fires. These rules are particularly important during the dry season.

NUMEROUS LAWS ON FIRE PREVENTION BUT LITTLE IMPACT

However, it is not as though there were no government regulations in this regard. The government has enacted numerous nature conservation laws. Under the Grassfires Control Act, anyone who starts a fire without following the proper procedures faces six months' imprisonment, a fine of around \$750 or both.

Despite these measures, reports suggest that wildfires destroy more than 11 million hectares of forest in Tanzania on average every year, 90% of which are caused by humans. Studies further indicate that increased planting of eucalyptus and pine stands has heightened the risk of forest fires across the country.

People start fires – often within tight livelihood constraints – for various reasons, including to harvest honey, to catch small animals such as bush pigs, to prepare arable land, to produce charcoal and to smoke out rats and snakes.

Families who keep livestock also burn grass, shrubs and scrub to encourage the growth of fresh grass and to eliminate pests. Wind and lightning strikes can also trigger forest fires.

Forest fires have numerous well-documented consequences. They disrupt ecosystems, damage catchment areas and water sources, contribute to desertification and decimate forests. Furthermore, they can slow economic

“Fire is an integral part of everyday socio-economic life for people in Tanzania.”

growth, particularly in areas dependent on forestry, destroy homes and livelihoods, exacerbate poverty and weaken value chains for forest products. Fires also reduce biodiversity, including medicinal herbs, shrubs, grasses and insects.

TAKING TRADITIONAL KNOWLEDGE INTO ACCOUNT

Studies point to a lack of coordination among actors working to prevent forest fires. Researchers have therefore strongly recommended integrating traditional firefighting methods into nature conservation efforts, as Indigenous principles and restrictions have proved effective in some communities.

A 2013 study by the Food and Agriculture Organization of the United Nations (FAO) found, for example, that there is a wealth of traditional knowledge in Tanzania about bushfires, including their causes, effects and prevention. This is vital in ethnic communities throughout the country, as many families live in houses built with thin clay walls and thatched with elephant grass, which can catch fire easily.

The study also documented the communities' extensive experience in coordinating fire control whilst preparing fields. Communities, for example, regard the early morning, when grass and scrub are still covered in dew, and the late evening, when the wind has died down, as the safest times for controlled slash-and-burn farming. In many communities, these safety rules are taught through everyday instruction and cultural forms such as songs and proverbs.

Fire, especially for slash-and-burn agriculture, is an integral part of everyday socioeconomic life for people in Tanzania. The FAO therefore advocates taking traditional practices and values into account in fire prevention and contain-

ment. However, several factors are undermining traditional knowledge of fire safety, such as the demand for market-oriented agricultural products and the enforcement of strict laws, some of which threaten the livelihoods of local communities.

Legislators must recognise that Indigenous conservation practices and beliefs have considerable potential for strengthening environmental protection and the sustainable use of natural resources. They could serve as an effective complement to strict laws that often fail to work in practice.

These lessons from Tanzania demonstrate how important it is for people to feel a personal sense of responsibility towards their environment and nature. Particularly in the face of the escalating climate crisis, which is also taking hold in the West, societies should consider how their environment can once again be recognised – in a more personal way – as a fundamental prerequisite for their very existence.



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Photo: Farman Nawaz

A mobile registration van is visiting communities affected by climate-related disasters in the Pakistani province of Khyber Pakhtunkhwa.

NATURAL DISASTERS

Making social security in Pakistan more flexible

In Pakistan, people face a wide range of risks: from long-term problems such as structural poverty to sudden crises such as disease or natural disasters. What is being done to ensure that the social security system can better protect people in all these situations.

BY FARMAN NAWAZ

It was a small ray of hope amidst great suffering: when the residents of the village of Beshonai in Buner District in the Pakistani province of Khyber Pakhtunkhwa were severely affected by floods following cloudbursts in 2025, they were at least able to register for aid locally, thanks to a mobile registration vehicle. “We thought we would have to travel miles again for registration,” recalls Salma, one of the residents. “But this time, the team came to us.”

To get people back on their feet as quickly as possible following natural disasters and other crises, reliable social

security services and secure access to them are essential. In many countries of the Global South, however, delivering these services in a tailored manner both during structural crises and after sudden emergencies is a major challenge. The devastating flash flood in the border region between Nepal and Tibet at the end of August this year demonstrated once again how quickly entire regions can lose their livelihoods.

Pakistan is one of the countries particularly affected by the impacts of the climate crisis. The country has a population

“If people are unable to reach a registration centre themselves after a disaster, the registration process must come to them.”

of more than 250 million, some of whom live in very remote, mountainous areas. Since the historic floods of 2022, similar natural disasters have occurred, albeit on a smaller scale, such as the cloudbursts in Buner District. These events turn narrow streams into violent torrents, which sweep mud and debris through villages, destroying homes, washing away roads and cutting off entire communities overnight.

Listening closely to people like Salma, it becomes clear that, following such disasters, they are not only struggling with the loss of loved ones, possessions and their homes, but also with uncertainty. Often, for example, they have lost important documents, but are unable to contact the authorities because the infrastructure has been destroyed. For many, the social security system, which is supposed to support them, suddenly seems out of reach. A local resident, Najma, put it this way in an interview: “We didn’t know where to begin again or how to seek help.”

SUDDEN CRISES PUSH SYSTEMS TO THEIR LIMITS

Social security systems in Pakistan and elsewhere are often designed to support those identified as disadvantaged on the basis of data collected over the long term. However, such static systems, whose data is only updated periodically, reach their limits when crises strike suddenly. This also applies to Pakistan’s largest social welfare programme, the Benazir Income Support Programme (BISP). For a long time, eligibility for BISP support depended on the results of household surveys conducted at intervals of several years.

However, the escalating climate crisis is increasing the risk of sudden and largely unpredictable extreme weather events. Systems that are only updated at longer intervals can hardly keep pace with the drastic climate changes of recent years.

Social protection systems therefore need to be adapted to take these risks into account. “Social protection must be long-term, shock-resilient and integrated into efforts to build climate resilience,” says Meriem El Harouchi, First Secretary at the Delegation of the European Union to Pakistan.

STRENGTHENING DATA SYSTEMS

Similarly, Johanna Knoess, project head of adaptive social protection at GIZ Pakistan, emphasises the need to adapt social protection systems: “Adaptive social protection means ensuring that systems can respond to sudden shocks as effectively as they do to chronic poverty,” she says. “Strengthening data systems and expanding last-mile delivery mechanisms are critical to making that possible.”

Rapid registration following a disaster using the BISP’s mobile registration units mentioned earlier is one of several measures. If people are unable to reach a registration centre themselves after a disaster, the registration process must come to them.

With support from the EU and Germany, Pakistan is also working to update the data used for BISP support on a more regular basis. The aim is also to incorporate more data on disaster risk so that changes in people’s circumstances can be taken into account more swiftly. A family that was in a stable situation just a few weeks ago may suddenly need support; however, if their status is not updated in the system, they risk being overlooked.

Initiatives promoting financial and digital literacy are helping to improve social security in Pakistan too. In Sindh province, for example, as part of the BISP’s “Digital and Financial Literacy Initiative”, women are learning how to use mobile wallets, manage small savings and access information on social protection. In doing so, the women not only acquire valuable skills but also boost their self-confidence.



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BOOK REVIEW

Put pressure on Israel, demands Holocaust scholar

According to Omer Bartov, an Israeli historian, Israel is increasingly becoming an authoritarian state, which is unlikely to escape the downward spiral of violence any time soon. He would like to see Germany's federal government adopting policies that contribute to counteracting this dangerous trend.

BY HANS DEMBOWSKI

The violence in Gaza continues: an Israeli air strike hit this vehicle and the people inside it in Gaza City on 19 September.



On 27 October, Israelis will decide in parliamentary elections whether Benjamin Netanyahu, their prime minister of many years, will stay in office. They are deeply divided. On the one hand, the country has seen huge protests recurring against Netanyahu in recent years. On the other hand, he enjoys the unwavering support of religious nationalists.

In the eyes of Omer Bartov, a renowned Holocaust scholar, Netanyahu's tenure has been destructive. Bartov spelled out his assessment in the book "Israel – What went wrong", which was published in April 2026. According to the historian, Israel is becoming an authoritarian, ethno-nationalist state that breaches international law and is thus turning itself into a pariah of the international community. He warns that liberal Israelis will increasingly leave the country, while a growing number of Jews, who are exposed to worsening antisemitism in the diaspora, will disown it.

“At this point in history, Bartov sees no influential forces in Israel or the occupied territories who might lead an escape from downward-spiralling violence.”

Bartov sees evidence of this trend in the USA. In an interview with the magazine *The New Yorker* in April 2026, he welcomed that 60% of US citizens had a negative view of Israel, arguing that the figure showed people were paying attention. At the same time, he said American Jewry must worry because not only legitimate criticism of Israel was growing, but so was right-wing antisemitism of the kind propagated by former Fox News host Tucker Carlson. Since the book was published, opinion polls have shown that Jews under the age of 35 in the USA increasingly oppose their parents' Zionism.

A veteran of the Israeli Defense Forces, Bartov teaches history at Brown University in Rhode Island. The professor argues that Zionism has changed almost beyond recognition since Israel was founded in 1948. The movement was initially secular and demanded a democratic state with equal rights for all, regardless of faith or mother tongue. Bartov emphasises that this aspiration was expressed in the country's declaration of independence. In the meantime, however, right-wing extremists have won the upper hand, ac-

cording to Bartov. They claim as much land as possible for Israel, intend to annex additional territory and insist on an exclusive state of and for Jews only. Bartov points out that the radicals base their demands on holy scriptures rather than a constitution.

On behalf of Israel's government, war crimes and crimes against humanity are being perpetrated according to Bartov. Even before the Gaza war, he writes, the Netanyahu government's campaign against the Supreme Court amounted to an attack on democracy.

DANGEROUS ETHNO-NATIONALISM

Bartov sees a historical failure at the root of Israel's dangerous drift towards ethno-nationalism. The country never adopted a constitution, even though that was promised at the beginning. The scholar insists that the attempt to fill the gap with a series of basic laws remained incomplete, which is why there is no bill of inalienable rights for everyone living under Israeli rule. He adds that colonialist propensities to grab ever more land were always evident, but it kept getting stronger.

In the historian's eyes, the occupation of Gaza and the West Bank since 1967 has been especially harmful as the aggressive expansion of settlements poisoned Israel's political culture. Bartov's assessment is that Israel, as the sovereign power, today has jurisdiction over the entire area between the Jordan River and the Mediterranean Sea. Its laws, however, only insufficiently protect the rights of Palestinians in Israel – and hardly do so at all in the occupied territories. Human rights, Bartov adds, are disregarded.

Bartov acknowledges that terrorism has traumatised many Israelis and that many have become numb to Palestinian suffering after the Hamas atrocities of 7 October 2023, which he condemns as war crimes and crimes against humanity. The historian nonetheless insists that human rights and democracy are indispensable principles. He warns that military dominance cannot guarantee lasting security. Violence, after all, breeds hatred.

REPUTATION MARKED BY GENOCIDE

At this point in history, Bartov sees no influential forces in Israel or the occupied territories who might lead an escape from downward-spiralling violence. In his view, international pressure is indispensable. He considers the peace plan of US President Donald Trump to be only a half-hearted beginning and would like to see Germany's federal government do more to promote a peaceful solution. Bartov told D+C that he wished the German government would join the initiative to ban imports from settlements that Britain's Foreign Secretary Ed Miliband launched in September and

which is supported by other countries, including Canada, France and Denmark.

As the author spelled out in the book, it matters that the Federal Republic not only managed to become an internationally accepted partner once again after the Nazi genocide of European Jews, but also achieved reconciliation with Israel. The author worries that Israel's international reputation is likely to be overshadowed by the genocide in Gaza for a long time, in a similar way as Germany's was after 1945 by Nazi atrocities. As early as November 2023, Bartov had warned in the New York Times that Israel was on the verge of committing genocide and should exercise restraint.

“On behalf of Israel’s government, war crimes and crimes against humanity are being perpetrated according to Bartov.”

Whether what is happening in Gaza indeed amounts to genocide is disputed among legal experts. For example, Kai Ambos, who teaches international criminal law at Göttingen University, argues that any verdict of genocide requires proof of genocidal intent, which is hard to obtain. Bartov disagrees. He points to Israeli leaders who spoke of “human animals”, promised to flatten Gaza and pledged to deny the people there food and water. In the Holocaust expert’s eyes, the subsequent destruction and the lack of humanitarian aid are sufficient proof that genocidal action has followed genocidal rhetoric in Gaza.

BOOK

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CLIMATE CHANGE

How a new carbon trading system could benefit Zimbabwean communities

Zimbabwe has introduced regulations designed to make carbon trading more transparent. At a local level, the new system is raising hopes of generating income through climate projects.

BY LUNGELO NDHLOVU

It was just a small ceremony when environmental activist Never Bonde began to plant 10 new trees at Ross Camp Police Station in Bulawayo, Zimbabwe's second-largest city. Five of the young trees were given the names of local officials and supporters. But the small ceremony in September 2025 indeed marked the beginning of a much bigger ambition: it's the first visible step, Bonde says, towards his target of planting 500,000 trees across Bulawayo by 2030.

For Bonde, planting trees is hardly new. For years, he has taken seedlings to schools, public institutions and neighbourhoods with his organisation Isandla Esihle/Ruoko Rwakanaka. His environmental work has also earned him the title of Zimbabwe's National Tree Ambassador.

For Bonde, however, the latest campaign is meant not only to add new trees to Bulawayo or to replace old or hazardous ones in parks, schools and public institutions. His ambitions are part of Zimbabwe's much bigger plan to turn projects like tree planting into part of a regulated carbon economy. Since May 2025, new Carbon Trading Regulations have required carbon projects to register with the Zimbabwe Carbon Markets Authority, ZiCMA. If initiatives such as Bonde's eventually want to generate and sell carbon credits, they will have to operate within that system. It enables them to attract money from companies or countries elsewhere seeking to offset emissions.

"The system gives our project credibility," Bonde says. "It's no longer just about planting trees; it's about being part of Zimbabwe's broader climate strategy. But for people to feel the real benefits, they need to understand how carbon markets work."

PUTTING A PRICE ON CARBON

A carbon credit represents one tonne of carbon dioxide or its equivalent removed from the atmosphere or prevented from entering it. Governments, companies and other buyers can use credits to offset emissions, while projects generating them can receive financial compensation in return.

Zimbabwe already had carbon projects before the new rules, but authorities argued that the country lacked sufficient oversight over the sector and was not benefiting enough from the credits it generated. The new regulations from 2025 instead set rules for registration, monitoring and the authorisation of carbon projects.

A new national carbon registry also records projects and credits using blockchain technology, which allows data to be securely and transparently shared. ZiCMA says the system is designed to improve traceability and help prevent

the same emission reduction from being counted more than once. "Before, anyone could register a project anywhere, which risked double issuance," says Tirivanhu Muhwati from the Ministry of Environment. The registry, he argues, gives governments a clearer picture of what is being traded and where.

For projects such as Bonde's, the new system could eventually provide a way to trace carbon credits generated through tree planting from their creation to their sale.

PROMISE STILL TO BE TESTED

Yet regulation alone doesn't guarantee that carbon markets will bring about substantial income for communities. Zimbabwe's new system is still at an early stage. By June 2026, only four projects had completed the registration process, while 19 others were at different stages of registration. Neither the government nor communities had yet seen substantial financial returns from the new framework by then.

That makes initiatives such as Bonde's part of a bigger experiment: Will the market for carbon credits actually translate environmental work on the ground into income that reaches the people doing it? Either way, for now, Bonde's measure of progress is much simpler. His campaign, he says, will depend not only on planting hundreds of thousands more trees but also on people looking after the little trees that go into the ground. "We invite everyone to join us by planting and nurturing at least one tree this season," he said during the launch of the campaign.

SOURCE

Zimbabwe Carbon Markets Authority



LUNGELO NDHLOVU

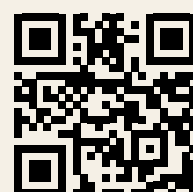
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International law under attack



Artwork: Sherif Arafa

Under fire, but still alive

The most powerful people in this world are trying with all their might to dismantle international law. But despite all the attacks against it, it has proved to be remarkably resilient.

In January 2022, in a courthouse in Koblenz, Germany, history was made. Ruham Hawash, a Syrian torture survivor, had travelled to witness a moment that many had considered impossible: the conviction of former secret service officer Anwar Raslan. While the Assad regime continued its brutal assault against its own population in Syria, Raslan was convicted of crimes against humanity in Germany. "This conviction is important for all Syrians who have suffered and continue to suffer from the crimes of the Assad regime," Hawash told the taz, a German newspaper, that day.

The conviction was also remarkable because an investigation into Syria by the International Criminal Court (ICC) had been de facto blocked by a veto from Russia and China. In the case of Raslan, however, the Syrian diaspora found another way: the so-called universal jurisdiction principle. It gives national courts the right to act in response to the most serious international crimes regardless of where the crime took place. Activists and NGOs gathered evidence, smuggled documents out of Syria and helped witnesses to testify before a German court. The result was a small step towards justice, a first attempt to address the crimes committed in Syria and the realisation that international law can sometimes open up new avenues even if international politics are standing in the way.

INTERNATIONAL LAW IS NOT A NAIVE ILLUSION

Since Raslan's conviction, times have changed, and not just in Syria. Donald Trump is openly attacking the United Nations and international criminal justice. The USA and Russia are sabotaging the ICC, member states are announcing their withdrawal, and the UN Security Council is blocking key action on major crises.

Yet despite all these attacks, international courts continue their work. Important cases on matters like war crimes in Sudan and genocide in Myanmar are being tried at the ICC. NGOs and survivors are gathering evidence on Libyan torture camps and war crimes in Ukraine. A youth initiative from Vanuatu launched legal proceedings requesting an

advisory opinion from the International Court of Justice (ICJ) on countries' obligations under international law with regard to climate protection.

These procedures serve above all those people who otherwise would not have a voice. Civil society groups from the Global South, in particular, are resorting to international legal remedies to rebel against global power imbalances. As outrageously unjust as the international system is, international agreements at least make it possible to protest injustice and demand accountability.

The ICC was founded in 2002 to ensure that no one in the world would ever again be above the law. Heads of state like Donald Trump and Vladimir Putin want to free themselves from that obligation. The more they manage to convince the world that international law no longer matters, the closer they come to their goal. The more they influence other countries not to make a clear commitment to it, the fewer opportunities victims and civil society will have worldwide to protect themselves from the abuse of their rights.

Anyone who advocates for "realpolitik" nowadays and dismisses international law as a naive illusion should ask themselves who that serves. Perhaps there is nothing more dangerous for international law than the conviction that it is already dead.



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INTERNATIONAL LAW

“Strengthening civil society means strengthening international law”

International law is under severe attack from various sides at present, with Russia's war against Ukraine and the war being waged by the US against Iran being just two examples. Furthermore, the US has openly attacked one of the most important institutions in the field of international law, the International Criminal Court (ICC) in The Hague. Yet international law is by no means obsolete, argues Kai Ambos, a professor of criminal and international law and a judge. In our interview, he explains how it can be strengthened at the domestic and international levels.

KAI AMBOS IN AN INTERVIEW WITH EVA-MARIA VERFÜRTH

The ICC in The Hague in the Netherlands tries individuals accused of genocide, crimes against humanity, war crimes and crimes of aggression.



When the ICC issued arrest warrants for Israeli Prime Minister Benjamin Netanyahu, Israel's former defence minister, and the military chief of Hamas in November 2024, the Trump government slapped tough sanctions on ICC judges, its chief prosecutor and, more recently, its president. US Secretary of State Marco Rubio has even openly threatened to "dismantle" the ICC. What do you see as the reasons for this assault on the international system?

The situation in the US is extreme. US governments have always been sceptical about international law and any attempt to influence national law. However, the current administration is actively pulling out of international organisations, has shut down the USAID development agency and has, to all intents and purposes, declared war on the ICC. I see these attacks as an ideological crusade directed against any form of accountability for executive power. After all, the Trump government is also attacking the judiciary in the US and only accepts decisions handed down by the Supreme Court.

In Germany, too, we are familiar with attempts to undermine the independent judiciary and media while seeking to expand executive immunity – it is part of a right-wing populist and authoritarian strategy. There is certainly no rational reason to attack the ICC given that no legal proceedings against US citizens are underway there, nor are any likely to take place. Though the Trump government wants to protect Israel, dismantling an entire court because of one situation seems rather excessive, especially given that the court in question would never have existed were it not for the Nuremberg trials, which, after all, were largely brought about by the US.

How is this US stance affecting international criminal jurisdiction in practice?

Several countries are thinking about leaving the ICC. Venezuela's announced withdrawal is the first that the US government has been able to claim as its own success; without doubt, it's the result of the pressure it has exerted. Chad has now also said it will pull out of the ICC. I fear others will follow suit – for example Colombia under its new President Abelardo de la Espriella or Peru under Keiko Fujimori, the daughter of former president Alberto Fujimori.

However, while some governments might announce to withdraw – a political yet legally irrelevant step – they don't always follow it up by formally submitting the necessary written declaration to this effect to the UN Secretary-General. There may be internal political reasons for this, such as a country's need to amend its constitution or obtain parliamentary approval. There may also be resistance from civil society. By contrast, authoritarian or military gov-

ernments, such as those in Niger, Mali and Burkina Faso swiftly submitted formal declarations to withdraw. Even so, a withdrawal only becomes effective one year after the respective declaration has been submitted, and it has no effect on jurisdiction over crimes committed before this date. This is why, for example, legal proceedings against former Philippine president Rodrigo Duterte are still underway, despite the Philippines having left the ICC as of 17 March 2019. Another example is Hungary: though ex-prime minister Viktor Orbán had already submitted formal notification of withdrawal with parliamentary approval, his successor Péter Magyar was easily able to reverse the decision because the withdrawal hadn't yet taken effect.

"Generally, strengthening civil society means strengthening democracy and international law."

Is there anyone in this situation who can effectively counter the destructive influence of the US government?

Essentially, only the European Union. But to do so, it must go beyond lip service and exert real diplomatic pressure. It has already done so once before, shortly after the Rome Statute, which is the legal treaty establishing the ICC, entered into force in 2002: back then, the US government under George W. Bush was pressuring countries to guarantee in bilateral treaties – known as impunity or immunity agreements – that they wouldn't surrender US citizens or personnel employed by the US to the ICC. The EU took a resolute opposing stance, convincing some Eastern European countries to refuse to sign such agreements.

The ICC prosecutes the most serious international crimes. You have observed a number of such trials over the years. What impact do they have at the local level?

To be honest, international criminal tribunals have virtually no noticeable impact in some cases, and it's questionable how much persuasive power their judgements actually have in practice. Take the death of Bosnian Serb General Ratko Mladić as a recent example: despite having been found guilty of genocide and crimes against humanity by the International Criminal Tribunal for the Former Yugoslavia, he was buried with military honours in Serbia and celebrated as a hero by thousands of people. In Serbia, most people do not accept that the Srebrenica massacre

The former Bosnian Serb army chief, Ratko Mladić, was convicted of genocide and crimes against humanity by the UN War Crimes Tribunal and died in a UN prison. Nevertheless, he was buried with full military honours in Serbia.



constituted genocide, even though it has been legally recognised as such by the Appeals Chambers of the International Criminal Tribunal for the Former Yugoslavia (ICTY). In addition, the UN General Assembly established a day of commemoration – and when the resolution was adopted, Serbian President Aleksandar Vučić took his seat in the General Assembly brandishing the Serbian flag. Or take the response to the conviction on 16 September 2026 of former Kosovan president Hashim Thaçi and other leaders of the Kosovo Liberation Army (KLA): the verdict, despite not even having been published yet, was overwhelmingly rejected in the Kosovan media, even though it was only a question of determining the degree to which the defendants could be held criminally responsible – not of assessing the KLA's defensive struggle against the Serbs.

But what about the people who were victims of crimes?

That's an important question, because it's the victims for whom international criminal tribunals have really been established and want to provide justice. Victim associations in these countries tend to be just pleased that something is happening – that perpetrators are at least being held to account, even if it's only a drop in the ocean in many cases. It's not that the verdicts of international tribunals have no impact at all. Their effect is easier to measure at the European Court of Human Rights (ECHR), which monitors precisely which countries implement its verdicts. But even there we have countries, such as Turkey, that repeatedly ignore judgements. Turkey has been found guilty on multiple occasions, most recently in August 2026, of unlawfully imprisoning cultural activist Osman Kavala, yet to this day

has failed to release him. Some state leaders simply shrug off the judgements of international courts; worse still, their populations don't always accept them either.

The situation was quite different in Colombia in 2016 when President Juan Manuel Santos' government held peace talks with the guerrilla group FARC. During the negotiations, emphasis was placed on meeting the ICC's requirements to the greatest extent possible. You were involved in this process yourself and are now an advisor (amicus curiae) to the country's Special Jurisdiction for Peace. Why was international law so important to the parties?

The world was a rather different place back then. In Latin America, the Inter-American Human Rights System – comprising the Inter-American Commission on Human Rights in Washington DC in the US and the Inter-American Court of Human Rights in San José in Costa Rica – serves as a powerful means by which to fight impunity. In a sense, the ICC was always at the table during the peace negotiations, with the negotiators always checking whether their proposals would be compatible with the Rome Statute. This is why the Colombian Amnesty Law excluded crimes under international law, such as crimes against humanity and war crimes, as well as individual crimes like enforced disappearances and rape. It is unlikely that negotiations would follow a similar pattern in today's geopolitical climate, with a US government openly opposing international law and accountability.

You have stressed elsewhere how important it is for states to adopt an unequivocal stance on violations

of international law. The EU and Germany haven't found this easy to do of late – following the attacks on Venezuela or Iran, for example. Germany's chancellor Friedrich Merz declared that he intended to find ways to avoid enforcing the ICC's arrest warrant if Benjamin Netanyahu were to come to Germany.

Why are clear commitments so important?

International law has a fundamental problem: there is no central enforcement power as generally exists at the state level in the form of law enforcement agencies. Ultimately, implementation of international law depends on states' voluntary compliance or must be carried out in a decentralised way, including by states themselves. However, if compliant states are unable to react to breaches of international law with military or economic means – such as sanctions or countermeasures – they must at least condemn such breaches verbally rather than remaining silent.

Why is keeping silent so harmful if nothing can essentially be done to stop such breaches in any case?

When it comes to international law, silence has a very concrete meaning: if violations are not called out, the norm in question begins to erode. It then lacks any formal – at least verbal – endorsement. For instance, if the prohibition on the use of force is repeatedly violated and states respond to such breaches with silence, the norms laid down in the UN Charter cease to have any legal weight in practice. Over time, this leads to a counter-norm emerging – in our example, force would once again become a legitimate instrument of foreign policy. If on the other hand countries like Germany or France state unequivocally "You have breached the norm," then they express that this norm continues to exist despite having just been violated.

A cornerstone of international law is that it prohibits intervention and the use of force. As you and other international law experts have pointed out on a number of occasions, the US violated this principle in Iran this year. However, the Iranian regime itself commits large-scale atrocities against its own population and hasn't yet been stopped. Doesn't international law sometimes end up protecting the wrong people?

International law does not protect a regime – like Iran's – that violates human rights; it states in clear terms that a government is not permitted to violate the rights of, let alone massacre, its citizens. If it does so nonetheless, the international community may respond accordingly, up to and including the use of military force as a last resort. Any such last resort must be authorised by the Security Council within the UN's collective peacekeeping system, however. There are numerous other options below the threshold of military force that individual states or groups of states, such

as the EU, can also employ against the violating state. These range from diplomatic measures to sweeping economic sanctions that can be imposed on specific individuals or particularly violent groups.

"Just listen to the speeches at this year's UN General Assembly and you'll note how many states' representatives are emphasising the importance of an international legal order and inter-state cooperation."

The reason for this tiered system is the realisation that military force – at least on its own – doesn't provide a solution for those affected. The current war in Iran is the best example of this: it has served merely to stabilise the regime, weaken the opposition and worsen the human rights situation. We are also feeling the effects of the global economic upheavals here. The danger of a wider regional escalation has by no means been averted. Even those who said at the time that the end justifies the means now admit that this war was, and continues to be, counterproductive in every sense.

Then there's the problem that the so-called West lacks credibility because of its double standards: it only trumpets its human rights argument in the context of enemy states such as Iran and now Russia – not when talking about friendly states like Israel. The current Trump administration even counts the North Korean regime – despite its nuclear bomb – among its friends.

In the absence of any UN Security Council mandate, are people then entirely at the mercy of their abusive regimes?

As I said, even if the Security Council does authorise the use of force, this is no guarantee that the situation will improve for ordinary people. History teaches us – and peace research confirms – that military force on its own is no solution and that externally imposed regime changes do not work. Change needs to come from within, though this can

certainly be facilitated or brought about by a domestic military movement, as was the case in Syria. Military force deployed by external powers frequently leads only to further escalation and also impacts the civil society opposition.

Should we do more to support civil society in its efforts to oppose unjust regimes?

Yes, absolutely. Generally, strengthening civil society means strengthening democracy and international law. What other option do we have when states are in the hands of autocratic leaders? That's when we need the NGOs on the ground and multinational civil society organisations: Human Rights Watch, Amnesty International and the like. The idea of a system of international law "from below" – that is to say driven by local civil society and grassroots movements – originates from advocates of Third World Approaches to International Law who seek to rethink international law from a postcolonial perspective. It's a new way of viewing international law as being centred not around states but around the societies and people directly affected.

The current geopolitical landscape is making it virtually impossible for the UN Security Council to reach decisions on some of the major conflicts. How likely is it that there will be progress on this front in the next few years?

It is widely agreed, even in diplomatic circles, that the Security Council is dysfunctional and represents the world of 1945, with the balance of power as it was then. The problem is that any reform of the Security Council requires the approval of the Security Council itself, and the permanent members won't give up their seats voluntarily. Admittedly, there have been many constructive reform proposals, such as increasing the number of permanent members while retaining the existing ones and weakening the veto option. As things currently stand, however, even that kind of reform is essentially inconceivable, as not only the big three (China, Russia and the US) but also France and the UK would have to make concessions. That said, the Security Council is not completely pointless even in its current form, as can be seen from the fact that it is constantly being convened in the event of crises – even by the Trump administration regarding Gaza or the Iran war. Sometimes resolutions are actually adopted, as when the sanctions against Sudan were extended (which of course serves little purpose if states like Germany do good business with one of the countries mainly responsible for this war, namely the United Arab Emirates).

How resilient do you believe the system of international law to be as a whole?

For the most part, the overall system of the United Nations with its specialised agencies and main offices in New York, Geneva, Vienna and Nairobi functions well. International law

"International law is alive and kicking: we cannot do without it."

is actively practised every day in the form of border treaties, migration agreements and negotiations on autonomous weapon systems, not to mention in international economic, maritime and aviation law. Currently, there are even calls for international law to be used to regulate and coordinate the risks associated with AI. Generally speaking, it's important to understand that any rule or regulation that goes beyond a state's individual territory is by definition international law. Our lives would be completely unthinkable without international law. The problem is that the media always focuses on violations of the prohibition of the use of force or serious breaches of human rights. Meanwhile, all the other areas of international law continue to function relatively quietly and efficiently in the background. And even the two principal disruptors of the current rule-based order, the US and Russia, still take advantage – as I have said – of the existing mechanisms and especially of the UN Security Council. This makes it clear that there is no other, better forum, however much the current system may be in need of reform. Just listen to the speeches at this year's UN General Assembly and you'll note how many states' representatives are emphasising the importance of an international legal order and inter-state cooperation. Certainly, the alternative is not some institution like Trump's Board of Peace or any unilateral use of force. International law is alive and kicking: we cannot do without it.

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A young man is arrested during the protests in Kenya in 2024.

RULES-BASED WORLD ORDER

Whose rights does international law protect?

Our writer, Shakira Wafula, is a face of the Gen Z protest movement in Kenya. Writing from Nairobi, she captures what many young people in the Global South feel: that the “rules-based world order” functions less like a universal legal system and more like a hierarchy in which power determines whose rights are protected, whose violations of the law are punished, and whose sovereignty is negotiable.

BY SHAKIRA WAFULA

This is not an argument against international law. It is an argument for taking it seriously. I grew up believing that international law should be the foundation for a fairer world: human rights, sovereignty, accountability and rules capable of keeping even the most powerful in check. When those rules governing war, democracy and sovereignty are breached, the courts are called upon, sanctions follow and diplomatic consequences are imposed.

In Europe, this system may seem straightforward. I am writing from Nairobi, and things look very different from here. The problem is not that there are no longer any rules under international law, but that the consequences of breaching these rules are apparently not borne equally by all.

When Russia invaded Ukraine, European governments rightly invoked territorial sovereignty and international law. Russia found itself facing sweeping sanctions, diplomatic isolation and sustained condemnation.

“Don’t get me wrong: the Gen Z movement in Kenya did not want to be rescued by Europe.”

However, when it comes to Israel’s actions in Palestine, which contravene international law, the application of these supposedly universal principles becomes far more conditional. In November 2024, the International Criminal Court issued arrest warrants for Israeli Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant. These arrest warrants are not convictions, yet the willingness of powerful states, for example Germany and France, to enforce them remains highly questionable.

For many young people observing this, the question inevitably arises: if international law is universal, why does its enforcement so often depend on who you are, who you are allied with – and whose suffering is politically less inconvenient?

THE ECONOMIC DIMENSION

The debate around international law has another dimension which might look different to Europeans: economic sovereignty.

The Generation Z uprising in Kenya in 2024 was triggered by a draft finance bill, but it was about more than that. It was

a dispute over who decides what the Kenyan state owes its citizens – and to whom it is ultimately accountable. The government argued that new taxes were necessary to bring public debt under control and stabilise the economy. The IMF-backed programme for Kenya envisaged fiscal consolidation, increased revenue and curbing expenditure.

The austerity measures imposed by international institutions did not take the form of abstract macroeconomic policy. They took the form of bread prices, transport costs, unemployment and dilapidated hospitals. They took the form of a sense that ordinary citizens were being made to foot the bill for a crisis they had not caused.

The proposed finance bill was intended to raise billions of dollars and, to that end, included measures affecting essential goods and mobile money transactions – which are ubiquitous in Kenya. Human Rights Watch urged that Kenya’s economic reforms must respect human rights, progressive taxation and accountability for public funds.

Austerity measures are rarely presented directly as coercion. They are wrapped in technical jargon: fiscal consolidation, debt sustainability, revenue mobilisation, structural reforms. These are all legitimate economic concepts, but when a government is in urgent need of funding and relies on international institutions such as the IMF for it, the line between political advice from these institutions and the imposition of conditions for access to capital can become very fine.

SO, WHO HOLDS SOVEREIGNTY?

The Kenyan Constitution is clear: sovereignty lies with the people. Citizens have the right to participate in public affairs and to hold their government to account. What happens when economic decisions are restricted by institutions that are far removed from the people who suffer the consequences?

We, the young people of Kenya, do not reject responsible fiscal policy. Rather, we ask why it so often falls on ordinary citizens, whilst political privileges remain protected. We ask why debt repayment should automatically take precedence over the social contract between the government and its citizens.

On 25 June 2024, thousands took to the streets. President William Ruto eventually withdrew the Finance Bill, but Amnesty International documented the use of unlawful and lethal force against demonstrators, resulting in deaths, enforced disappearances and arbitrary arrests.

This is where Africa’s experience of international law becomes uncomfortable. Young Kenyans are being killed

during protests because they are demanding a say in a national budget shaped by global financial constraints, yet this has no diplomatic or legal consequences for their government.

“We and many other movements from the Global South are calling for an end to all exceptions to international law.”

We would have expected more from Europe in particular, given that it is still European governments that continue to lecture Africa on democratic governance. We are told that sovereignty is important – until it becomes inconvenient. We are told that human rights are universal – until upholding them threatens a strategic ally. We are told that democracy is important – yet when citizens question the structures that govern their lives and take to the streets to protest, their country is deemed unstable. But don't get me wrong: the Gen Z movement in Kenya did not want to be rescued by Europe. It wanted to be heard. It demanded a government that remembers who it works for.

We and many other movements from the Global South are calling for an end to all exceptions to international law. We are calling for consistency. We insist on a different world order – one in which no passport shields a head of state from accountability, no alliance makes violations acceptable, and no loan agreement imposes costs on poor people's lives. Until these demands are met, “rule of law” will continue to mean something entirely different in Nairobi than it does in Brussels.



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Photo: Selma Bichbich

Selma Bichbich (black headscarf) campaigns internationally for young people to have a greater say in politics.

YOUTH

“Our generation will lead differently”

The UN system has opened up opportunities for Algerian environmental activist Selma Bichbich to engage in politics. But she's increasingly concerned that some fundamental principles of international law are hardly being respected at all these days. She is convinced the next generation will do politics differently.

SELMA BICHBICH IN AN INTERVIEW WITH EVA-MARIA VERFÜRTH

You've taken part in several UN Climate Change Conferences (COPs) over the years. Will you be attending again this year, despite the disappointing outcomes of recent summits?

Yes, I will, and I'm still convinced it is worth it. COP is an important space where young people can participate in policymaking, critically engage with policies, propose alternatives and speak directly with political leaders and decision-makers. It allows us to bring greater attention to issues that have not been prioritised. As a climate activist and representative of a global youth-led network, I'm usually accredited as an observer, but on one occasion I was accredited through an official delegation with negotiator status. This gave me broader access to formal negotiation rooms, party briefings and coordination meetings, allowing me to understand different countries' positions and to contribute the perspectives of young people. At COP, young people build networks and develop solutions for their communities together. Many initiatives and partnerships have emerged from these exchanges. This year, COP will take place in Turkey, within my broader region, which is particularly exciting for us.

Many activists seem disillusioned with the UN right now. Do you share that sense of frustration?

I do, but I still have some hope for the UN. That said, I think the organisation needs to shift its priorities towards what's really at stake and act more pre-emptively. Water still isn't sufficiently prioritised, for instance, even though we are heading towards a catastrophe in the coming years. Some countries are already in conflict over water. In my region, old colonial-era land divisions are resurfacing precisely because water and security have become contested. In addition, the UN needs to switch from a Western to a Global South perspective. We can't keep assuming that what works in the Global North will work in the Global South. Not every country has the same capacities, resources and abilities to fund solutions, nor the same mindset within its communities. Under the current system, the Global South is always the weaker party, dealing with more problems and more conflict.

"I'm concerned that international law is being increasingly undermined."

Nonetheless, you describe COP as a space where young people are given room to speak up. How does the UN make this possible?

The UN has mechanisms to involve us in decision-making. For example, statements are gathered from the Local Conferences of Youth around the world and combined to compose the Global Youth Statement, the GYS. It contains recommendations across every major area: water, energy, technology, climate adaptation, loss and damage, education and climate empowerment. The GYS is presented to the United Nations Framework Convention on Climate Change (UNFCCC) leadership as well as to senior UN officials. They review it, and sometimes the outcomes are even reflected in UNFCCC negotiations, where it reaches national negotiators and decision-makers.

What opportunities are there for young people to participate in your country, and how does the UN system support this?

Young people in Algeria are increasingly contributing their ideas and perspectives to national discussions, including through the government's youth council. However, there is still considerable potential to strengthen their participation in decision-making processes. Young people's contributions could have a greater impact if they were engaged earlier in the process, from setting priorities to developing and implementing decisions.



Selma Bichbich at the 2023 World Climate Conference in Dubai.

Last year, I organised the Local Conference of Youth in Algeria. Hosting the conference during the Algerian Council of the Nation elections presented some coordination challenges. However, with financial and institutional support from the International Organization for Migration (IOM), we were able to engage relevant stakeholders and create an important space for young people to contribute to climate discussions. This experience demonstrated the value of partnerships between youth-led networks, public institutions and international organisations.

In founding the youth-led environmental network “Together for Blue and Green” in Algeria, you aimed to encourage young people to advocate for the UN 2030 Agenda. Do its broader goals still feel right?

The goals are good, but they are not being implemented sufficiently. That’s why our aim is to prepare young people to take on political leadership roles. Youth activism shouldn’t be limited to tree-planting and clean-up days. It is about being part of policymaking and policy reform while also proposing solutions and taking action.

The 2030 Agenda is under growing pressure. Has the Trump administration changed the way you view the international order?

Personally, I’ve benefited a great deal from the US – I studied at the American University of Beirut, and my scholarship was fully US-funded. But I’m very unhappy with the current administration’s decision to pull out of agreements like the Paris Agreement and with its interventions in the Middle East – that’s not something I want to see from a country like the US. It’s the powerful countries that are running the world; what we need is the right leaders in place – not people tweeting whatever comes to mind at 3 a.m. I’m concerned that international law is being increasingly undermined. No one respects it anymore and it’s starting to feel like nothing more than a piece of paper. And it’s always regions like mine that end up paying the price.

What needs to change for international law to become more powerful again?

International law can only regain its credibility if it protects everyone equally, regardless of political alliances or power dynamics. Our generation is witnessing entire communities being displaced, cities being destroyed and civilians suffering, from Gaza and southern Lebanon to Iran. We cannot keep waking up to such news and simply moving on. Fundamental rights and civilian protection must never depend on geopolitical interests. We need stronger international institutions, genuine accountability for all states and diplomacy that prevents violence before more lives are lost. The international community must prioritise stopping the ongoing destruction across the Middle East, rather than responding

only after the damage has been done by focusing on recovery and reconstruction. Our generation must challenge double standards and help build a global system centred on justice, dignity and humanity, not selective silence.

What form might this take?

Our generation can lead differently, but first we need to be trusted and heard. Too many decisions that define our future are made without our meaningful involvement. If we are

“Young people’s contributions could have a greater impact if they were engaged earlier in the process, from setting priorities to developing and implementing decisions.”

barely allowed to influence decisions or understand how institutions work, how can we be expected to lead them one day? Yet young people are developing new forms of participation. In Nepal, for example, young people used Discord, an online communication platform, to discuss policies and help choose an interim prime minister. I hope future governance will embrace such innovations, give us young people a role in shaping the decisions that affect our lives and enable us to lead differently in the future.



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is a climate activist and human rights advocate from Algeria and founder of the youth-led network Together for Blue and Green. She is also a UN Climate Change Conference (COP) delegate.

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Photo: picture alliance / ZUMAPRESS.com / Andrea Domeniconi

A protester accuses China of transnational repression against people in the United Kingdom, in London in April.

TRANSNATIONAL REPRESSION

A global threat to human rights and their defenders

Authoritarian regimes persecute critics not only within their own countries' borders but also abroad. States that harbour dissidents should take more decisive action against the various forms of transnational repression. This also applies to Germany.

BY PHILIPP FRISCH

Standing up to any government requires courage. With more governments embracing authoritarian tactics, the stakes for their critics rise as those governments become increasingly ruthless in suppressing dissent, putting human rights defenders, journalists, environmental defenders and dissidents at grave risk.

But what if even leaving your country is not enough to secure your safety? What if persecution does not stop at the border? What if there is no safe place to hide?

The international human rights organisation Human Rights Watch has documented for years how governments reach beyond their borders to silence, intimidate and punish critics abroad. Human rights defenders, journalists, civil society activists and others perceived as threats have been surveilled, harassed and intimidated, arbitrarily detained and even physically attacked, and their families have been threatened. Many of those targeted are asylum seekers or recognised refugees who fled persecution in search of safety.

When governments extend their repression beyond national borders, they seek to instil fear and send a clear message: “If you oppose us, nowhere is safe for you!” This is known as transnational repression or TNR.

WHAT EXACTLY IS TRANSNATIONAL REPRESSION?

Transnational repression looks different depending on the context. While there is no universally agreed-upon definition, the UN defines it as “acts conducted or directed by a State, or its proxy, to deter, silence or punish dissent, criticism or human rights advocacy towards it, expressed from outside its territory.” Nationals or former nationals, members of diaspora communities and those living in exile are particularly vulnerable.

In Germany, there have been documented cases involving many governments, including China, Russia, Vietnam and Egypt.

The methods vary, but they include killings, abductions and enforced disappearances, seeking unfounded deportation or extradition of critics, targeting of relatives, abusing consular services and so-called digital transnational repression, which includes using technology to surveil or harass people. These tactics often lead to further human rights violations, such as torture and ill-treatment.

In 2024, Human Rights Watch published a report detailing more than 75 cases over the past 15 years, committed by over two dozen governments across four regions. These include killing a Rwandan refugee in Uganda following

threats from the Rwandan government, extraditing a Cambodian refugee who was summarily detained upon their return to Cambodia and abducting a Belarusian activist who was on board a commercial airline flight.

“In its effort to toughen its stance on migration, the current German government announced an end to all voluntary reception programmes shortly after taking office in 2025.”

GERMANY: COMMITMENT AND GAPS

Many governments have started to take transnational repression more seriously, as they should, given the state's obligation to respect and protect the human rights of everyone within its jurisdiction. The German government has committed itself to countering transnational repression, has created a Foreign Affairs Ministry team dedicated to addressing the problem and has closed legal loopholes and published guidance for affected communities and individuals.

But significant gaps remain. In its effort to toughen its stance on migration, the current government announced an end to all voluntary reception programmes shortly after taking office in 2025. These programmes allow a pre-defined group of people in need of protection to enter Germany. The decision has closed crucial safe pathways and protections for dissidents seeking safety in Germany. People fleeing countries with oppressive governments, including Afghanistan, Russia and Belarus, are affected.

Beyond closing humanitarian visa programmes, deporting people affected by or at risk of transnational repression plays directly into the hands of the repressive governments. One recent example is the Tajik opposition activist Asadullo Boboev, who was deported from Germany in June this year and immediately detained in Dushanbe. Boboev's case is the fourth of its kind since 2023, despite Tajikistan's dire human rights record at home,

“Many governments have started to take transnational repression more seriously, as they should, given the state’s obligation to respect and protect the human rights of everyone within its jurisdiction.”

documented involvement in TNR beyond its borders in Europe and repeated warnings by civil society groups.

IMPROVING POLICY RESPONSES TO TNR

Addressing transnational repression requires governments to recognise the scale and seriousness of the problem. Much transnational repression remains hidden. Victims are often reluctant to report incidents, intimidation frequently takes subtle forms and data collection remains fragmented. Many forms of TNR – particularly those that don’t constitute blatant crimes – are difficult to document individually, but when taken together point to patterns of harassment and pressure.

Governments should therefore invest in improving the mapping, documentation and analysis of the various forms of TNR. Effective policy responses depend on a better understanding of who is affected, which tactics are being used and where protection gaps persist.

Civil society organisations and diaspora groups, like the Coalition against TNR in Germany, are indispensable partners in this effort. They are often the first to identify patterns of abuse, document cases and provide support to victims. Sustained funding for organisations working on transnational repression is essential, especially as overall funding levels are declining and many civil society organisations are struggling to survive.

NO EXTRADITIONS TO UNSAFE COUNTRIES

People at risk of transnational repression are also more likely to trust these groups than law enforcement or intelligence officials. These groups’ expertise should inform policy development, while the government should actively support their security and long-term sustainability. Governments should also ensure that people at risk of transnational repression are not only not returned to the countries from which they fled but also not sent to third countries that would return them and are not a safe place for them. Safe and accessible pathways, such as visa programmes for human rights defenders and humanitarian visas are critical.

Governments committed to human rights should make full use of the diplomatic tools at their disposal. Patterns and individual cases of transnational repression should be raised consistently with other governments, whether during human rights dialogues, political consultations, UN forums or other diplomatic channels.

This engagement should not only target governments directly responsible for transnational repression but also all countries where such activities are reported. The latter need to uphold the safety of their populations without exception. And it should be free of double standards.

“Beyond closing humanitarian visa programmes, deporting people affected by or at risk of transnational repression plays directly into the hands of the repressive governments.”

While many governments have denounced transnational repression by countries such as Iran, China and Russia, they should not downplay the responsibility of countries where competing political or economic interests might be involved, such as Rwanda, Bahrain, Egypt, India, Vietnam and Saudi Arabia.

TAKING A STANCE AGAINST TNR AT EU LEVEL

A human rights-based assessment of transnational repression risks should be integrated into decisions on

bilateral or EU cooperation with third countries, particularly in sensitive areas such as migration, extradition, justice and security. Where appropriate, EU countries, including Germany, should impose sanctions on individuals and entities responsible for serious abuses. The EU should strengthen its resolve to address, respond to and prevent TNR in member states' territories and in third countries.

“Transnational repression
is a test of whether
democratic societies can
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within their territory for
those forced to flee
persecution.”

At the multilateral level, governments should support and strengthen efforts by the UN Office of the High Commissioner for Human Rights (OHCHR) and other international initiatives aimed at documenting, preventing and responding to transnational repression.

Transnational repression is a test of whether democratic societies can and are willing to uphold the promise of protection within their territory for those forced to flee persecution. As authoritarian governments become ever more sophisticated in extending their reach across borders and learning from each other, host governments, international organisations and civil society need to respond with equal determination.

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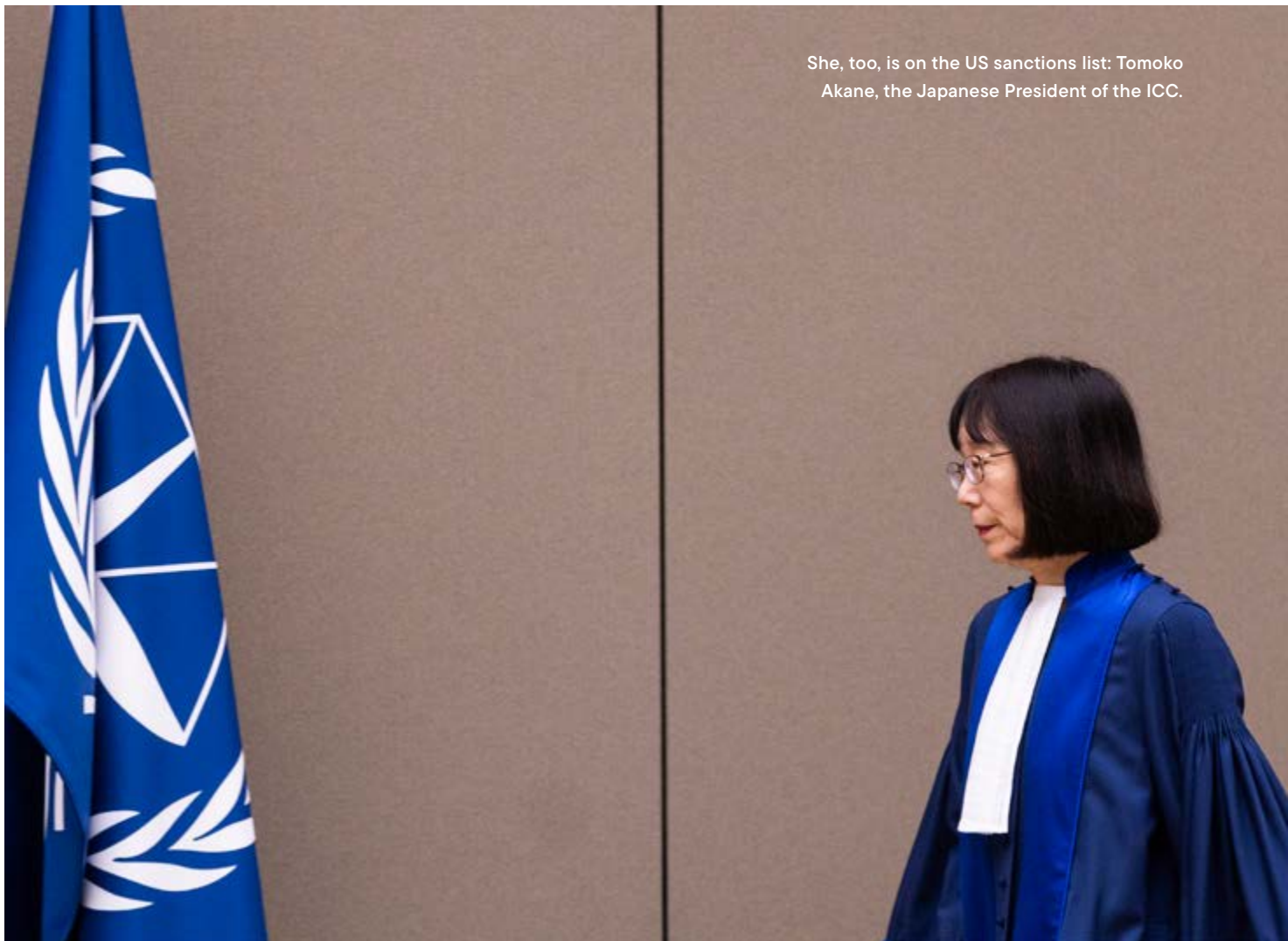
SANCTIONS

The USA's attack on international law

The International Criminal Court has been upholding international law and prosecuting international crimes against humanity since 2002. Now the Trump administration is trying to dismantle it with sanctions against ICC staff.

BY SONJA PETERANDERL

She, too, is on the US sanctions list: Tomoko Akane, the Japanese President of the ICC.



Shopping online, booking hotels or conducting any kind of digital transaction – which are part of everyday life for many people – have become almost impossible for Nicolas Guillou. The USA imposed sanctions on the French national after he condemned Israeli Prime Minister Benjamin Netanyahu in his capacity as presiding judge at the International Criminal Court. US companies are no longer allowed to provide services to him, and since few digital transactions can be conducted without them, even in Europe, Guillou has few alternatives. The Trump administration's sanctions are hitting him hard.

“The USA's actions represent an unprecedented attack on international jurisdiction.”

The International Criminal Court (ICC), headquartered in The Hague in the Netherlands, has put individuals on trial for war crimes, crimes against humanity, genocide and the crime of aggression since 2002. It was founded by the international community in reaction to the mid-1990s genocides in Rwanda and the former Yugoslavia with the hope of preventing perpetrators and responsible parties, like high-ranking officials, from escaping punishment.

Now the ICC is being openly attacked by the USA: Secretary of State Marco Rubio is threatening to “dismantle” the Court. His weapons include sanctions, visa and entry restrictions for people who work for the ICC, as well as diplomatic pressure on states that continue to support the Court.

As early as February 2025, US President Donald Trump issued an executive order authorising sanctions against ICC staff, judges and other personnel who were involved in proceedings relating to genocide, war crimes and crimes against humanity. Trump justified the measure by claiming that the ICC had engaged in “illegitimate and baseless actions” targeting US personnel and allies and that this “malign conduct” threatened the sovereignty of the USA and undermined its national security.

At the time of the executive action, however, only the proceedings related to Palestine were underway; by the end

of 2024, these had led to arrest warrants against Israeli Prime Minister Benjamin Netanyahu, former defence minister Yoav Gallant and three Hamas leaders, who have been killed in the meantime. The USA imposed sanctions on prosecutors and judges like Nicolas Guillou who were investigating Israel's actions in Gaza, as well as against the United Nations Special Rapporteur on the occupied Palestinian territories, Francesca Albanese, and three Palestinian human rights organisations.

THE SANCTIONS DILEMMA

The USA's actions represent an unprecedented attack on international jurisdiction. And a particularly irritating one, since the United States has not even ratified the Rome Statute, the international treaty that forms the legal basis of the ICC. It is therefore not formally bound by the Court.

The actions of the Trump administration are also unusual because they use an instrument that the UN itself employs to force compliance with international law: sanctions. The USA is resorting to them to undermine international justice instead.

If sanctions are imposed by international organisations like the UN, they can contribute to peacekeeping. According to the Diplomatic Service of the EU, they are a “peaceful instrument to defend international law” and “strengthen international security and peace”. If, on the other hand, sanctions are imposed by individual countries to promote their own interests, they are often less powerful.

The situation is different when it comes to the USA: its sanctions are particularly painful because their impact stretches far beyond the country's borders. Numerous important financial services can be involved, including PayPal, Visa and Mastercard, as well as tech companies like Google and Amazon. ICC judges who have been affected by sanctions, like Nicolas Guillou, report problems with credit cards, bank accounts and digital accounts, for example. Whoever the US government has designated as an enemy can experience a domino effect of additional secondary sanctions by companies in their own country that capitulate to the US government out of fear. United Nations Special Rapporteur Francesca Albanese, for instance, also had her Italian bank account terminated.

CRITICISM OF US SANCTIONS

The USA's sanctions against the ICC have drawn harsh criticism. On Verfassungsblog, a global forum on public law, German criminal and international law expert Kai Ambos called them “a fundamental attack on the separation of powers and the work of justice”. Ambos argues that

“Whoever the US government has designated as an enemy can experience a domino effect of additional secondary sanctions imposed by companies in their own country that capitulate to the US government out of fear.”

the Trump administration has destroyed the everyday lives of the affected representatives of the Court. “Independent prosecutors and judges are being equated with terrorists, organised criminals and corrupt dictators,” he criticises.

An end to the sanctions is nowhere in sight, however. On the contrary: In August, the USA announced sanctions against Japanese ICC president Tomoko Akane and the Senegalese prosecutor Abdoulaye Seye. The ICC described the announcements as a “flagrant attack against the independence of an impartial judicial institution”.

Ambos, the international law expert, believes that the US government is only interested in attacking the ICC to protect its own and allied (Israeli) citizens, not because it is opposed to the Court’s proceedings and criminal charges in general. “As long as these are directed against opponents and enemies of the USA (the Taliban) or Israel (Hamas), the US government has no problem with the supposed “overreach” of the ICC. If, however, the law is to be applied to the USA or its friends, the Court itself becomes the enemy,” Ambos argues.

A coalition of US human rights organisations is now protesting the USA’s attack on international justice. In August 2026, the American Friends Service Committee, the Center for Constitutional Rights, Human Rights Watch and the Open Society Institute filed a lawsuit in a US federal court to challenge the sanctions. “When Marco Rubio announces that he intends to dismantle the International Criminal Court “brick by brick”, we must defend international law brick by brick,” confirms Andreas Schüller, Co-Director of the International Crimes and Accountability Program of the European Center for Constitutional and Human Rights (ECCHR). “Against authoritarian power politics, only international cooperation, political courage and the integrity of the rule of law can prevail.”

SOURCE

Ambos, K., 2025: Die Sanktionierung des Rechts. Zur Sanktionspolitik der US-Regierung gegen den Internationalen Strafgerichtshof. (Available only in German.)



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