

R2P MONITOR

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the Global Centre for the
Responsibility to Protect

The **Responsibility to Protect (R2P)** is a global norm, unanimously adopted by heads of state and government at the 2005 UN World Summit, aimed at preventing and halting Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity. R2P stipulates that:

- » Every State has the Responsibility to Protect its populations from the four mass atrocity crimes (Pillar I).
- » The wider international community has the responsibility to encourage and assist individual States in meeting that responsibility (Pillar II).
- » If a State is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter (Pillar III).

R2P Monitor applies an atrocity prevention lens to the following situations of concern:

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

The situation is reaching a critical threshold and the risk of mass atrocity crimes occurring in the immediate future is very high if effective preventive action is not taken.

SERIOUS CONCERN

There is a significant risk of occurrence, or recurrence, of mass atrocity crimes within the foreseeable future if effective action is not taken.

R2P Monitor:

- » Provides *background* on populations at risk of mass atrocity crimes, with particular emphasis on key events and actors and their connection to the threat, or commission, of genocide, war crimes, ethnic cleansing and crimes against humanity.
- » Offers *analysis* of the country's past history in relation to mass atrocity crimes; the factors that have enabled their possible commission, or that prevent their resolution; and the receptivity of the situation to positive influences that would assist in preventing further crimes.
- » Tracks the *international response* to the situation with a particular emphasis upon the actions of the United Nations, key regional actors and the International Criminal Court.
- » Suggests *necessary action* to prevent or halt the commission of mass atrocity crimes.

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



More than 10,000 civilians killed or injured during 2019

AFGHANISTAN

Populations in Afghanistan are at ongoing risk of mass atrocity crimes as the Taliban continues its armed conflict with the government. Other armed extremist groups are also increasing their attacks on civilians.

BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces, the Taliban have made substantial military gains, currently controlling or influencing more than half the country. The UN Assistance Mission in Afghanistan (UNAMA) has reported that civilians in Taliban-controlled areas suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings. According to the Chief Prosecutor of the International Criminal Court (ICC), the Taliban have potentially committed crimes against humanity and war crimes. Afghan security forces and members of the United States (US) military may have also committed war crimes, including the torture of detainees and summary executions.

Despite the US and the Taliban finalizing a peace agreement on 29 February, the Taliban resumed their military campaign against the Afghan government. The Taliban carried out 76 attacks across 24 provinces in the week following the agreement, prompting the US to resume airstrikes. UNAMA has reported a dramatic increase in civilian casualties and disregard for international law, documenting over 800 civilian casualties caused by deliberate attacks in the first half of 2020. UNAMA has also reported 12 deliberate attacks on healthcare personnel and facilities – eight by the Taliban and three by Afghan national security forces – since the World Health Organization (WHO) declared COVID-19 a

global pandemic on 11 March. On 13 May President Ashraf Ghani ordered the resumption of offensive military operations against the Taliban in response to their ongoing attacks in civilian areas.

The US-Taliban agreement includes guarantees to prevent the use of Afghan territory by terrorist groups, a timeline for withdrawal of all international forces, creation of conditions for intra-Afghan negotiations, and a permanent ceasefire. Progress in implementation has been minimal. The UN Security Council (UNSC) Analytical Support and Sanctions Monitoring Team reported on 27 May that the Taliban has not broken ties with al-Qaeda. The Taliban, meanwhile, have argued that the agreement is already at a breaking point, citing ongoing US drone strikes and the Afghan government stalling on some prisoner releases. Abdullah Abdullah, appointed as head of the High Council for National Reconciliation following a power-sharing deal with President Ghani, has indicated the government's readiness to start negotiations with the Taliban.

During a pause in the US-Taliban negotiations, UNAMA reported that there were more civilian casualties between 1 July and 30 September 2019 than in any other three-month period during the past ten years, with 1,174 civilians killed and 3,139 wounded. This brought the number of civilian casualties to more than 10,000 for the sixth year in a row. The US Special Inspector General for Afghanistan Reconstruction also reported that the Taliban carried out 8,204 attacks in the final quarter of 2019 – the highest tally recorded since 2010. According to the UN Secretary-General's annual report on children and armed conflict, Afghanistan was the deadliest conflict in the world for children in 2019, with over 870 killed.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has also increased its operations in Afghanistan, often targeting minority populations. On 25 March ISIL-K attacked the Dharamshala Sikh Temple in Kabul, killing at least 25 civilians. ISIL-K perpetrated a suicide bombing at a funeral in Nangarhar province on 12 May, killing 32 civilians. That same day unidentified armed assailants attacked a maternity hospital in a predominantly ethnic Hazara neighborhood of Kabul, killing at least 24 people.

According to the UN Refugee Agency (UNHCR), 2.1 million people are internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

ANALYSIS

During their 18-year war, the Taliban, government troops and some international forces have shown blatant disregard for International Humanitarian Law (IHL). In addition to fighting to expand territorial control, the Taliban have continued to attack civilians in urban areas. Unless sustained action is taken to improve local governance, conflict and insecurity will endure.

The US-Taliban agreement is a welcome step towards ending the war. However, the threat of further war crimes and crimes against humanity remains until a comprehensive ceasefire is fully implemented. The recent increase in civilian casualties, attacks on healthcare facilities and places of worship, and use of explosives and airstrikes in civilian-populated areas, all demonstrate a deterioration of respect for international law.

The Afghan government needs ongoing international support to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

Since 2011 the UNSC has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. On 10 March the UNSC unanimously adopted Resolution 2513, welcoming the US-Taliban agreement.

US troops began leaving Afghanistan during March in line with the US-Taliban agreement, with approximately 8,600 troops remaining in the country. Some other NATO member states are also considering withdrawing their forces.

During November 2017 the Chief Prosecutor of the ICC, Fatou Bensouda, requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. Despite the Court initially rejecting the Chief Prosecutor's request, on 5 March 2020 the Appeals Chamber allowed the investigation to proceed. On 11 June the US government authorized sanctions against ICC staff involved in investigating possible war crimes perpetrated by US troops and intelligence officials in Afghanistan and elsewhere. The UN Secretary-General, UN Office of the High Commissioner for Human Rights (OHCHR), over 30 UN independent human rights experts, and a cross-regional group of 67 ICC member states have all expressed concern regarding the sanctions.

NECESSARY ACTION

All parties to the conflict should help create an environment conducive for intra-Afghan negotiations by implementing a comprehensive ceasefire. Intra-Afghan talks must include meaningful representation of women, ethnic and religious minorities and civil society. Promoting good governance and the rule of law and protecting human rights remain essential to establishing lasting peace and security.

Afghan security forces and all international military forces must prioritize the protection of civilians and strictly adhere to IHL and International Human Rights Law (IHRL). International forces should strengthen protocols to prevent civilian casualties and increase efforts to ensure the security of vulnerable ethnic and religious minorities.

The international community should continue to pursue international justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator. States Parties to the Rome Statute of the ICC should defend the Court against attacks targeting its staff.



730,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

Civilians in the Anglophone regions of Cameroon continue to face mass atrocity crimes due to widespread violence between government forces and armed separatists. The armed extremist group Boko Haram also poses an ongoing threat.

BACKGROUND

Political conflict over cultural rights and identity escalated in Cameroon's Anglophone regions during 2016 when English-speaking lawyers, students and teachers began protesting against their under-representation and cultural marginalization by the Francophone-dominated government. Security forces violently repressed the protests, resulting in arbitrary arrests, sexual violence and the killing of civilians in the north-west and south-west regions. The political crisis in Cameroon has deepened since October 2017 when Anglophone separatists proclaimed independence, declaring a new state of "Ambazonia."

The Anglophone and Francophone areas of Cameroon were unified in 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west regions.

Since October 2017 at least 650 civilians, 235 members of the security forces and nearly 1,000 alleged separatists have reportedly been killed as a result of the armed conflict. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that as of 27 March at least 680,000 people have been internally displaced in the north-west and south-west regions, while 52,000 have fled to neighboring Nigeria.

There has also been evidence of security forces perpetrating extrajudicial killings and burning Anglophone villages. On 14 February at least 22 civilians, including 14 children, were massacred by government forces in Ngaruh in the north-west region. Individuals detained by the government for alleged

separatist ties are reportedly subjected to torture and ill-treatment. Armed separatist forces have also perpetrated abuses, including kidnapping and killing civilians. Due to a ban on government education by the separatists, 80 percent of schools in the two regions have closed or been destroyed.

In an attempt to ease tensions, between 30 September and 4 October 2019 President Paul Biya organized a national dialogue, followed by the adoption of several recommendations, including granting “special status” to the Anglophone regions, and adopting a law on the promotion of bilingualism. During October the government also released 333 prisoners from the Anglophone region, as well as opposition leader Maurice Kamto. Despite this, the security situation in the Anglophone regions has continued to deteriorate.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. During 2019 the group committed atrocities in the far north of Cameroon, killing at least 225 civilians. During military operations against Boko Haram there have also been widespread allegations of the security forces perpetrating extrajudicial killings. Ongoing violence in the far north region has displaced over 490,000 people.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. Persistent attacks on civilians by both armed separatists and the security forces amount to crimes against humanity. The government continues to deny the severity of the crisis and has failed to address the root causes of the Anglophone conflict or provide a political means for resolving it.

The government of Cameroon is failing to uphold its responsibility to protect and requires international assistance to mediate and end the armed conflict in the north-west and south-west regions.

INTERNATIONAL RESPONSE

Despite the government's failure to protect populations from violations and abuses of human rights, or to hold security forces accountable for extrajudicial killings, during October 2018 Cameroon was elected to the Human Rights Council (HRC) for the 2019–2021 term. Following a visit to Cameroon, on 6 May 2019 the UN High Commissioner for Human Rights urged the government to hold accountable members of the security forces who commit serious human rights abuses.

On 13 May 2019 the UNSC held its first Arria Formula meeting on the humanitarian and human rights situation in Cameroon.

On 17 February 2020 UN Secretary-General António Guterres condemned the killings in Ngarbuh and called upon the government to hold accountable those responsible. The government has since acknowledged the military's involvement in the massacre and three soldiers have been charged with murder.

The UN's Special Representatives on Children and Armed Conflict, Sexual Violence in Conflict, and Violence Against Children, as well as the Special Adviser on the Prevention of Genocide, issued a joint statement on 21 February deploring human rights abuses committed against civilians in the south-west and north-west regions of Cameroon.

On 22 June five Nobel Peace Prize Laureates, along with two former heads of state, other eminent figures and the Global Centre for the Responsibility to Protect, called upon all parties to the conflict in the Anglophone regions of Cameroon to declare a humanitarian ceasefire amid the COVID-19 pandemic.

NECESSARY ACTION

Security forces must end all extrajudicial killings of unarmed civilians and ensure that the human rights of all Cameroonians are equally protected, regardless of cultural identity or political affiliation. Security forces implicated in violations of IHL and IHRL should be investigated and held accountable. Armed separatist groups must also halt attacks on civilians and civilian infrastructure. The government and armed separatists should negotiate a ceasefire as a prelude to peace talks.

The government of Cameroon should grant OHCHR immediate and unfettered access to the north-west and south-west regions to investigate potential violations and abuses of IHRL. Foreign governments and regional organizations should suspend all military aid to Cameroon until its security forces have made demonstrable progress towards upholding the human rights of vulnerable populations.

In order to work towards a negotiated political solution to the crisis in the Anglophone regions, the government should hold an inclusive dialogue mediated by a neutral player on neutral territory. The African Union (AU) and Economic Community of Central African States should work with Cameroon's government to prevent any further deterioration of the armed conflict. The UNSC should add the situation in Cameroon to its formal agenda.



Approximately one million Uighurs and other Turkic Muslim minorities are currently being detained in “re-education” or “de-extremification” facilities

CHINA

The treatment of ethnic Uighurs and other Muslim minorities in China may amount to crimes against humanity and genocide.

BACKGROUND

Under the auspices of combatting religious extremism and terrorism, in recent years the government of China and authorities in the Xinjiang Uighur Autonomous Region (XUAR) have increased their repression of members of the ethnic Uighur community as well as Kazakhs, Kyrgyz and Hui. China's approach to combatting “religious extremism” has resulted in large-scale arbitrary detention, severe restrictions on religious practice, and pervasive surveillance of the country's Muslim population.

Approximately 1 million Uighurs and other Muslim minorities are currently being detained in “re-education” or “de-extremification” facilities without formal charges or due process. Former detainees have reported that while in state custody they were subjected to abuse and forced indoctrination. During February the Associated Press published leaked information from a database profiling detainees from Karakax County, XUAR. The database demonstrates that the Chinese government focused on religious devotion as one of the main reasons for detention, including engaging in ordinary activities such as fasting, praying or regularly attending mosque.

On 1 March the Australian Strategic Policy Institute reported that over 80,000 Uighurs are working under “conditions that strongly suggest forced labor,” with many transferred directly from detention camps to factories across China. According to the report, these factories are part of supply chains that provide goods for 83 global brands, including Apple, BMW, Gap, Nike and Samsung.

The Chinese government is also conducting a campaign to reduce birth rates among Uighurs, Kazakhs and other Muslim populations in XUAR. According to investigations, the practice of forced birth control has been widespread and systematic

in Xinjiang since 2017 and includes forced abortions and sterilizations. The government has also reportedly separated nearly half a million Muslim children from their families, often denying access to information on their location.

These measures have been imposed in conjunction with increased restrictions on religious practice. In March 2017 XUAR authorities passed the “Regulation on De-extremification,” which prohibits a range of “extreme” behaviors, such as “abnormal” beards. Leaked government documents reveal that the crackdown in Xinjiang was a result of pressure from senior officials, including President Xi Jinping who in 2014 called for a “struggle against terrorism, infiltration and separatism” to be conducted with “absolutely no mercy.” The Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uighur persecution and drastically expanded the detention camps.

China has also expanded its pervasive surveillance across XUAR. Authorities monitor the daily lives of almost all Uighurs, including religious gatherings. Authorities collect DNA during medical check-ups, monitor mobile and online communications, and install a GPS tracking system on all vehicles. Data is used to profile persons at risk of “extremist thought” prior to being sent to “re-education” camps. Additionally, Uighurs in Xinjiang are punished for the behavior of their family members abroad, suggesting that China is monitoring the diaspora community.

Authorities have also engaged in the systematic destruction of Uighur cultural heritage. At least 100 historic Uighur cemeteries, shrines and mosques have been partially destroyed or completely demolished across XUAR.

ANALYSIS

The large-scale detention program, abuse of detainees and persecution of the Uighurs based upon their religion and ethnicity could constitute crimes against humanity under international law.

The campaign to forcibly remove children and to reduce births among Uighurs and other Muslim minorities could amount to genocide under Article II of the Genocide Convention. The targeted destruction of places of cultural significance may also be part of a systematic attempt to eradicate the Uighur presence in XUAR.

Systematic discrimination against the Uighurs and other Muslims, as well as surveillance systems that target these groups, increase their vulnerability to ongoing violations and abuses of their fundamental human rights. Article 18 of the Universal Declaration of Human Rights enshrines “the right to freedom of thought, conscience and religion” for all human beings.

The government of China is failing to uphold its responsibility to protect and is perpetrating possible crimes against humanity and genocide against the Uighurs and other Muslim minorities.

INTERNATIONAL RESPONSE

Twenty-two governments sent a letter to the President of the HRC on 8 July 2019 calling upon China to halt its mass detention of ethnic Uighurs and other minorities in Xinjiang.

During October 2019 the US imposed visa restrictions on 28 Chinese officials allegedly responsible for, or complicit in, the detention or abuse of Uighurs and other Muslim minority groups. On 22 May 2020 nine Chinese entities were added to an economic blacklist for complicity in “human rights violations and abuses” in XUAR. On 17 June President Donald Trump signed the “Uyghur Human Rights Policy Act of 2020.” The law calls for financial sanctions and visa bans to be issued under the Global Magnitsky Act. On 9 July the US sanctioned an additional entity and four officials.

The UN High Commissioner for Human Rights, Michelle Bachelet, said on 4 March that she requested access to China “to carry out an independent assessment of the continuing reports pointing to wide patterns of enforced disappearances and arbitrary detentions, particularly in [XUAR].” On 30 June the United Kingdom (UK) delivered a cross-regional statement to the HRC on behalf of 27 countries urging China to “allow the High Commissioner meaningful access to Xinjiang at the earliest opportunity.”

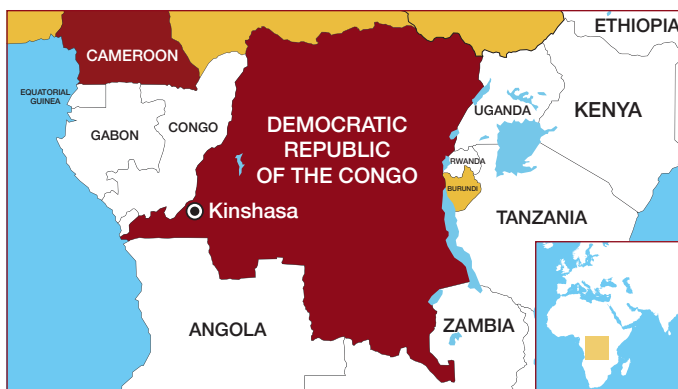
On 26 June a group of 51 UN Special Procedures mandate holders issued a joint statement calling for “the establishment of an impartial and independent [UN] mechanism” to monitor and report on the grave human rights situation in China.

NECESSARY ACTION

The government of China should immediately halt widespread violations and abuses of human rights in XUAR and repeal the “Regulation on De-extremification.” The authorities should release all Uighurs and others being arbitrarily detained in “re-education camps” and related facilities. The authorities should immediately end the enforced separation of Uighur children from their families, stop the practice of forcibly preventing births, and cease the deliberate destruction of the unique cultural heritage of the Uighur population.

The Chinese government should grant unfettered access to OHCHR. UN bodies, including the HRC, should consider mandating a Special Rapporteur or fact-finding mission to investigate systematic violations of human rights in XUAR.

Recognizing the important influence they may have in urging China to reconsider its policies, the Organization of Islamic Cooperation (OIC), Muslim-majority countries and neighboring states should urge China to respect the rights of Muslim minorities and cease their persecution of the Uighur population.



5.5 million people
internally displaced

At least 100 armed
groups still operating
in eastern DRC

DEMOCRATIC REPUBLIC OF THE CONGO

Various armed groups in the Democratic Republic of the Congo continue to perpetrate crimes against humanity, resulting in the largest displacement crisis in Africa.

BACKGROUND

Attacks by armed groups as well as recurring inter-communal violence continue to plague populations in the eastern provinces of the Democratic Republic of the Congo (DRC). Despite military offensives conducted by the government’s armed forces (FARDC) with assistance from the UN peacekeeping mission in the DRC (MONUSCO), violence continues to escalate throughout the region.

The UN High Commissioner for Human Rights, Michelle Bachelet, reported on 5 June that an estimated 1,300 civilians have been killed in the DRC over the past eight months, the majority of whom were in North Kivu, South Kivu and Ituri provinces. According to UNHCR, over 5.5 million Congolese are internally displaced while more than 900,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa. UNHCR also reported an increase in attacks on internally displaced persons (IDPs) and host communities, as well as 390 cases of sexual violence, recorded in the three provinces during June.

During January the UN Joint Human Rights Office (UNJHRO) reported on inter-communal conflict between the Hema and Lendu communities that has taken place in Ituri province since December 2017, alleging that ethnic armed groups may have perpetrated war crimes or crimes against humanity. At least 700 people were killed and 142 were subjected to sexual violence during several waves of violence between December 2017 and September 2019. The majority of victims were from the ethnic Hema community, although some Hema armed groups also engaged in reprisal violence.

Inter-communal attacks as well as fighting between the FARDC and ethnic militias, particularly the predominantly-Lendu Cooperative for the Development of Congo (CODECO) armed group, have continued to escalate in Ituri. OHCHR reported on 5 June that more than 375 civilians have been killed by armed groups in Ituri since March. UNHCR has recorded more than 3,000 serious human rights violations, including more than 140 women raped. The UN Children's Fund (UNICEF) has also received allegations of more than 100 serious child rights violations, including rape, killing and maiming, and attacks on schools and health centers. At least 300,000 people have been displaced from Ituri since January.

Meanwhile, on 6 July UNJHRO released a report alleging that attacks by the Allied Democratic Forces (ADF) armed group since January 2019, during which 793 civilians were killed, may amount to crimes against humanity and war crimes. Systematic attacks by the ADF escalated after the FARDC launched an offensive against them in North Kivu on 30 October. Since then the ADF has carried out retaliatory attacks against villages in the Beni region and, more recently, in Ituri province. Those fleeing the violence have reported mass killings conducted with machetes, as well as sexual violence and abductions.

The offensive was partly prompted by the role of the ADF in inhibiting the government and international community from confronting cholera, measles and Ebola outbreaks that have claimed the lives of thousands of people. The WHO documented more than 390 attacks on health facilities in DRC during 2019.

ANALYSIS

For more than 20 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilians. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and stability. The volume of attacks by armed groups in Ituri, North Kivu and South Kivu provinces, combined with growing inter-communal tensions in Ituri and South Kivu, is straining the capacity of the FARDC and MONUSCO to provide adequate protection to civilians. Efforts to contain the COVID-19 pandemic are also limiting the capacity of the government to extend services throughout the country.

The Hema and Lendu have a long history of conflict, including several years of intense fighting in Ituri province that started in the late 1990s and resulted in thousands of deaths. The Hema are predominantly pastoralists and the Lendu are mainly sedentary farmers, with longstanding disputes over access to land and other resources. The two communities coexisted relatively peacefully from 2007-2017. The intensity of recent attacks in Ituri demonstrates the need for inter-communal mediation and the disarmament of CODECO to prevent further atrocities.

Rampant impunity, competition for control of profitable minerals, as well as unresolved inter-communal conflicts, have enabled the proliferation of armed groups. While the FARDC has initiated numerous offensives against various militias,

groups like the ADF have a history of violent reprisals targeting civilians. Although the government has taken steps to hold perpetrators accountable, including recently issuing a warrant for the arrest of the leader of the Ndoma Defence of Congo-Rénové on charges of war crimes, prosecutions of perpetrators remain limited.

The DRC government has struggled to uphold its responsibility to protect in the past, and government forces have at times been complicit in the perpetration of mass atrocity crimes.

INTERNATIONAL RESPONSE

The UNSC currently subjects 13 entities and 31 individuals in the DRC to sanctions. Since 2013 the government of the DRC and neighboring states have collectively addressed the threat of armed groups through the "Peace, Security and Cooperation [PSC] Framework for the DRC and the region."

On 8 July 2019 the ICC found former DRC warlord Bosco Ntaganda guilty of war crimes and crimes against humanity perpetrated in Ituri from 2002-2003. Ntaganda was subsequently sentenced to 30 years imprisonment.

On 19 December the UNSC extended the mandate of MONUSCO for one year. The resolution emphasized that the government "bears the primary responsibility to protect civilians within its territory and subject to its jurisdictions, including protection from crimes against humanity and war crimes."

NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups.

The government should cooperate with UNJHRO and ensure all state agents responsible for extrajudicial killings, sexual violence and other human rights violations and abuses are held accountable. Recent massacres in Ituri must be investigated and perpetrators punished. The government should also ensure timely trials are held for the estimated 400 ADF combatants in their custody.

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions in eastern DRC, and address structural issues of land access, resource allocation and poor governance. The DRC government also needs to establish and implement a credible Disarmament, Demobilization, Reintegration and Repatriation program to encourage the ADF, CODECO and other combatants to lay down their arms. Neighboring states must continue to uphold the PSC Framework and provide assistance in confronting the threat of armed groups to the region.



More than 4,000 people killed in attacks in Mali, Burkina Faso and Niger during 2019

MALI AND BURKINA FASO

Populations in Mali and Burkina Faso face potential atrocity crimes as a result of attacks by Islamist armed groups and state security forces, as well as growing conflict between ethnic militias and community “self-defense groups.”

BACKGROUND

Over the past two years civilians across the Sahel – particularly in central Mali and neighboring parts of Burkina Faso – have endured increasing attacks by terrorist groups and state security forces as well as inter-communal violence perpetrated by rival militias. According to the Head of the UN Office in West Africa and the Sahel (UNOWAS), more than 4,000 people were killed in terrorist attacks in Mali, Burkina Faso and Niger during 2019 as compared to 770 during 2016.

A cycle of reprisal attacks in the Mopti region of central Mali has dramatically increased since early 2019. Violence has taken place between Dozos (traditional hunters mainly from the Dogon ethnic community) and ethnic Bambara fighters, against members of the predominantly Muslim Fulani community. The attacks include the burning of villages and destruction of food sources.

On 23 March 2019 Dozos massacred at least 160 people, including 50 children, in the predominantly Fulani village of Ogossagou. Despite the government’s commitment to increasing security in the area, on 14 February 2020 at least 37 people were killed during another attack on Ogossagou. According to the UN High Commissioner for Human Rights, at least 589 civilians have been killed in central Mali so far this year, as violent disputes between armed groups from the Fulani and Dogon communities have intensified.

Following a 2012 military coup, Tuareg separatists and armed Islamist groups seized territory in northern Mali. Despite the presence of a UN peacekeeping force (MINUSMA) and a French-led intervention force, as well as the 2015 “Bamako Agreement,” violence between government forces and various armed groups

has escalated. Since 2015 Islamist armed groups have expanded their activities from northern to central Mali, prompting the formation of ethnic militias and armed “self-defense groups” in many communities. MINUSMA has also frequently been attacked, with more than 130 peacekeepers killed since July 2013.

Since early June widespread protests have also taken place in Mali, with demonstrators demanding the resignation of President Ibrahim Boubacar Keita, due to alleged corruption, irregularities in recent elections and pervasive insecurity. On 10 July security forces shot dead 11 protesters.

The porous border between Burkina Faso, Mali and Niger has facilitated the expansion of Islamist armed groups throughout the Sahel. Since mid-2018 these groups have perpetrated atrocities against populations in Burkina Faso and increased their attacks on Christian places of worship and schools. Attacks in the Central Sahel have increased four-fold since 2018, with more than 1,000 civilians killed in the first four months of 2020.

Counter-terrorism operations by the Burkinabè security forces have also led to grave human rights abuses perpetrated against civilians presumed to be sympathetic to Islamist armed groups. During July Human Rights Watch reported on the discovery of 180 bodies in mass graves. Evidence suggests the individuals were Fulani victims of extrajudicial executions committed by Burkinabè security forces between November 2019 and June 2020.

According to UNHCR, there are currently 921,000 people internally displaced by violence in Burkina Faso, representing a 92 percent increase since 2019. UNICEF reported that prior to COVID-19, over 8 million children were forced out of school in the Central Sahel due to attacks by Islamist armed groups, leaving them at increased risk of sexual and gender-based violence, exploitation and abuse. The number of people in need of protection and life-saving assistance in the Sahel has reached 24 million, with half being children.

ANALYSIS

Militias and self-defense groups continue to target civilian populations on the basis of their ethnic and/or religious identity. Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. Recent fighting in the Central Sahel has been exploited by Islamist armed groups who have targeted young Fulani men for recruitment. Weak state institutions, porous borders, a climate crisis, and arms proliferation have exacerbated conflict in Mali and Burkina Faso.

Despite support from international military forces, Malian and Burkinabè security forces have been unable to adequately protect civilians in the vast regions of central Mali and northern Burkina Faso. The Burkinabè government’s announcement during January that it would arm civilian security “volunteers” presents numerous risks as the proliferation of arms and militias may inadvertently fuel further violence.

The governments of Burkina Faso and Mali are struggling to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

Following a referral by the interim government of Mali, the ICC launched an investigation in January 2013. During August 2017 former Ansar Dine leader Ahmad al-Faqi al-Mahdi was sentenced for the war crime of partially destroying the UNESCO World Heritage Site at Timbuktu.

MINUSMA was authorized by the UNSC during April 2013 with a civilian protection mandate. On 29 June 2020 the UNSC renewed the mandate for an additional year.

On 20 December 2018 the UNSC authorized targeted sanctions on three individuals for obstructing the peace process and violations of human rights, including recruitment of child soldiers and attacks on UN personnel. The Council sanctioned five additional people on 10 July 2019. On 23-24 March 2019 the UNSC conducted a visiting mission to the Sahel.

The UN Special Adviser on the Prevention of Genocide issued a statement, together with the Special Advisers on the Responsibility to Protect and on Children and Armed Conflict, on 10 June 2019 condemning atrocities perpetrated against civilians in the Mopti region.

Operation Barkhane, a 5,100-member French force, has led the international military response in Mali since January 2013. During July 2017 the G5 Sahel Force was established to combat border insecurity using troops from Burkina Faso, Chad, Mali, Mauritania and Niger. On 12 June 2020 the G5 Sahel countries and France launched the International Coalition for the Sahel, which is intended to coordinate responses to security, political and development issues in the region.

NECESSARY ACTION

While countering violent extremism remains crucial for Mali and Burkina Faso, it is essential that both governments and international forces ensure that their efforts do not further exacerbate inter-communal tensions and are undertaken in strict compliance with IHRL. International donors should also support efforts by UNHCR to provide shelter and psychosocial support to those fleeing atrocities.

Additional measures must be implemented to end the proliferation of arms, militias, and self-defense groups. Disarmament, demobilization and reintegration efforts need to be focused on areas where atrocity risks are increasing in both Mali and Burkina Faso.

The governments of Mali and Burkina Faso, with the support of MINUSMA, UNOWAS and OHCHR, should investigate all human rights abuses and violations, ensuring perpetrators are held accountable. Both governments should work with traditional and religious leaders to improve inter-communal relations and reduce recruitment into armed groups.



Over 900,000 ethnic Rohingya who have fled atrocities are currently refugees in Bangladesh

MYANMAR (BURMA)

Populations in Myanmar remain at risk of genocide and other atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies.

BACKGROUND

Since November 2018 Myanmar's military and the Arakan Army (AA), an armed group seeking self-determination for the ethnic Rakhine population, have engaged in an armed conflict in Rakhine State. Myanmar's security forces have shelled villages, blocked food supplies and arbitrarily detained civilians. AA members have also been accused of numerous violations and abuses. On 29 April the outgoing UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, said the military's "conduct against the civilian population of Rakhine and Chin States may amount to war crimes and crimes against humanity."

Although the military declared a nationwide ceasefire from 10 May to 31 August due to the COVID-19 pandemic, the ceasefire left out areas of Rakhine and Chin states. On 24 June a local administrator issued an evacuation order in the Kyauktan area of Rakhine State due to "clearance operations" declared by Myanmar's military against the AA. An estimated 10,000 civilians fled more than 40 villages as a result. More than 90,000 people are currently displaced in Rakhine and Chin states due to the conflict between the AA and the military.

The latest conflict in Rakhine State ignited roughly a year after the military launched so-called "clearance operations" on 25 August 2017. An estimated 745,000 people – the majority of the Rohingya population – were forced to flee Myanmar, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. In its 2018 report, the HRC-mandated Independent International Fact-Finding Mission (FFM) on Myanmar concluded that the military has committed crimes against humanity and war crimes in Rakhine State, as well as acts of genocide against the Rohingya. The FFM asserted in September 2019 that Myanmar had breached its obligations

under the Genocide Convention and “continues to harbor genocidal intent” towards the Rohingya.

On 11 November The Gambia, on behalf of the OIC, filed a lawsuit with the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January the ICJ ordered Myanmar to comply with four provisional measures – to prevent genocidal acts, ensure military and police forces do not commit genocidal acts, preserve all evidence of genocidal acts, and report on compliance with these measures. Myanmar submitted its first report to the ICJ on 23 May. While the contents of the submission have not been disclosed to the public, it reportedly highlighted three directives issued by the Office of the President of Myanmar during April. The directives requested ministries and local authorities to not commit genocide, preserve evidence of acts described in Article II of the Genocide Convention, and to prevent hate speech.

The Rohingya, a distinct Muslim ethnic minority group in Myanmar, have been systematically persecuted for generations. Myanmar's 1982 Citizenship Law rendered most of the population stateless. The rights of the Rohingya are further limited by the so-called “Protection of Race and Religion” laws that place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights. An estimated 600,000 Rohingya who remain in Rakhine State are subject to severe restrictions on their freedom of movement and more than 100,000 Rohingya have been confined to camps since 2012.

Hundreds of Rohingya refugees have been turned away while attempting to reach Malaysia by boat since March. On 25 June the Prime Minister of Malaysia, Muhyiddin Yassin, said that his country could no longer accept Rohingya refugees due to economic reasons.

ANALYSIS

Despite issuing directives regarding genocide and hate speech, the government has failed to address the root causes of the Rohingya genocide, including laws and policies that systematically discriminate against the Rohingya. Until these change and the perpetrators of past crimes are held accountable, the threat of atrocities endures.

The latest operations in Rakhine State leave civilians from Rakhine and Rohingya communities at risk of atrocities and may violate the ICJ's provisional measures order.

A government-imposed information blackout in Rakhine and Chin states makes it difficult for the international community to verify Myanmar's compliance with the ICJ ruling. As the COVID-19 pandemic continues to spread, internet restrictions also prevent populations from accessing crucial information, leaving them vulnerable to infection.

The government of Myanmar has manifestly failed to uphold its responsibility to protect the Rohingya and other minority populations, and bears responsibility for the commission of war crimes, crimes against humanity and genocide.

INTERNATIONAL RESPONSE

The only formal action by the UNSC in response to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017 that stressed the “primary responsibility of the Myanmar government to protect its population.” On 14 May 2020 the UNSC discussed the situation in Myanmar in a closed video teleconference.

Since August 2017 individual states and regional organizations have responded to atrocities in Rakhine State. The European Union (EU) has reinforced its arms embargo on Myanmar and imposed restrictive measures on 14 individuals, while Canada, Australia, US and UK have imposed targeted sanctions on senior military officers. During May Germany announced that it was suspending development cooperation with Myanmar. A number of countries, including the parliaments of the Netherlands and Canada, have also recognized the crimes against the Rohingya as constituting genocide.

During September 2018 the HRC created an Independent Investigative Mechanism to “collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law” committed in Myanmar. The mechanism has been operational since August 2019.

On 14 November Pre-Trial Chamber III of the ICC authorized the Chief Prosecutor to proceed with an investigation into crimes against humanity that may have been committed against the Rohingya, resulting in forced deportation across the Myanmar-Bangladesh border.

During November 2019 the Burmese Rohingya Organisation UK, supported by Argentinian organizations, filed a case in an Argentinian court under the principle of universal jurisdiction, urging the prosecution of senior Myanmar officials responsible for the Rohingya genocide. On 29 May the Argentinian court formally requested information from the ICC.

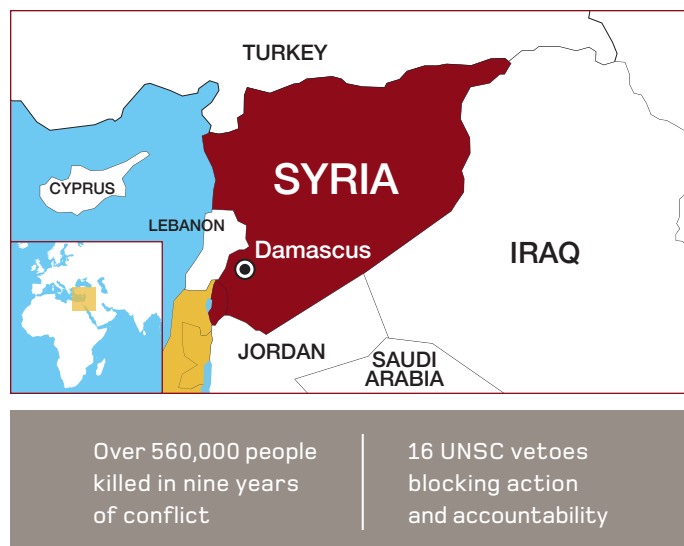
NECESSARY ACTION

Myanmar must fully comply with the ICJ order and address all underlying conditions that led to the genocide, including by repealing or amending laws that systematically discriminate against the Rohingya. As part of this, ministries and state governments should ensure local officials follow the president's genocide and hate speech directives. The UNSC should monitor Myanmar's compliance with the provisional measures order.

The UNSC should immediately refer the situation in Myanmar to the ICC and impose an arms embargo.

All states in the region should ensure the safe arrival of Rohingya refugees and abide by the international obligation of non-refoulement.

Myanmar's military should declare a ceasefire in Rakhine and Chin states and provide unfettered access for humanitarian actors.



SYRIA

Populations continue to face war crimes and crimes against humanity committed by various state forces and non-state armed groups in Syria's ongoing conflict.

BACKGROUND

Since the war between the government and opposition groups in Syria began in 2011 at least 560,000 people have been killed. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 12 million Syrians are in need of humanitarian assistance.

Throughout northern Syria, fighting among various non-state armed groups has been steadily increasing since May. In Afrin, Turkish-backed armed groups, including the al-Hamzat Division and Jaish al-Islam, have perpetrated abuses against civilians, including kidnapping, arbitrary arrests and torture. In southern Syria, particularly Dara'a governorate, targeted assassinations have increased, resulting in the deaths of dozens of civilians. Since March there has also been a dramatic increase in civilian deaths from improvised explosive devices, with at least 33 attacks in civilian areas.

The Syrian government and Russian forces have conducted an intense bombardment campaign in southern Idlib, northern Hama and western Aleppo governorates since April 2019. During June fighting intensified between armed opposition groups, such as Hayat Tahrir al-Sham (HTS), and Syrian government forces. Several armed groups also clashed with HTS and perpetrated attacks in Hama and Idlib governorates. In response, during early June, Russian forces conducted their first airstrikes since March, hitting several villages in Jabal al-Zawiya, southern Idlib.

OHCHR confirmed over 1,500 civilian deaths between April 2019 and March 2020 due to the Idlib offensive, nearly all of which are attributable to Syrian government and Russian forces. Civilian objects, including healthcare facilities, schools, markets

and evacuation routes, have been heavily shelled. The situation in Idlib dramatically escalated in December 2019 when entire villages were razed, forcing over 948,000 Syrians to flee. The HRC-mandated Commission of Inquiry (CoI) on Syria found that Syrian government and Russian forces have perpetrated war crimes in Idlib and that there are "reasonable grounds to believe" they are intentionally terrorizing civilian populations.

Since 2012 the CoI has reported that Syrian government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. More than 100,000 arbitrary detentions, abductions or disappearances have been reported by the CoI, with the majority attributable to the Syrian government. The CoI has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces. The Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons recently found that units of the Syrian Arab Air Force used chemical weapons, including sarin, during attacks on Ltamenah during March 2017.

The so-called Islamic State of Iraq and the Levant (ISIL) has been increasing its attacks on oil fields and expanding its area of operations. The Syrian Democratic Forces (SDF), with support from international forces, have started targeting ISIL hideouts in eastern Syria between Hasakeh and the border with Iraq, as well as around Deir Ezzor. At least 58,000 children of alleged ISIL fighters from more than 60 different countries remain trapped in detention camps run by the SDF in northeastern Syria.

ANALYSIS

For more than nine years the government of Syria, its allies and armed opposition groups have all committed indiscriminate attacks on civilians and infrastructure, demonstrating a complete disregard for international law. All parties to the conflict have perpetrated acts that may amount to war crimes and crimes against humanity. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded it from accountability measures.

The grave situation across northern Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government and its Russian allies, as well as various non-state armed groups, continue to perpetrate violations of IHL and violations and abuses of IHRL with impunity. The military involvement of Turkey across northern Syria increases the enduring risk to civilians.

The government of Syria has not only manifestly failed to uphold its responsibility to protect, it bears primary responsibility for the ongoing commission of war crimes and crimes against humanity.

INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syrian

government for its widespread violations of human rights. The UN Secretary-General has repeatedly called for the situation in Syria to be referred to the ICC.

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 26 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed ten draft UNSC resolutions and Russia has independently vetoed an additional six. The two latest vetoes, on 8 and 10 July, blocked the timely renewal of a mandate for cross-border aid deliveries. The Council passed a resolution on 11 July permitting border crossings through one opening, further restricting life-saving food and medical supplies to millions of people in northern Syria.

Following a 30 July 2019 demarche by 10 members of the UNSC, UN Secretary-General António Guterres created a Board of Inquiry to investigate attacks on hospitals and health facilities on the deconfliction list and other UN-supported facilities in northwest Syria. A summary of the Board of Inquiry's findings was released on 6 April. The Board found it "plausible" or "highly probable" that the Syrian government and/or its allies carried out five of the seven attacks under investigation. On 23 June Russia announced it would no longer participate in the deconfliction mechanism.

On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction. The first trial of members of President Bashar al-Assad's security services for alleged crimes against humanity, including torture, commenced in Germany on 23 April.

The HRC has adopted more than 30 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population.

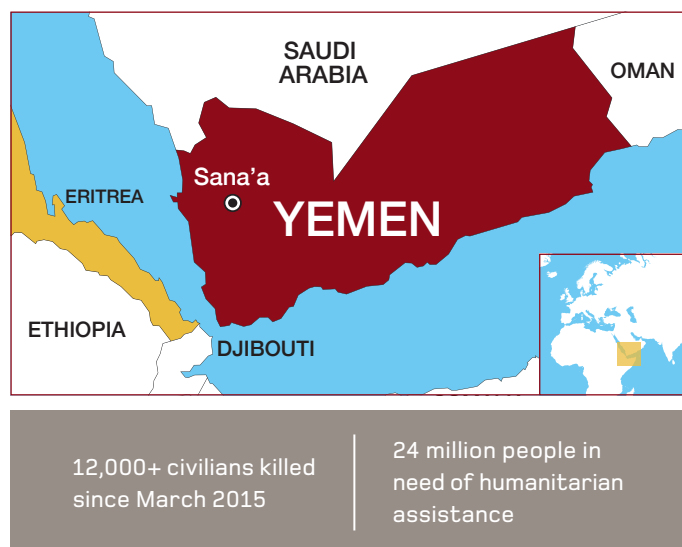
NECESSARY ACTION

All parties must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and establish a timetable for the release of all detainees and abductees. Syrian government forces, armed opposition groups and all international parties to the conflict must facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting and ensure the protection of all civilians. Parties to the conflict should uphold the ceasefire agreements in the northwest and northeast.

All returns of refugees and other displaced Syrians must be in accordance with the principle of non-refoulement with guarantees that returnees will not face persecution, discrimination or forced repatriation. States should grant

children stranded in camps in northeast Syria access to their respective consular services and act in accordance with their human rights obligations.

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. The UNSC should immediately refer the situation in Syria to the ICC and ensure that atrocity crimes do not continue with impunity.



YEMEN

War crimes are being committed in Yemen as pro-government forces and a regional military coalition fight against Houthi rebels who still control much of the country.

BACKGROUND

Despite diplomatic efforts to end the war in Yemen, populations remain at risk of war crimes. Fighting between Houthi rebels, members of the General People's Congress, the Southern Transitional Council (STC), and forces loyal to the internationally-recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has reportedly resulted in the deaths of more than 12,000 civilians since March 2015. The actual death toll is believed to be much higher. At least 3.6 million people have been displaced and the conflict has created the world's largest humanitarian crisis.

Armed hostilities are ongoing throughout Yemen, particularly in Al-Jawf, Marib, Al-Bayda, Al-Dhale, Sa'ada, Hajjah, Taizz, Abyan and Socotra governorates, resulting in hundreds of civilian casualties each month. Although parties to the conflict signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, they continue to perpetrate widespread violations of IHL and IHRL. Amidst escalations in Sana'a, Marib and Al-Jawf governorates, February 2020 saw the highest number of airstrikes since December 2018. Attacks regularly target non-military objects, including airstrikes against Al-Thawra General Hospital.

On 23 May a unilateral ceasefire declared by the Saudi/UAE-led coalition ended after 45 days. The ceasefire was announced following a call by UN Secretary-General António Guterres for a cessation of hostilities in light of the threats from the COVID-19 pandemic. Despite the ceasefire, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. The Saudi/UAE-led coalition officially launched a renewed military operation on 1 July conducting over 40 airstrikes in and around Sana'a.

Since August 2019 clashes have also taken place in southern Yemen between the UAE-supported STC and forces loyal to President Abd-Rabbu Mansour Hadi. Mediation resulted in a power-sharing agreement signed on 6 November, allowing the government to formally regain control over Aden and all armed groups in the south. However, very few of the agreement's provisions have been implemented and parties continue to perpetrate extrajudicial killings. The STC declared self-administration in the south of Yemen on 25 April. On 22 June the STC and President Hadi's government reached a tentative ceasefire agreement.

The HRC-mandated Group of Independent Eminent Experts (GEE) on Yemen has documented that violations and abuses perpetrated by parties to the conflict may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention, and sexual and gender-based violence. The GEE asserts that the US, UK, France and Iran may be complicit in violations due to their provision of military intelligence, arms and logistical support to parties to the conflict. The UNSC-mandated Panel of Experts on Yemen reported during May that arbitrary arrests, enforced disappearances, ill-treatment and the torture of detainees continue to be conducted by the government of Yemen, Saudi Arabia, Houthis and forces affiliated with the UAE.

The UN Secretary-General's report on children and armed conflict documented 1,447 children killed and maimed by Houthis during 2019 and a further 222 casualties attributable to the Saudi/UAE-led coalition.

At least 24.1 million Yemenis need humanitarian assistance and the GEE has reported that parties to the conflict may have used starvation of civilians as a military tactic. Essential vaccines have also reportedly been blocked and the Panel of Experts reported in May that arrests and intimidation of humanitarian workers are increasing in Houthi-controlled areas in the north.

ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. A climate of impunity enables ongoing violations of IHL and IHRL and increases the risks facing civilians in Yemen.

The protracted conflict in Yemen has been characterized by fragmenting coalitions and a multitude of fronts. Continued

instability has also allowed al-Qaeda in the Arabian Peninsula and ISIL to continue their attacks on civilians.

The dire humanitarian situation is a direct result of the armed conflict, including the systematic obstruction of humanitarian aid, and requires a political solution. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen tackles a COVID-19 outbreak.

All parties to the conflict appear manifestly unable or unwilling to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC imposed sanctions on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo against Houthi leaders and some supporters of Saleh and demanded the Houthis withdraw from all areas they had militarily seized. The arms embargo is frequently violated. On 21 December 2018 the UNSC passed its first substantive resolution on the conflict in over three years, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team to oversee its implementation. On 16 January 2019 the UNSC established the UN Mission to support the Hodeidah Agreement.

On 29 September 2017 the HRC requested that the High Commissioner for Human Rights establish the GEE on Yemen. The government has repeatedly refused entry to the Group.

On 25 October 2019 the European Parliament passed a resolution calling on all EU member states to halt weapons exports to Saudi Arabia. The US Congress made four attempts during 2019 to end US military support for the Saudi/UAE-led coalition, however, President Donald Trump vetoed these measures. On 20 June 2019 the Court of Appeal in London ruled that the UK government had failed to adequately assess the actions of the Saudi/UAE-led military coalition prior to issuing licenses for arms exports to Saudi Arabia. The UK temporarily suspended arms sales to conduct an assessment, but concluded that there was "no clear risk" of future breaches of international law.

On 12 February complaints were filed under universal jurisdiction in the UK, US and Turkey to indict senior UAE officials on charges of war crimes and torture. The Saudi/UAE-led coalition also commenced unprecedented court martial proceedings in February in relation to airstrikes that killed civilians in Yemen.

NECESSARY ACTION

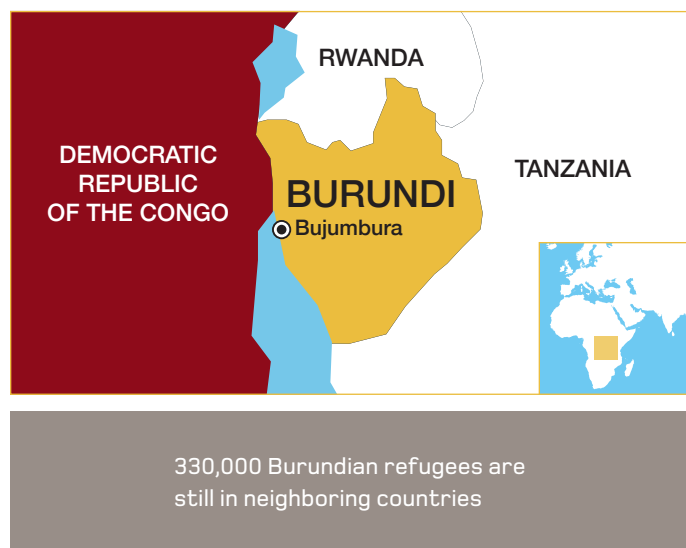
All parties to the conflict should fully implement the terms of the Stockholm Agreement and extend the Hodeidah ceasefire to other areas, particularly Al-Jawf, Marib, Al-Bayda, Al-Dhale, Sana'a, Sa'ada, Hajjah, and Taizz governorates. The government of Yemen should allow access to the GEE, as well as representatives from OHCHR, and ensure that all potential war crimes and crimes against humanity are properly investigated and prosecuted.

The distinction between military and civilian targets is central to IHL and must be adhered to at all times. In keeping with the Arms Trade Treaty, all UN member states should immediately halt the sale of weapons to parties to the conflict who routinely

violate IHL, including Saudi Arabia and the UAE. The UNSC should adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance.

SERIOUS CONCERN

There is a significant risk of occurrence, or recurrence, of mass atrocity crimes within the foreseeable future if effective action is not taken.



BURUNDI

Political instability and state-led repression leaves populations in Burundi at risk of crimes against humanity.

BACKGROUND

Amidst warnings by the HRC-mandated Col on Burundi that elections on 20 May could trigger renewed crimes against humanity, Burundi voted for a new president. In the months leading up to the vote, serious human rights violations against perceived government opponents intensified and the government increased its repression of independent journalists and media outlets. While the main opposition party, the Congrès National pour la Liberté, accused the government of electoral fraud, on 4 June the Constitutional Court affirmed the victory of Évariste Ndayishimiye, the candidate of the ruling party. On 8 June President Pierre Nkurunziza suddenly died, prompting the Constitutional Court to expedite the swearing in of Ndayishimiye on 18 June.

Burundi has endured a protracted political crisis since late President Nkurunziza announced that he would seek a third presidential term in 2015. A failed coup and subsequent widespread protests and violence between 2015–2017 resulted in more than 1,200 people killed and 10,000 arbitrarily detained.

Since then the government of the ruling party, Conseil national pour la défense de la démocratie-Forces de défense de la démocratie, together with its youth wing, the Imbonerakure, has persecuted alleged government opponents, including civil society activists. More than 330,000 Burundian refugees remain in neighboring countries.

Nkurunziza's decision to seek a third presidential term was regarded by many as violating the constitution and the 2000 Arusha Peace Agreement, which ended a civil war fought largely between ethnic Hutu armed groups and the Tutsi-dominated army between 1993–2005, claiming over 350,000 lives. Since 2015, the East African Community (EAC) has attempted to mediate between the government and opposition parties, without success.

The Col has found that potential crimes against humanity have been committed since April 2015, including extrajudicial killings and summary executions, disappearances, sexual violence, arbitrary detention and torture. Such acts have primarily been carried out by the Imbonerakure together with members of the National Intelligence Service and police.

ANALYSIS

President Nkurunziza's third term was marked by increased authoritarianism and large-scale human rights violations and abuses by state agents and the Imbonerakure, including potential crimes against humanity. Hostility towards UN mechanisms and institutions, as well as some regional mechanisms, has isolated Burundi from the international community.

While the election of President Ndayishimiye offers an opportunity to restore peace and stability in Burundi, structural reforms are needed to address the root causes of past atrocities and prevent their recurrence, including genuine processes to ensure truth, reconciliation and accountability. President Ndayishimiye's decision to appoint individuals to his government who remain under international sanctions for human rights violations and abuses raises serious concerns.

The government is failing to uphold its responsibility to protect all Burundians, regardless of ethnicity or political affiliation.

INTERNATIONAL RESPONSE

During October 2017 Burundi withdrew from the Rome Statute. Prior to withdrawal, the ICC opened an investigation into crimes committed in Burundi from April 2015 until October 2017.

On 30 September 2016 the HRC created the Col to investigate human rights violations and abuses in Burundi. The government has refused to allow the Commissioners to enter the country.

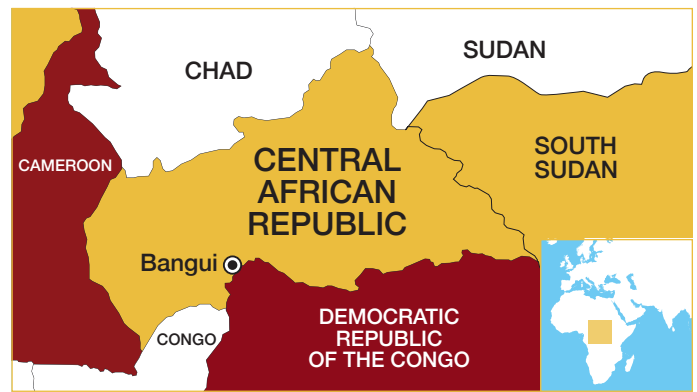
On 24 October 2019 the EU renewed travel bans and asset freezes on four Burundians for serious human rights violations and incitement to violence. On 16 January 2020 the European Parliament, referring to the findings of the Col, condemned ongoing violations of human rights in Burundi.

NECESSARY ACTION

The government must end the violent targeting of its political opponents, demobilize the Imbonerakure and engage in inclusive dialogue with civil society and opposition parties. The new government should ensure credible investigations into all human rights violations and abuses since 2015 and ensure that perpetrators – regardless of their affiliation – are held accountable.

The EAC, AU and UN should urge the government to end its policy of international isolation and commit to strengthening human rights protections.

During its September session, the HRC should renew the mandate of the Col.



1.2 million Central Africans have fled their homes since 2013

CENTRAL AFRICAN REPUBLIC

Despite the February 2019 peace agreement, ongoing violence by armed groups leaves populations in the Central African Republic at risk of recurring mass atrocity crimes.

BACKGROUND

Since 2013 endemic violence in the Central African Republic (CAR) has been fueled by predatory armed groups, including factions of the ex-Séléka rebel alliance and anti-balaka militias. These groups have targeted civilians, humanitarian workers and peacekeepers, committed sexual and gender-based violence, recruited children, and perpetrated attacks on IDP camps, medical facilities and places of worship.

On 6 February 2019, under the auspices of the AU, the government and 14 armed groups signed a peace deal to bring an end to the armed conflict. Despite the historic agreement, populations remain at risk of atrocity crimes. Some signatories continue to violate the agreement and/or have exploited the peace deal to consolidate their de-facto control over territory. During June 2020 one of the signatory armed groups, “3R,” also announced plans to suspend participation in the agreement.

Violent clashes erupted between two factions of the Front Populaire pour la Renaissance de Centrafrique armed group on 29 April, killing at least 20 civilians and displacing at least 8,000 people in N'délé. For the first time since 2012, the government deployed troops alongside the UN peacekeeping mission in CAR (MINUSCA) to protect civilians in N'délé. A hybrid judicial mechanism – the Special Criminal Court (SCC) for CAR – is currently investigating possible war crimes and crimes against humanity during the clashes. During May MINUSCA troops arrested nine combatants, including a former Séléka leader, for their alleged role in the violence, while the SCC arrested nine others for abuses in the south-east.

The crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of

predominantly Christian anti-balaka militias and the collapse of state institutions. OHCHR has reported that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. Most perpetrators have not been held accountable.

More than 1.2 million Central Africans have fled their homes since 2013 and 2.6 million are in need of humanitarian assistance.

ANALYSIS

Ongoing violence by armed groups, including parties to the peace agreement, highlights the risks resulting from limited governmental capacity outside the capital. Armed groups continue to control the majority of territory and profit from illegal taxation and arms trafficking. While recent arrests by the SCC are a positive step towards accountability, the promotion of leaders of armed groups responsible for past atrocities into senior governmental roles undermines attempts to end the climate of impunity in CAR.

The government requires ongoing international assistance to stabilize the country and uphold its responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has passed 13 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. On 15 November the UNSC extended the mandate of MINUSCA for one year.

A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 12 individuals and 2 entities. Acknowledging the peace agreement, during September 2019 and January 2020 the UNSC approved measures to ease the arms embargo. On 20 April the UNSC imposed sanctions on former rebel leader and agreement signatory, Abdoulaye Miskine, due to his ongoing recruitment of fighters.

During May 2014 the government referred the situation in CAR to the ICC. The ICC has confirmed charges against two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaïssona, for war crimes and crimes against humanity and is expected to begin their trial in early 2021.

NECESSARY ACTION

MINUSCA must continue to protect civilians and strengthen its early warning capacity.

The government should prioritize accountability for atrocity crimes and ongoing reconciliation efforts. Signatories to the peace deal must fully participate in the follow-up mechanisms established under the agreement, refrain from any action limiting the restoration of state authority and fully comply with their obligations under IHL.

The UNSC and AU should continue to closely monitor implementation of the peace agreement and impose targeted sanctions on any actors that breach its key provisions. Criteria

for the further suspension of the arms embargo must focus on the successful reintegration of former fighters and on halting the illicit trafficking of weapons by armed groups.



The planned annexation of the West Bank would be a violation of international law

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

Widespread human rights violations and abuses, and recurring armed conflict between Israel, Hamas and other Palestinian armed groups, poses an ongoing threat to civilians in Israel and the Occupied Palestinian Territories.

BACKGROUND

A new unity government in Israel – led by Prime Minister Benjamin Netanyahu and Benny Gantz – has agreed on plans to annex parts of the West Bank in direct violation of international law. The Israeli government announced the annexation plans shortly after endorsing a “Middle East Peace Plan” released by the US government on 24 January. The plan contains no right of return for Palestinian refugees, proposes an undivided Jerusalem as Israel’s capital and extends Israeli sovereignty over settlements in the West Bank. After condemning the plan, the Palestinian Authority sent the Diplomatic Quartet – composed of the UN, EU, US and Russia – its own plan for Palestinian statehood. President Mahmoud Abbas has also announced that the Palestinian Authority will no longer abide by security arrangements with Israel and the US.

Meanwhile illegal Israeli settlements, prohibited under international law, continue to expand in the West Bank, including East Jerusalem. According to OCHA, over 623 Palestinian-owned structures were demolished or seized by Israeli government authorities during 2019 and an additional 167 have been demolished so far this year.

Between 30 March 2018 and 31 March 2019 at least 199 Palestinians were killed – including 43 children – and over 25,000 wounded by the Israeli Defence Forces (IDF) along

the border between Gaza and Israel during a series of mass demonstrations. An HRC-mandated Col on the protests determined that the IDF used excessive and disproportionate force in response to the protests, possibly amounting to crimes against humanity or war crimes.

An estimated 1.7 million people in the Occupied Palestinian Territories (OPT) are food insecure. For 13 years the humanitarian crisis in Gaza has been exacerbated by an ongoing air, sea and land blockade by Israel. Following renewed rocket attacks, the Israeli government intensified the electricity crisis by cutting fuel transfers to Gaza during August 2019. Hamas security forces in Gaza have also committed grave abuses against Palestinian civilians, including arbitrary arrests, summary executions and torture.

ANALYSIS

Previous attacks on civilians in Gaza and Israel violate IHL and IHRL and may constitute war crimes or crimes against humanity. No Israeli or Hamas officials have been held accountable for unlawful attacks committed during the 2014 war that led to the death of over 1,500 civilians and the displacement of 500,000 Palestinians.

Annexation of occupied territory violates the Geneva Conventions and the Charter of the UN, and also amounts to a crime of aggression under the Rome Statute of the ICC. Formal annexation of the Occupied West Bank would violate various UNSC resolutions and unravel previous security arrangements, recklessly endangering the lives of civilians in both Israel and Palestine.

The systematic nature of human rights violations in the OPT may amount to crimes against humanity. Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory. Illegal Israeli settlements are in violation of this provision and have contributed to the volatile situation in the West Bank. Israel's military blockade of Gaza may also be an illegal form of collective punishment of Gaza's 1.8 million inhabitants.

Despite ongoing political conflict over sovereignty and the OPT's future, Israel, the Hamas de-facto administration and the Palestinian Authority are all obligated to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

During May 2018 the Palestinian Authority referred the situation in Gaza to the ICC. On 20 December 2019 the Chief Prosecutor concluded that there is a reasonable basis to proceed with an investigation into the situation in Palestine.

On 23 December 2016 the UNSC adopted a resolution reaffirming that Israeli settlements in the OPT constitute a violation of international law. This was the first UNSC resolution adopted on Israel and the OPT since 2009.

Since Israel announced plans for annexation, the UN Secretary-General, UN High Commissioner for Human Rights and numerous heads of state have all voiced their opposition.

NECESSARY ACTION

All parties to the Israeli-Palestinian conflict must work towards a sustainable political solution consistent with international law and UNSC resolutions.

Israel must lift the blockade on Gaza, cease illegal settlement-related activity and halt annexation plans. The Palestinian Authority must help end indiscriminate attacks on Israeli civilians and prosecute those responsible. The Hamas de-facto administration in Gaza must permanently halt indiscriminate rocket attacks on Israel. All parties should condemn anti-Semitic and anti-Arab hate speech and cooperate fully with the preliminary examination of the ICC.

States with strong political and economic ties to Israel, the Palestinian Authority or Hamas should push for a lasting political solution to the Israeli-Palestinian conflict, accountability for war crimes and crimes against humanity, and the protection of human rights for all civilians in Israel and the OPT, regardless of ethnicity or religion.



Eleven mass graves discovered in Tarhuna during June

LIBYA

Civilians in Libya face possible war crimes as a result of ongoing fighting between rival armed groups and competing governmental authorities.

BACKGROUND

On 4 April 2019 Khalifa Haftar and his self-proclaimed Libyan National Army (now the Libyan Arab Armed Forces, or LAAF) launched an offensive to seize control of the country from the UN-backed Government of National Accord (GNA) based in Tripoli. Subsequent fighting has displaced over 225,000 people and killed at least 350 civilians. Since 1 January the UN Support

Mission in Libya (UNSMIL) has also documented at least 21 attacks on healthcare.

Following intense fighting, the GNA, with Turkish support, pushed the LAAF out of Tripoli on 4 June. On 11 June the GNA announced the discovery of mass graves in areas retaken from the LAAF and allied militias around the city of Tarhuna. As of 3 July the remains of 55 people have been exhumed from 11 mass graves.

As part of a three-track negotiated settlement, the Libyan 5+5 Joint Military Commission (JMC) commenced talks in February. Despite ongoing talks and international calls for a humanitarian ceasefire to address the COVID-19 pandemic, fighting continues. Clashes since 5 June have displaced at least 30,000 people.

Armed militias continue to commit extrajudicial killings, torture and abductions, and have indiscriminately attacked civilian areas. The UN Panel of Experts on Libya has detailed blatant violations of the UN arms embargo, highlighting that Chad, Jordan, Sudan, Turkey and the UAE have provided weapons, technical support or mercenaries to various parties to the conflict.

The current political crisis has its origins in the 2011 overthrow of the Libyan government by various rebel forces. Despite the 2015 Libyan Political Agreement, which led to the creation of the GNA, Haftar continues to fight for its overthrow.

Militias also facilitate human trafficking and the enslavement of migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. The International Organization for Migration estimates that there are more than 654,000 migrants and asylum seekers in Libya, where many endure a range of abuses, including sexual violence.

ANALYSIS

Since 2011 various transitional governing bodies have failed to restore stability to Libya, and the UN-facilitated peace process has faced continual obstacles and delays. While the conflict has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances.

Armed groups on all sides have violated IHL and IHRL. UNSMIL has determined that some LAAF airstrikes may amount to war crimes. Armed groups have also blocked Tripoli's water system, effectively weaponizing access to water. There is also evidence that competing foreign powers, including permanent members of the UNSC, have provided arms to some parties to the conflict despite a UN-mandated embargo.

The GNA needs sustained international assistance in order to end the armed conflict, establish the rule of law and uphold its responsibility to protect.

INTERNATIONAL RESPONSE

On 15 August 2017 the ICC issued an arrest warrant for Major Mahmoud Mustafa Busayf al-Werfalli of the LAAF for alleged war crimes committed during 2016 and 2017.

On 7 June 2018 the UNSC imposed targeted sanctions on six individuals accused of people smuggling in Libya. On 5 June 2020 the UNSC renewed the arms embargo for one year. On 4 April 2020 the European Council launched a military operation to enforce the arms embargo.

On 19 January, at a conference in Berlin, several states involved in the conflict committed to refrain from further interference in Libya. On 12 February the UNSC adopted Resolution 2510 endorsing the conclusions of the Berlin Conference and welcoming the 5+5 JMC.

On 22 June the HRC established a Fact-Finding Mission to Libya (FFML) to investigate the situation of human rights throughout the country, collect and review evidence, and document alleged abuses of IHL and IHRL since 2016.

NECESSARY ACTION

The UNSC should impose targeted sanctions against all individuals and forces who actively seek to subvert the Libyan peace process, including Haftar and the LAAF. All armed groups need to uphold their obligations under IHL and immediately cease military operations in heavily populated areas. All armed groups in Libya should cooperate fully with FFML investigations. All UN member states need to uphold the arms embargo.

All those responsible for mass atrocities in Libya, both past and present, should be held accountable for their crimes.



35,000 people killed since 2009 due to violence and insecurity caused by Boko Haram

NIGERIA

Increased attacks by Boko Haram and inter-communal violence in Nigeria's "Middle Belt" region leave civilians at risk of mass atrocity crimes.

BACKGROUND

Since 2009 the armed extremist group, Boko Haram, has pursued a violent campaign aimed at overthrowing Nigeria's secular government. Over the past year Boko Haram and the

so-called Islamic State in West Africa (ISWA) have intensified their attacks in the north-east of Nigeria, killing hundreds of people. On 9 June at least 81 people were killed in an attack by suspected Boko Haram fighters in Borno State.

In an attempt to neutralize the armed group, the Nigerian government has increased its military operations since the start of 2020, reportedly killing hundreds of Boko Haram fighters. The military has also reportedly forcibly displaced entire villages in the north-east and arbitrarily detained individuals suspected of supporting armed extremist groups.

According to OCHA, 35,000 people have been killed since 2009 and 2.4 million remain internally displaced in north-eastern Nigeria as a result of insecurity caused by Boko Haram. The International Committee of the Red Cross also reported that at least 22,000 people are still missing due to the decade-long conflict. In recent years Boko Haram's attacks have expanded into neighboring states, killing and displacing civilians in Cameroon, Chad and Niger.

Conflict in Nigeria's "Middle Belt," often rooted in historical grievances between herders and farming communities, has also escalated in recent years. While recent data is lacking, clashes between herders and farmers left more than 1,300 people dead and displaced 300,000 across the country between January and June 2018. Hundreds of people were also killed in clashes in Kaduna, Nasarawa and Adamawa states between February and April 2019. On 13-14 April 2020 at least 25 people were killed in violence between the Shomo and Jole communities in Taraba State.

Nigeria has also experienced an increase in armed banditry in Zamfara, Kaduna, Katsina, Sokoto, and Niger states, displacing more than 160,000 people since early 2019. Recent attacks have reportedly been carried out by suspected Fulani assailants against farmers from other ethnic groups. Despite efforts by the security forces, bandits killed at least 70 people on 27 May in Sokoto State and 57 people on 9 June in Katsina State.

ANALYSIS

Although the regional Multinational Joint Task Force (MNJTF) has made significant progress in confronting Boko Haram and ISWA, civilians remain at risk of terrorist attacks and identity-based violence. Civilians also face the threat of human rights abuses committed by the Nigerian security forces during counter-terrorism operations.

While the "Middle Belt" region has experienced recurring inter-communal violence for many years, growing desertification has exacerbated the situation. The loss of grazing land in the north has driven many ethnic Fulani herdsman, who are mainly Muslim, southward into areas farmed by settled communities that are predominantly Christian. Arms proliferation has helped make these conflicts more deadly.

The government of Nigeria is struggling to uphold its responsibility to protect and needs ongoing support from the international community.

INTERNATIONAL RESPONSE

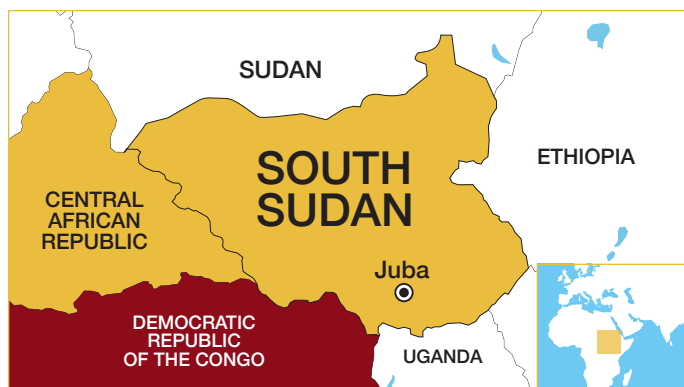
The regional MNJTF has led efforts to combat Boko Haram since 2015. On 19 August 2018 the UN Secretary-General called for "the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin."

During a visit to Nigeria in September 2019, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions condemned rising violence across Nigeria and a "lack of accountability" for perpetrators.

NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence in the "Middle Belt" through socio-economic initiatives and political reforms that tackle land rights and poor governance. The government should work with local civil society to ameliorate long-standing grievances between herding and settled communities. Utilizing the Early Warning System of the Economic Community of West African States, the government should increase police and military deployments to vulnerable areas. The government should also implement its "National Policy on Climate Change and Response Strategy" and accelerate initiatives in regions affected by drought and desertification.

The Nigerian government should continue to support programs that strengthen local security and bolster the rule of law in areas where ISWA and Boko Haram attacks continue. Such efforts should address comprehensive security sector reform, including by incorporating IHL and IHRL into all military and police training. The government and international community should increase efforts to prevent illicit arms being trafficked into Nigeria.



1,000+ killed in inter-communal violence since January

SOUTH SUDAN

Despite the formation of a Transitional Government of National Unity, the risk of recurring armed conflict between government forces and armed rebel groups, and increased inter-communal violence, poses a threat to civilians in South Sudan.

BACKGROUND

During September 2018 parties to the civil war in South Sudan signed the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), formally ending a conflict that started during December 2013. Despite severe delays, on 22 February South Sudan finally formed a new Transitional Government of National Unity (TGoNU).

While the formation of the TGoNU provides an opportunity to address long-standing political and ethnic divisions, there has been an increase in inter-communal violence since the start of 2020, including clashes between Lou Nuer and Murle communities in Jonglei State and the Greater Pibor Administrative Area. According to OHCHR, inter-communal clashes led to 658 civilian deaths, 592 abductions and 65 cases of sexual violence during the first quarter of 2020. On 16-17 May clashes between the Lou Nuer and Murle in 28 villages resulted in at least 300 people killed. Fighting between the Lou Nuer and Dinka Bor communities also resulted in 43 people killed between 17-20 June in Twic East, Jonglei State.

These clashes are happening while the TGoNU attempts to overcome years of civil war. Between December 2013 and August 2015 an estimated 400,000 people in South Sudan were killed as the Sudan People's Liberation Army (SPLA) and armed rebels from the SPLA-In Opposition (SPLA-IO) perpetrated war crimes and crimes against humanity. Atrocities continued despite the signing of numerous peace agreements between August 2015 and September 2018.

Although armed violence between government forces and non-state armed groups has reduced since September 2018, on 9 March the HRC-mandated Commission on Human Rights in

South Sudan reported ongoing killing, torture, sexual violence, intentional starvation of civilians, displacement and enforced disappearances. Clashes between the SPLA and SPLA-IO, as well as rebel groups outside the R-ARCSS, also continue.

Since December 2013 an estimated 4 million South Sudanese have been forced to flee their homes, with 2.2 million refugees in neighboring countries.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its nine years of independence.

While there is a history of seasonal inter-communal raids and violence between Nuer, Murle and Dinka communities in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by flooding in Jonglei, arms proliferation and the decline of state authority. The intensification of clashes risks disrupting the peace process as political parties and armed groups are often still mobilized along ethnic lines.

Despite an August 2015 agreement calling for an independent Hybrid Court for South Sudan to investigate atrocities committed during the conflict, the government has repeatedly delayed its formation.

The TGoNU is struggling to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has subjected eight people to targeted sanctions since 2015 and imposed an arms embargo since 2018.

On 12 March 2020 the UNSC extended the mandate of the UN Mission in South Sudan until March 2021, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

On 11 June the EU expressed concern about the increase of political and inter-communal violence and called upon the TGoNU to accelerate implementation of the peace agreement. The UN High Commissioner for Human Rights has also expressed alarm over the escalation of inter-communal violence and urged the authorities to hold those responsible to account.

NECESSARY ACTION

The international community must exert sustained diplomatic pressure on all parties to the R-ARCSS to ensure its full implementation. The UNSC should impose further targeted sanctions against any individuals who undermine the peace process in South Sudan and should extend the arms embargo. The AU, Intergovernmental Authority on Development, and neighboring countries should actively assist in enforcing the arms embargo.

The AU and the government should expeditiously establish the Hybrid Court and ensure that it has the resources to investigate

and prosecute individuals responsible for past atrocities. All perpetrators of such crimes should be held accountable, regardless of their affiliation or position.



Over 8,100 people reportedly killed in "security operations" since January 2018

VENEZUELA

Ongoing state-sanctioned persecution and violence in Venezuela leaves populations at risk of potential crimes against humanity.

BACKGROUND

After President Nicolás Maduro took office during 2013, a catastrophic economic crisis resulted in hyper-inflation, food shortages and the collapse of essential services in Venezuela. Popular discontent with the government led to widespread protests, which the authorities have responded to with disproportionate force as well as the mobilization of pro-government groups, including so-called armed "colectivos." During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of crimes against humanity.

The political crisis escalated during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. Since then more than 50 countries, including the US and many Latin American and European governments, have recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President instead.

In addition to the government's violent crackdown on protests, the Special Action Forces (FAES), together with other state actors, have been accused of widespread extrajudicial killings. According to the UN High Commissioner for Human Rights, Michelle Bachelet, extrajudicial killings are being utilized to maintain social control and instill fear. The Venezuelan government has reported that 6,856 people were killed in "security operations" between January 2018 and June 2019 alone. OHCHR has also assessed reports of 1,324 individuals allegedly killed during security operations from 1 January to 31 May 2020.

High Commissioner Bachelet has also warned about increasing threats directed against opposition members, media, human rights defenders and military defectors in recent months. This includes patterns of arbitrary detention of government opponents and their family members, often accompanied by allegations of torture, ill-treatment and sexual and gender-based violence.

Venezuela is experiencing an unprecedented humanitarian crisis, with severe shortages of water and food as well as power cuts. According to OCHA, an estimated 7 million people are in need of humanitarian assistance. At least 4.9 million Venezuelans have left the country since the outbreak of the crisis in 2014.

ANALYSIS

Despite international isolation, the Maduro government remains in control of key state institutions and the security forces. Impunity for serious human rights violations committed by various state forces has emboldened the government to continue perpetrating extrajudicial killings, torture and other crimes, as well as the systematic persecution of its opponents.

While the government and opposition recently reached an agreement for the delivery of humanitarian aid, the political crisis continues to paralyze the country. The elections scheduled for December may contribute to further instability.

The government is failing to uphold its responsibility to protect all Venezuelans regardless of political affiliation.

INTERNATIONAL RESPONSE

Since November 2017 the EU has imposed asset freezes on 36 senior government officials. On 3 December a number of regional governments also imposed targeted sanctions on 29 senior officials. The US government has imposed extensive sanctions on Maduro, his family and senior members of his government.

On 26 September 2018 Argentina, Canada, Chile, Colombia, Paraguay and Peru referred the situation in Venezuela to the ICC, requesting the Chief Prosecutor open a formal investigation into possible crimes against humanity.

On 27 September 2019, under the leadership of the "Lima Group," the HRC adopted a resolution establishing an independent Fact-Finding Mission on Venezuela, mandated to investigate extrajudicial executions, arbitrary detentions, torture and ill-treatment of detainees since 2014.

Despite ongoing human rights violations and abuses, on 17 October 2019 Venezuela was elected to the HRC for the 2020-2022 term.

NECESSARY ACTION

The government must end the systematic persecution of its opponents and ensure impartial investigations of all extrajudicial killings. The government should grant the FFM unrestricted access to the country and fully cooperate with UN mechanisms, including OHCHR. The government and opposition should commit

to renewed dialogue to ensure a peaceful and sustainable solution to the crisis.

The HRC should renew the mandate of the FFM during its September session. UN member states should continue to impose targeted sanctions on all senior government officials responsible for systematic violations and abuses of human rights, but refrain from any measures that may further limit the population's access to basic goods, essential services or humanitarian aid.



**Global Centre for the
Responsibility to Protect**

**Ralph Bunche Institute for
International Studies**

The CUNY Graduate Center,
365 Fifth Avenue, Suite 5203,
New York, NY 10016, USA

Phone: (+1) 212.817.1929

www.globalr2p.org

Email: info@globalr2p.org

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Executive Director

Simon Adams

Deputy Executive Director

Savita Pawnday

Publications Director

Jaclyn D. Streitfeld-Hall

Contributors

Christine Caldera, Sarah Hunter,
Nadira Kourt, Juliette Paauwe, Jahaan
Pittalwala, Elisabeth Pramendorfer

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