

# 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 per year between 2014-2019

## 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 also threaten 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.

Despite the finalization of a peace agreement between the United States (US) and the Taliban on 29 February 2020, as well as the commencement of intra-Afghan talks on 12 September, the Taliban have continued their military campaign against the Afghan government. The UN Assistance Mission in Afghanistan (UNAMA) reported that the level of violence leading up to the September negotiations was among the highest in the past five years. According to UNAMA, over 6,000 civilians were killed or injured from January to October 2020, with children comprising 31 percent of all civilian casualties.

Violence remained high in Nangarhar and Kunduz provinces following the start of talks in September. Taliban attacks on Afghan security forces, government airstrikes and the use of improvised explosive devices (IEDs) caused more than 400 civilian casualties in October alone. On 11 October the Taliban renewed their offensive in Lashkar Gar, Helmand province, forcing 35,000 civilians to flee. Since then, ongoing violence in Helmand, Kandahar and Uruzgan provinces has killed or injured hundreds of civilians. At the end of November a deadly increase in rocket attacks and IEDs in Kabul – many of which have been claimed by the so-

called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) – also resulted in dozens of civilian deaths. Many attacks have targeted civil servants, journalists, human rights defenders and politicians.

Ongoing violence is preventing the delivery of health services to vulnerable communities amidst the COVID-19 pandemic. UNAMA has reported 12 deliberate attacks on healthcare personnel and facilities – eight by the Taliban and three by Afghan security forces – since the World Health Organization declared COVID-19 a global pandemic on 11 March 2020.

Although international forces have begun withdrawing their troops and intra-Afghan negotiations continue, progress towards implementing other elements of the US-Taliban agreement have been minimal. The agreement includes guarantees to prevent the use of Afghan territory by terrorist groups and a permanent ceasefire. However, the Taliban has reportedly not broken ties with al-Qaeda.

Civilians in Taliban-controlled areas suffer widespread human rights abuses, including the 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 while Afghan security forces and members of the US military may have also committed war crimes, including the torture of detainees and summary executions.

According to UNAMA, there were more than 10,000 civilian casualties per year from 2014-2019. The UN Secretary-General's annual report on children and armed conflict noted that Afghanistan was the deadliest conflict in the world for children in 2019, with over 870 killed. The UN Refugee Agency (UNHCR) also reported that 2.1 million people are internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

Meanwhile, according to the Afghanistan Independent Human Rights Commission, at least 170 civilians have been killed in attacks targeting places of worship since October 2019. UNAMA also verified at least 18 attacks deliberately targeting religious leaders in 2020. ISIL-K has been implicated in many of these incidents and other attacks targeting minority populations. On 25 October ISIL-K perpetrated a suicide bombing on Kawsar-e Danish education center in a predominantly ethnic Hazara neighborhood of Kabul, killing 25 civilians.

### ANALYSIS

During nearly two decades of war, the Taliban, government troops and some international forces have all violated International Humanitarian Law (IHL). The US-Taliban agreement and the start of intra-Afghan talks are welcome steps towards ending the war, but violence continues. The threat of further war crimes

and crimes against humanity will remain until a comprehensive ceasefire is fully implemented and the protection of civilians is prioritized by all sides. Insecurity will endure unless sustained action is taken to end impunity and improve local governance.

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

## INTERNATIONAL RESPONSE

Since 2011 the UN Security Council (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 2020 in line with the US-Taliban agreement. Some other NATO member states are also considering withdrawing their forces.

During 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 request, on 5 March 2020 the Appeals Chamber allowed the investigation to proceed.

On 2 September the US government imposed sanctions on Chief Prosecutor Bensouda and the Head of the ICC's Jurisdiction, Complementarity and Cooperation Division, Phakiso Mochochoko. These sanctions were in retaliation for ICC staff investigating possible war crimes perpetrated by US troops and intelligence officials in Afghanistan. The UN Secretary-General, Office of the UN High Commissioner for Human Rights (OHCHR), over 30 UN independent human rights experts, and a cross-regional group of 67 states have expressed concern regarding this US policy.

On 6 November the Australian Inspector-General concluded a special inquiry into the conduct of Australian special forces in Afghanistan. The inquiry highlighted alleged war crimes, including unlawful killings of Afghan prisoners and civilians, perpetrated between 2009-2013. The Australian Defence Force is taking steps to dismiss the individuals involved and potential prosecutions are pending.

## NECESSARY ACTION

All parties to the conflict should help create an environment conducive for intra-Afghan negotiations by committing to a comprehensive ceasefire. Afghan security forces and all international military forces must ensure the protection of civilians and strictly adhere to IHL and International Human Rights Law (IHRL). International forces should increase efforts to ensure the security of vulnerable ethnic and religious minorities.

Intra-Afghan talks should include meaningful representation of women, ethnic and religious minorities, and civil society. Avenues for justice and the rights of victims should also be prioritized. 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.



765,000+ 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

During October 2017 armed Anglophone separatists proclaimed independence and declared a new state of "Ambazonia" in the north-west and south-west regions of Cameroon. Since then, separatists and Cameroonian security forces have clashed, resulting in widespread abuses against the civilian population. Security forces have perpetrated extrajudicial killings, burned Anglophone villages and subjected individuals with alleged separatist ties to torture and ill-treatment. Armed separatist forces have also perpetrated abuses, including kidnapping and killing civilians.

Since 2016 at least 3,000 civilians and hundreds of members of the security forces have been killed in the Anglophone regions. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that at least 705,800 people have been internally displaced in the north-west and south-west regions, while 61,300 have fled to Nigeria. Approximately 30 percent of health facilities are also unable to operate due to insecurity.

Separatists have banned government education and frequently attacked schools and teachers, resulting in 80 percent of schools in the two regions being closed or destroyed. On 24 October a group of unidentified armed men attacked the Mother Francisca International Bilingual Academy in Kumba, south-west Cameroon, killing eight children and wounding twelve others. On 3 November at least eleven students were abducted by suspected armed separatists from a Presbyterian school in Kumbo, north-west Cameroon. On 4 November unidentified armed men stormed Kulu Memorial College in Limbe, south-west Cameroon, assaulting students and staff and setting fire to the school.

The political conflict over cultural rights and identity first intensified 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. 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.

During October 2019 President Paul Biya organized a national dialogue, followed by the adoption of several measures that have yet to be implemented. On 2 July 2020 some separatist leaders met with government officials to discuss a potential ceasefire agreement. On 6 December Cameroon held its first-ever regional elections, with the reported aim of distributing more power to the provinces.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. According to the Cameroonian authorities, at least 7,000 people have been displaced in the far north region by Boko Haram attacks since August 2020. On 8 January at least 13 civilians, including 8 children, were killed after suspected Boko Haram fighters attacked the village of Mogozi. There have also been widespread allegations of the security forces perpetrating extrajudicial killings during military operations against the group.

## ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone and Francophone civilians and may amount to war crimes and 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. Violence perpetrated by security forces and armed separatists escalated during 2020.

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 UN Human Rights Council (HRC) for the 2019-2021 term.

On 13 May 2019 the UNSC held its first and only Arria Formula meeting on the crisis in Cameroon.

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 2020 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.

On 1 January 2021 the US Senate adopted Resolution 684 calling on the government of Cameroon and armed separatist groups to end all violence, respect human rights and pursue an inclusive dialogue to help resolve the conflict in the Anglophone regions.

## 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. 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 declare a ceasefire as a prelude to peace talks. 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 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 human rights. The African Union (AU) and Economic Community of Central African States (ECCAS) 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.



More than 6,600 people killed in attacks in Burkina Faso, Mali and Niger since October 2019

## CENTRAL SAHEL

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

### BACKGROUND

Civilians across the Central Sahel – Burkina Faso, Mali and Niger – are facing increased attacks by Islamist armed groups and state security forces, as well as inter-communal violence perpetrated by rival militias. According to OCHA, more than 6,600 civilians have been killed in the three countries since October 2019, making 2020 the deadliest year for civilians in the Central Sahel. On 2 January 2021 armed men launched coordinated assaults on two villages in the Tillabéri region of Niger, killing at least 105 civilians, including 17 children, and destroying food supplies. This massacre was one of the deadliest attacks in Niger’s recent history.

Violence and instability have been endemic in Mali since 2012 when Tuareg separatists and Islamist armed groups seized territory in the north following a military coup. Despite the presence of several international forces, including a UN peacekeeping mission (MINUSMA), the conflict in Mali has escalated and expanded from a separatist rebellion into inter-communal and extremist violence.

The International Commission of Inquiry (CoI) on Mali has reported that between 2012–2018 Islamist armed groups committed crimes against humanity and war crimes, including “murder, maiming and other cruel treatment, rape and other forms of sexual violence, hostage taking and attacks against personnel of humanitarian organizations and MINUSMA.” More than 130 MINUSMA peacekeepers have been killed since July 2013. The CoI also determined that the Malian defense and security forces committed war crimes.

Since Islamist armed groups expanded their activities from northern to central Mali during 2015, violence has spilled over

into neighboring Burkina Faso and Niger. The porous tri-border area has facilitated the expansion of Islamist armed groups linked to al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL), such as the Group for the Support of Islam and Muslims and the Islamic State in the Greater Sahara. The Africa Center for Strategic Studies has recorded an almost sevenfold increase in violent incidents connected to these groups in the Central Sahel since 2017. Armed groups have also increasingly used landmines and IEDs, indiscriminately killing and maiming civilians.

Islamist armed groups have also increased their attacks on civilian infrastructure, including places of worship, health centers and schools. Non-state armed groups targeted state education across the Central Sahel, burning schools and threatening, abducting or killing teachers for using the secular state curriculum. Attacks on education more than doubled between 2018 and 2019 in Burkina Faso and Niger. More than 4,000 schools were closed due to attacks, while COVID-19 restrictions and conflict forced 12.8 million children out of school. UNHCR has warned of a sharp increase in grave human rights violations committed against children in Mali, including human trafficking, forced recruitment by armed groups, rape, and being forced into sexual or domestic servitude.

In response to attacks by Islamist armed groups, counter-terrorism operations by Sahelian security forces have led to grave human rights abuses perpetrated against civilians. The Human Rights Division of MINUSMA has reported that nearly 150 civilians were extrajudicially killed by Malian and Burkinabè security forces in Mali between April–June 2020 and that the security forces sometimes conducted “reprisal operations against civilian populations” accused of supporting Islamist armed groups. State security forces have also used dozens of schools for military purposes.

Inter-communal violence between rival ethnic militias and self-defense groups is also rising across the Central Sahel. Violence in Mali 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, particularly in the Mopti and Ségou regions. In Burkina Faso, government-affiliated civilian security “volunteers” have launched numerous attacks against the Fulani community. These attacks have left dozens dead according to the Armed Conflict Location and Event Data Project (ACLED).

The Central Sahel is also one of the fastest growing displacement crises in the world with approximately 1.8 million internally displaced persons (IDPs). Over 1 million people are displaced in Burkina Faso alone, a 258 percent increase over the past year. A record 13.4 million people need humanitarian assistance and 7 million are acutely food insecure.

### ANALYSIS

While violent incidents along the tri-border area decreased from June–December 2020 – due in part to the rainy season, mediation initiatives and counterterrorism activities by security

forces – militias, self-defense groups and security forces continue to target populations on the basis of their ethnic and/or religious identity. Attacks by Islamist armed groups and community self-defense groups, as well as extrajudicial killings by security forces, persist in a climate of impunity. The Col's 2020 report is an important first step towards accountability for potential war crimes and crimes against humanity.

Weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict across the Central Sahel. Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. The conflict in the Central Sahel has been exploited by Islamist armed groups who have targeted young Fulani men for recruitment. Violence and atrocities by Islamist armed groups has fueled ethnic tensions. These groups have also taken advantage of the fragile security situation to launch cross-border attacks.

Despite support from international military forces, Sahelian security forces have been unable to adequately protect civilians in the vast regions of central Mali, northern and eastern Burkina Faso and western Niger. The Burkinabè government's "Volunteers for the Defence of the Homeland" law provides arms and training to civilian volunteers, but the proliferation of arms and militias may fuel further violence.

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

## INTERNATIONAL RESPONSE

Following a referral by the 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 World Heritage Site at Timbuktu.

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violating human rights, including recruiting child soldiers and attacking UN personnel. On 29 June 2020 the UNSC renewed MINUSMA's mandate for an additional year.

Operation Barkhane, a 5,100-member French force, has become the leading external counter-terrorism operation in the Central Sahel. During July 2017 the G5 Sahel Joint Force was established 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 to coordinate responses to security, political and development issues in the region. A counter-terrorism force composed of European special forces was launched in July to complement the activities of the G5 Sahel and Operation Barkhane.

Twenty-four governments and institutional donors pledged more than \$1.7 billion for lifesaving humanitarian aid and protection at the Ministerial Roundtable for the Central Sahel on 20 October.

## NECESSARY ACTION

While countering violent extremism remains crucial for Burkina Faso, Mali and Niger, it is essential that all three governments and international forces ensure that their efforts do not further exacerbate inter-communal tensions. The G5 Sahel must fully implement its Human Rights and IHL Compliance Framework and strengthen internal monitoring and accountability to prevent human rights violations during operations.

The governments of Burkina Faso, Mali and Niger, with support from regional and international partners, must prioritize efforts to address the multidimensional causes of the current conflict. 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. Community-based dispute resolution mechanisms should also be supported.

The governments of the Central Sahel, with the support of MINUSMA, OHCHR and the UN Office on West Africa and the Sahel, should investigate all violations and abuses of IHL and IHRL, ensuring perpetrators are held accountable.



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

## CHINA

*The persecution of Uyghurs and other Muslim minorities in China may amount to crimes against humanity and genocide.*

## BACKGROUND

Under the guise of combatting religious extremism and terrorism, in recent years the government of China and authorities in the Xinjiang Uyghur Autonomous Region (XUAR) have increased their repression of members of the ethnic Uyghur (or Uighur) community, as well as Kazakhs, Kyrgyz and other Muslim minorities. China's policies have resulted in large-scale arbitrary detention, severe restrictions on religious practice and pervasive surveillance of the Muslim population.

An estimated 1 million Uyghurs and other Muslim minorities have been detained in “re-education” or “de-extremification” facilities without formal charges or due process. During September 2020 the Australian Strategic Policy Institute (ASPI) released a report that identified more than 380 suspected detention facilities in XUAR, including so-called “re-education” camps, detention centers and prisons, that have been built or expanded since 2017. Additionally, an estimated 250,000 children under the age of 15 in XUAR have lost one or both parents to detention, with many placed in state-run orphanages or boarding schools.

During March ASPI reported that over 80,000 Uyghurs are also working under “conditions that strongly suggest forced labor,” with many transferred directly from detention camps to factories. Other reports have identified 135 detention facilities in Xinjiang that have on-site factories where detainees are reportedly forced to work. The factories are part of supply chains that allegedly provide goods to 82 global brands, including Apple, BMW, Nike and Samsung. On 14 December the Center for Global Policy published new evidence on coercive labor in Xinjiang’s cotton sector, where hundreds of thousands of ethnic Uyghurs and other minorities are forced to work. As Xinjiang produces 20 percent of the world’s cotton, the findings have grave implications for global supply chains.

The Chinese government is also conducting a campaign to forcibly reduce birth rates among Uyghurs and other Muslim populations in XUAR. According to investigations, the practice has been widespread since 2017 and includes forced abortions and sterilizations. Authorities have also engaged in the systematic destruction of Uyghur cultural heritage, including by demolishing shrines, cemeteries and pilgrimage sites. Approximately 16,000 mosques have been destroyed or damaged as a result of government policies.

Chinese authorities monitor the daily lives of almost all Uyghurs by collecting DNA during medical checkups, surveilling mobile and online communications, and installing a GPS tracking system on all vehicles. Data is used to profile individuals prior to sending them to “re-education” camps. The Associated Press published leaked information that demonstrates that the Chinese government focused on religious devotion as one of the main reasons for detention, including activities such as fasting, praying or attending a mosque.

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 Uyghur persecution and expanded the detention camps.

## ANALYSIS

Under customary international law and the Rome Statute of the ICC, the widespread or systematic persecution of Uyghurs and other Muslim minorities on religious, cultural, ethnic and gender grounds; the large-scale detention program; abuse of detainees; forced sterilization; and denial of information regarding the fate of persons in state custody in XUAR could constitute crimes against humanity.

The Chinese government also appears to be intentionally perpetrating at least four acts prohibited under Article II of the Genocide Convention: “imposing measures intended to prevent births” within a targeted group; “causing serious bodily or mental harm to members of the group;” “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;” and “forcibly transferring children of the group to another group.”

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

## INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested that China allow her office to carry out an independent assessment of reports of enforced disappearances and arbitrary detentions. On 26 June 2020 a group of 50 UN Special Procedures mandate holders called for the establishment of an impartial and independent UN mechanism to monitor and report on the grave human rights situation in China. On 6 October Germany delivered a statement to the UN General Assembly’s (UNGA) Third Committee on behalf of 39 governments, calling on China to allow independent observers “immediate, meaningful and unfettered access to Xinjiang” and refrain from arbitrarily detaining Uyghurs and other minorities.

On 17 June US President Donald Trump signed the “Uyghur Human Rights Policy Act of 2020,” which calls for financial sanctions and visa bans to be issued under the Global Magnitsky Act. On 13 January 2021 the US banned all cotton and tomato products from Xinjiang over allegations of Uyghur forced labor.

On 21 October the Canadian Parliamentary Subcommittee on International Human Rights called on the government of Canada to “recognize that the acts being committed in Xinjiang against Uyghurs constitute genocide.” The statement reminded the Canadian government of its “responsibility to protect Uyghurs and other Turkic Muslims under the international norm that it helped to establish.” On 12 January Canada and the United Kingdom (UK) announced a set of measures to prohibit products that profit from Uyghur forced labor entering their countries.

## 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 Muslims being arbitrarily detained in “re-education camps” and related facilities. The authorities must end the enforced separation of Uyghur children from their families, stop the practice of forcibly preventing births, and cease the deliberate destruction of the cultural heritage of the Uyghurs.

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

Recognizing the important influence they may have, the Organization of Islamic Cooperation, Muslim-majority countries and neighboring states should urge China to respect the rights of minorities and cease their persecution of the Uyghur population. All UN member states should ban the importation of products produced with forced labor in Xinjiang.



5.2 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 and recurring inter-communal violence continue to threaten 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.

According to the UN Joint Human Rights Office (UNJHRO) in the DRC, an estimated 1,300 civilians, including 165 children, were killed by armed groups in the first six months of 2020 in North Kivu, South Kivu, Tanganyika and Ituri provinces. This is a more

than threefold increase when compared to the same period in 2019. Half of the victims were in Ituri province, where inter-communal violence, as well as fighting between the FARDC and ethnic militias, have escalated. According to UNHCR, over 5.2 million Congolese are currently internally displaced while more than 934,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa.

In North Kivu attacks by the Allied Democratic Forces (ADF) armed group, which has been perpetrating atrocities in the Beni region for more than six years, escalated after the FARDC launched an offensive against them in October 2019. Since then the ADF has carried out retaliatory violence against villages near Beni, as well as in Ituri province, killing more than 850 civilians in North Kivu alone. UNJHRO has reported that attacks by the ADF have been “systematic and brutal” and may amount to crimes against humanity and war crimes. Those fleeing the violence have reported mass killings conducted with heavy weapons, as well as sexual violence and abductions. At least 45 people were reportedly killed by suspected ADF between 31 December 2020 and 5 January 2021.

Elsewhere in North Kivu fighting between factions of the Nduma Defense of Congo-Rénové (NDC-R) has displaced more than 40,000 people since July. NDC-R fighters have been implicated in killings, rape, child recruitment and torture of civilians in territories they control. The leader of one NDC-R faction, Guidon Shimiray Mwissa, is wanted by Congolese authorities for perpetrating crimes against humanity. The NDC’s former leader, Ntabo Ntaberi “Sheka,” was sentenced to life imprisonment by a military court on 23 November 2020 for war crimes and crimes against humanity previously perpetrated by the group.

Violence in Ituri province between ethnic armed groups from the Hema and Lendu communities escalated in late 2019 when the predominantly ethnic Lendu Cooperative for the Development of Congo (CODECO) armed group launched a series of attacks. More than 660,000 people were forced to flee as CODECO and other ethnic armed groups perpetrated attacks that may amount to war crimes or crimes against humanity. Although violence has decreased since CODECO agreed to a ceasefire with the government during July, some factions have failed to adhere to the agreement.

### 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 inter-communal tensions, is straining the capacity of the FARDC and MONUSCO to provide adequate protection to civilians.

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias,



groups like the ADF have a history of violent reprisals targeting civilians. The FARDC and police have been implicated in crimes against civilians while combating armed groups.

The DRC government has struggled to uphold its responsibility to protect, and government forces have at times been complicit in 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.”

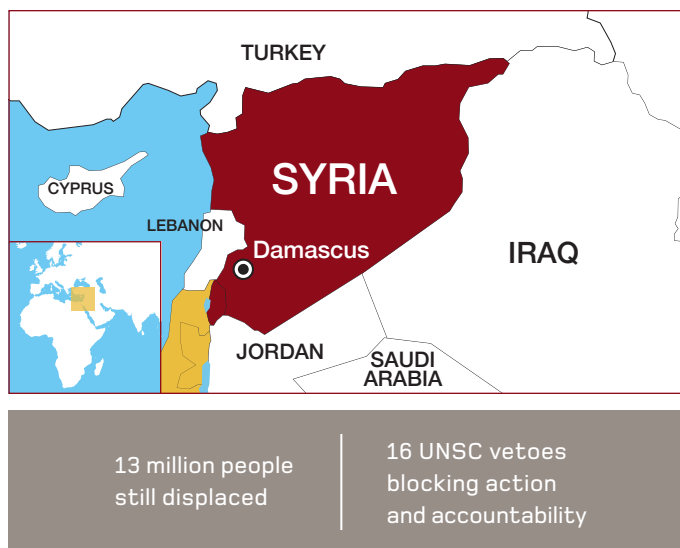
On 18 December the UNSC extended the mandate of MONUSCO for one year. The resolution emphasized that the government “bears the primary responsibility to protect civilians within its territory and subject to its jurisdictions, including protection from crimes against humanity and war crimes.”

### 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 independently investigated and perpetrators punished.

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 needs to implement a credible disarmament, demobilization, reintegration and repatriation program to encourage the ADF and other armed groups to lay down their arms. Neighboring states should continue to uphold the PSC Framework and provide assistance in confronting armed groups.



## SYRIA

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

### BACKGROUND

After nearly ten years of fighting, every party to the conflict in Syria continues to perpetrate serious violations and abuses of international law, with the Syrian government remaining the primary perpetrator.

The government of Syria continues to commit murder, torture and sexual violence as a matter of state policy, violations that may amount to crimes against humanity. The HRC-mandated Col on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. The Syrian government is also imposing arbitrary restrictions on freedom of movement and depriving individuals of their property in areas previously held by the opposition, which the Col has asserted may amount to the war crime of collective punishment. The Col also found that the Syrian government and Russian forces perpetrated war crimes during their April 2019–March 2020 offensive in Idlib and that there are “reasonable grounds to believe” they intentionally terrorized civilian populations.

Over the past few months the conflict in Syria has shifted away from large-scale military hostilities, with various parties to the conflict now consolidating their control over civilian populations. According to the Syrian Network for Human Rights, civilians have been subjected to arrests, torture and enforced disappearances, and at least 1,743 were extrajudicially killed in 2020. Since March there has also been a dramatic increase in civilian casualties from IEDs, with over 600 civilians killed or injured in attacks in populated areas during 2020.

In northern Syria, the Turkish-backed Syrian National Army (SNA) has perpetrated torture, sexual violence, systematic looting and arbitrary detention of civilians. In Afrin, Turkish-backed armed

groups, including the al-Hamzat Division and Jaish al-Islam, have kidnapped, arbitrarily arrested and tortured civilians. Clashes in Ain Issa between the SNA and the Kurdish Syrian Democratic Forces (SDF) escalated at the end of December, causing 10,000 civilians to flee. Clashes between non-state armed groups, including Hayat Tahrir al-Sham (HTS), and Syrian government and Russian forces, are ongoing in Idlib, where civilians and humanitarian workers face arbitrary detention and extrajudicial killings by HTS and other armed groups.

Meanwhile in southern Syria, clashes have intensified between government forces and armed opposition groups. Indiscriminate artillery shelling and rocket attacks in Dara'a and Suwayda governorates have caused civilian deaths and injuries. In Dara'a governorate targeted assassinations and killings have also increased.

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 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 remain in need of humanitarian assistance.

The ISIL has continued to carry out attacks in Deir Ezzour, Hasakeh, Badiya Al-Sham and Resafa. At least 58,000 children of alleged ISIL fighters from more than 60 countries remain trapped in detention camps run by the SDF in northeastern Syria. The Head of the UN Office of Counter-Terrorism, Vladimir Voronkov, reported during July 2020 that 700 detainees, including women and children, had recently died due to a lack of medicine, food and water. The humanitarian crisis in the camps has been exacerbated by the COVID-19 pandemic.

## ANALYSIS

For almost a decade the government of Syria, its allies and armed opposition groups have all perpetrated attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict have committed acts that may amount to war crimes and crimes against humanity. As various armed groups attempt to consolidate their control over territory in Syria, civilians face the ongoing risk of atrocities.

The grave situation across Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures.

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 10 draft UNSC resolutions and Russia has independently vetoed an additional 6. The two latest vetoes, on 8 and 10 July 2020, blocked the renewal of a mandate for cross-border aid delivery. The Council finally passed a resolution on 11 July permitting border crossings through only one opening, further restricting life-saving food and medical supplies to millions of people in northern Syria. During December the UNGA passed its annual resolution on Syria, urging the UNSC to reauthorize the border crossings closed in 2020.

On 21 December 2016 the UNGA voted to establish an International, Impartial and Independent Mechanism 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 2020. On 18 September the government of the Netherlands formally requested negotiations with the government of Syria on allegations of torture as a first step towards holding Syria accountable for violations of the UN Convention against Torture.

The HRC has adopted 35 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the Syrian 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.

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.



Over 8,200 people reportedly killed in "security operations" since January 2018

## VENEZUELA

*Ongoing state-sanctioned persecution and violence in Venezuela may amount to crimes against humanity.*

### BACKGROUND

After President Nicolás Maduro took office in Venezuela during 2013 a catastrophic economic crisis resulted in hyper-inflation, food shortages and the collapse of essential services. Popular discontent with the government led to mass protests, which the authorities responded to with disproportionate and deadly force as well as the mobilization of pro-government groups, including so-called armed "colectivos."

In addition to the government's violent crackdown on protests, various state agents have been accused of widespread extrajudicial killings, torture, sexual violence, arbitrary detention and enforced disappearances of perceived political opponents. According to reports by the UN High Commissioner for Human Rights, an estimated 8,200 individuals were killed in "security operations" between January 2018 and May 2020 alone. On 16 September 2020 the HRC-mandated Fact-Finding Mission (FFM) on Venezuela warned that ongoing patterns of violations and abuses since 2014 were committed as part of a "widespread and systematic attack" against the civilian population and may amount to crimes against humanity. Since November 2020, the government has intensified its systematic persecution and harassment of human rights activists, humanitarian organizations and independent media.

The FFM found that President Maduro, as well as the Ministers of Defense and Interior, gave orders, exercised oversight and coordinated activities leading to the commission of possible atrocity crimes. On 2 December the General Secretariat of the Organization of American States released a report reaffirming that crimes against humanity have "increased in scale, scope and severity." The Chief Prosecutor of the ICC also presented a report on 14 December asserting that there are reasonable grounds to believe that civilian authorities, members of the

armed forces and pro-government groups have committed crimes against humanity since April 2017.

Approximately 5.5 million people have fled Venezuela since the outbreak of the economic crisis in 2014. According to OCHA, an estimated 7 million people in Venezuela are in need of urgent humanitarian assistance and 94 percent live in poverty.

### ANALYSIS

The FFM's findings suggest that widespread impunity has emboldened state agents to continue perpetrating extrajudicial killings, torture and other crimes. The Maduro government refuses to fully cooperate with the FFM and other international human rights mechanisms.

The political crisis in Venezuela escalated during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. More than 50 countries recognized the leader of the National Assembly, Juan Guaidó, as "caretaker" President instead. Despite international isolation, the Maduro government remains in control of key state institutions and the security forces. The political deadlock between the government and divided opposition parties intensified after the 6 December elections, when President Maduro and allied parties regained control of the National Assembly in elections that were criticized internationally for lacking the minimal conditions for a free and fair vote.

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

### INTERNATIONAL RESPONSE

Since November 2017 the European Union (EU) has imposed asset freezes on 36 senior government officials. The US government has imposed extensive sanctions on President Maduro, his family and senior members of his government, as well as broader sanctions that have exacerbated the humanitarian crisis.

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

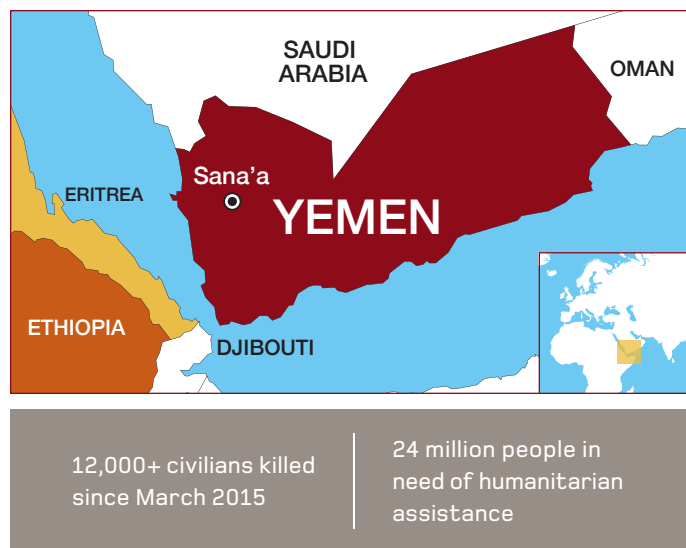
On 27 September 2019 the HRC adopted a resolution establishing the FFM, which is currently mandated to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and ill-treatment, including sexual and gender-based violence. The mandate of the FFM was renewed for two years on 6 October 2020.

### NECESSARY ACTION

The government must end the systematic persecution of its perceived opponents, dissolve the Special Action Forces and ensure impartial investigations of all extrajudicial killings and other widespread violations and abuses of human rights. The government should grant the FFM unrestricted access to the country and fully cooperate with all UN mechanisms.

The government and opposition should commit to renewed dialogue, focusing on the urgent provision of life-saving humanitarian assistance to populations in need. Any negotiation should include the representation of Venezuelan civil society.

States should continue to impose targeted sanctions on senior government officials responsible for systematic violations and abuses of human rights, but lift measures that may further limit the population's access to basic goods and services. In the absence of domestic accountability mechanisms, states should also consider taking legal action, including under universal jurisdiction, against those responsible for extrajudicial killings, torture and other crimes against humanity.



## 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

For almost six years civilians in Yemen have suffered from ongoing war crimes and crimes against humanity perpetrated by parties to the conflict. Fighting between Houthi rebels, members of the General People's Congress, the Southern Transitional Council, 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 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 and indiscriminate bombing are ongoing throughout Yemen, resulting in over 1,000 civilian casualties in 2020. At least 150,000 civilians were also displaced during 2020, including over 90,000 who fled violence in Marib. There are currently 47 active frontlines across Yemen. According to OCHA, September saw the highest number of casualties, as

civilian infrastructure, including markets, schools and farms, were hit by missiles and artillery. Since October hostilities in Hodeidah, Taizz, Marib and Al-Jawf governorates have all increased, resulting in hundreds of civilian casualties amidst renewed indiscriminate shelling.

On 23 May a unilateral ceasefire declared by the Saudi/UAE-led coalition ended after 45 days. Despite the ceasefire, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. Although the overall number of air raids decreased between 2017-2019, the coalition carried out more than 1,000 air raids during escalations in Sana'a, Marib and Al-Jawf governorates in the first half of 2020. The total number of civilians killed or maimed as a result of coalition airstrikes since 2015 is now over 18,500.

The UN Secretary-General's annual report on children and armed conflict documented 1,447 children killed and maimed by Houthi forces during 2019 and a further 222 casualties attributable to the Saudi/UAE-led coalition. Forty-five percent of all civilian casualties from coalition airstrikes in 2020 were children.

The HRC-mandated Group of Eminent Experts (GEE) on Yemen has consistently documented violations and abuses of international law perpetrated by parties to the conflict that may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention, and sexual and gender-based violence. The GEE alleges that Canada, France, Iran, UK and US may be complicit in these violations due to their provision of military intelligence, arms and logistical support to some parties to the conflict.

The UNSC-mandated Panel of Experts on Yemen reported during May that arbitrary arrests, enforced disappearances, ill-treatment and torture of detainees continue to be conducted by the government of Yemen, Saudi Arabia, Houthis and forces affiliated with the UAE. On 17 October the government and Houthis completed an exchange of 1,081 detainees and prisoners as a step towards implementing the 2018 Stockholm Agreement.

More than 24 million Yemenis need humanitarian assistance and 10 million are facing acute food insecurity. The GEE has reported that parties to the conflict may have used starvation of civilians as a military tactic. The distribution of essential vaccines and other humanitarian aid has been systematically blocked by parties to the conflict, particularly the Houthis. The Panel of Experts warned in May that arrests of humanitarian workers are also increasing in Houthi-controlled areas in the north.

### ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to war crimes and crimes against humanity.

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. The protracted conflict has been characterized by fragmenting coalitions and a multitude of fronts, as well as a climate of impunity that enables ongoing crimes.

The dire humanitarian situation is a direct result of the armed conflict - including the deliberate starvation of civilians - and requires a political solution. Escalating violence in Hodeidah and other governorates not only threatens the viability of the ceasefire but also the delivery of life-saving aid to millions of vulnerable Yemenis. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen confronts a COVID-19 outbreak.

All parties to the conflict in Yemen 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 and demanded the Houthis withdraw from all areas they had militarily seized. 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. On 14 July 2020 the UNSC renewed the mandate of the UN Mission to support the Hodeidah Agreement for one year.

The HRC mandated the GEE in September 2017. The government has repeatedly refused entry to the Group. In its September 2020 report, the GEE recommended that the UNSC refer the situation in Yemen to the ICC and expand the list of persons subject to sanctions.

On 25 October 2019 the European Parliament called 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 12 February 2020 complaints were filed under the principle of universal jurisdiction in courts in Turkey, UK and US to indict senior UAE officials on charges of war crimes and torture in relation to acts committed in Yemen.

### **NECESSARY ACTION**

All parties to the conflict should fully implement the terms of the Stockholm Agreement and extend the Hodeidah ceasefire to all conflict-affected 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.

The UNSC should refer the situation in Yemen to the ICC.

## 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.



1.3 million Central Africans have fled their homes since 2013

## CENTRAL AFRICAN REPUBLIC

*Ongoing violence by armed groups leaves populations in the Central African Republic at imminent risk of atrocity crimes.*

### BACKGROUND

Since the 2013–2015 armed conflict in the Central African Republic (CAR), ongoing violence 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 UN peacekeepers, committed sexual violence, recruited children, and perpetrated attacks on IDP camps, schools, medical facilities and places of worship. Despite the government and 14 armed groups signing a historic peace deal on 6 February 2019, under the auspices of the AU, some signatories continue to violate the agreement and/or have exploited the deal to consolidate their control over territory. The Human Rights Division of the UN peacekeeping mission in CAR (MINUSCA) documented more than 190 conflict related killings between July 2019 and June 2020.

Tensions in CAR rose ahead of the country's 27 December 2020 general elections as a coalition of six armed groups – all of whom are signatories to the peace agreement and some of whom are also allied with former President François Bozizé – launched a series of attacks across the country. These attacks occurred weeks after the Constitutional Court rejected Bozizé's candidacy, citing an international arrest warrant and UN sanctions against him for alleged crimes against humanity and incitement to commit genocide. Between 18–19 December armed groups took control of parts of Lobaye, Ouham, Ouham-Pendé, Nana Gribizi and Ombella M'Poko prefectures while also blocking supply routes to the capital, Bangui, and clashing with the army and MINUSCA.

On election day armed groups set voting materials on fire and threatened voters and officials. Afterwards, armed groups captured the southeastern town of Bangassou on 3 January and attacked the outskirts of Bangui on 13 January. According to UNHCR, violence and insecurity surrounding the elections forced over 60,000 people to flee to Cameroon, Chad, DRC and the Republic of Congo. An additional 58,000 people remain newly displaced in CAR.

The protracted crisis in CAR has its origins in the overthrow of President 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. On 4 January Bangui's Public Prosecutor's Office opened an investigation against Bozizé and individuals suspected of perpetrating election-related attacks.

More than 1.3 million people – one in four Central Africans – have fled their homes since 2013 and 2.8 million are in need of humanitarian assistance and protection.

### ANALYSIS

Ongoing violence and growing allegations of serious human rights violations by armed groups, including parties to the peace agreement, highlight the risks resulting from limited governmental capacity outside the capital. Armed groups continue to control the majority of territory in CAR and profit from illegal taxation and arms trafficking. The ongoing offensive by the coalition of armed groups poses a grave threat to the peace agreement. The rejection of election results may fuel further violence.

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

### INTERNATIONAL RESPONSE

The UNSC has passed 14 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. On 12 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 13 individuals and two entities. On 28 July the UNSC extended the sanctions regime and arms embargo for one year.

During May 2014 the government referred the situation in CAR to the ICC. On 9 February 2021 the ICC will begin the trial of

two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaïssona, for war crimes and crimes against humanity. Both were transferred to the Court by the CAR government.

## NECESSARY ACTION

All political actors must refrain from incitement to violence and engage in an inclusive, credible and constructive dialogue to promote national stability. Signatories to the peace deal must comply with their commitments and resolve disputes through peaceful means. They must also refrain from any action limiting the restoration of state authority, and fully comply with their obligations under IHL.

The AU and ECCAS should urgently assist MINUSCA and the CAR government in their attempts to end ongoing violence. The UNSC and AU should impose sanctions on any actors that endanger the peace agreement. MINUSCA should continue to support efforts to protect civilians and defend the government from armed groups within the framework of its mandate.



1.8 million people displaced by ethnically motivated attacks

## ETHIOPIA

*Populations in Ethiopia are at imminent risk of atrocities due to fighting between the federal government and the Tigray People's Liberation Front, as well as a surge in ethnically motivated attacks.*

### BACKGROUND

On 4 November the federal government of Ethiopia launched a military offensive against the Tigray People's Liberation Front (TPLF) in the Tigray region, following months of political tensions. Hundreds of people were killed and there have been reports of forced recruitment of men and boys to armed groups and of sexual violence perpetrated against women and girls. At least one million people have been displaced by the fighting, including over 57,000 who fled to Sudan. Although Prime Minister Abiy Ahmed declared an official end to combat operations in Tigray on 28 November, refugees have reported ongoing fighting and abuses.

On 9 November over 600 ethnic Amhara men were massacred in the town of Mai-Kadra in the South West Zone of Tigray by local ethnic Tigrayan forces. The Ethiopian Human Rights Commission (EHRC) classified the killings as war crimes and crimes against humanity. Ethiopian refugees in Sudan have also reported similar massacres of Tigrayans by Amhara Special Forces and allied militias in Mai-Kadra, Humera and surrounding areas. Ethnic Tigrayans serving in UN and AU peacekeeping missions have also been removed from their posts.

On 11 December the UN High Commissioner for Refugees, Filippo Grandi, highlighted an "overwhelming number" of reports that Eritrean refugees in Tigray had also been killed or forcibly returned to their country where they could face persecution. There have also been widespread reports of Eritrean troops operating in Tigray.

The TPLF controlled Ethiopia's government for 27 years until a mass protest movement eventually led to the appointment of Prime Minister Abiy in 2018. Following growing political tensions, the TPLF attacked the Ethiopian Defense Forces' northern command base, prompting the federal government's military offensive.

The conflict in Tigray has hampered the delivery of critical humanitarian aid to 2 million people, including almost 200,000 IDPs and refugees. OCHA has warned of "massive community transmission" of the COVID-19 virus in Tigray due to mass displacement, while all but five hospitals in the region are now inaccessible or have been looted or destroyed.

For the last two years ethnically motivated attacks have also been on the rise throughout Ethiopia, leading to the displacement of at least 1.8 million people. From 10-21 November 66 civilians were killed and over 130,000 displaced during violence in Konso Zone, Southern Nations, Nationalities and People's region (SNNPR). At least 47 other civilians have been killed in violence in the Bench Sheko and Wolaita Zones of SNNPR since August. Attacks targeting ethnic Amhara, Agew, Oromo and Shinasha populations have also been on the rise in the Metekel Zone, with 347 civilians killed since September. On 1 January 2021 the EHRC called for the establishment of a comprehensive atrocity crimes prevention mechanism to confront the growing threat facing the country.

Since 2019 violent protests have also claimed hundreds of lives. In June 2020 at least 239 people were killed in protests and violence in Addis Ababa following the shooting of prominent ethnic Oromo activist and singer, Hachalu Hundessa. The EHRC has stated some of the violence may amount to crimes against humanity.

### ANALYSIS

The violence in Tigray is a result of unresolved political tensions in Ethiopia. The country's federalist system has resulted in widespread allegations of ethnic favoritism, with many groups feeling marginalized by the central government. A history of dictatorship and past human rights abuses carried out by the

security forces has also left many Ethiopians deeply distrustful of state power.

The federal government has struggled to protect civilians from the recent upsurge in targeted ethnic attacks around the country. Additionally, the deliberate blocking of aid to vulnerable populations in Tigray is a violation of IHL and may amount to a war crime.

The Ethiopian federal government is failing to uphold its responsibility to protect all populations in the Tigray conflict zone. The government is also struggling to uphold its responsibility to protect populations across the country from a surge in ethnic and inter-communal violence.

### INTERNATIONAL RESPONSE

Since 4 November 2020 the UN, Intergovernmental Authority on Development (IGAD), AU and European External Action Service have all condemned the violence in Tigray and called for a military de-escalation.

On 13 November the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect released a statement urging Ethiopian authorities to take urgent measures to protect its population from further violence, emphasizing that the threat of atrocity crimes remains high.

On 21 November the AU appointed three high-level envoys to broker peace in Tigray. On 27 November the envoys visited Addis Ababa where Prime Minister Abiy rejected their entreaties.

On 16 December the EU withheld 90 million Euros in aid to Ethiopia due to the ongoing crisis in Tigray.

On 22 December the UN High Commissioner for Human Rights called for “independent, impartial, thorough and transparent investigations to establish accountability and ensure justice” for alleged war crimes in Tigray.

### NECESSARY ACTION

The security forces and the TPLF must ensure ongoing military operations are conducted in strict adherence with international law and ensure the protection of civilians. The federal government must also allow unfettered delivery of humanitarian aid to vulnerable populations in Tigray. Refugees and other displaced persons must also be protected, in keeping with international law. All potential war crimes in Ethiopia must be thoroughly investigated and the perpetrators held accountable, regardless of rank or affiliation.



2,000+ civilians killed and 530,000 displaced since October 2017

## MOZAMBIQUE

*Attacks by armed extremists and abuses perpetrated by security forces leave populations in Mozambique at risk of atrocity crimes.*

### BACKGROUND

Since October 2017 an armed extremist group, known locally as “Al-Shabaab,” has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, abductions, recruitment of child soldiers and destroying civilian infrastructure. More than 2,000 people have been killed and 530,000 displaced since October 2017, the majority of whom have fled over the past year.

According to ACLED, over 365 violent incidents took place in northern Mozambique during 2020, resulting in at least 650 civilians killed. Al-Shabaab reportedly beheaded or dismembered 50 civilians between 6–8 November while it temporarily occupied several towns in Cabo Delgado. An increase in fighting between Al-Shabaab, government forces and local militias, as well as Al-Shabaab raids on villages in Cabo Delgado, have resulted in thousands of displaced civilians arriving in Pemba since October.

While Al-Shabaab combatants have been the main perpetrators of violence against civilians, government forces have also been implicated in grave violations and abuses, including arbitrary arrests of individuals suspected of affiliation with Al-Shabaab. On 9 September Amnesty International verified video footage of security forces engaging in the torture and abuse of prisoners, the dismemberment of the corpses of alleged Al-Shabaab fighters, possible extrajudicial executions, and the transport and disposing of corpses into apparent mass graves.

Mozambique has a history of atrocities stemming from its 1977–1992 civil war, during which approximately one million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, Mozambican National Resistance, who carried out massacres of civilians and systematically killed



teachers and health workers. The armed forces of the ruling Front for the Liberation of Mozambique were also responsible for war crimes. A peace agreement was signed in 1992, but low-level conflict resumed from 2013-2018. Despite a 2019 agreement, a breakaway group, the “Renamo Military Junta,” continues to wage a minor insurgency.

### ANALYSIS

Although Al-Shabaab began as a small armed group in 2017, their attacks intensified during 2020. The group’s willingness to perpetrate indiscriminate attacks on civilians increases the risk of atrocities in Cabo Delgado. Al-Shabaab has exploited popular discontent over widespread poverty in Mozambique, as well as allegations of government corruption, to recruit fighters. Since August 2020 significant fighting between the group and security forces has taken place near Mocímboa da Praia, Palma, and other port towns where several major offshore liquified natural gas projects are under development.

The government of Mozambique is struggling to uphold its responsibility to protect and requires international assistance.

### INTERNATIONAL RESPONSE

During its August 2020 Summit, the Southern African Development Community (SADC) condemned Al-Shabaab’s attacks and expressed its solidarity with Mozambique. During April the EU expressed its growing concern regarding the situation in Cabo Delgado and called upon the government to protect civilians and hold perpetrators of atrocities accountable.

During June OCHA launched a \$103 million humanitarian appeal to assist Mozambique’s response to the dual threat of COVID-19 and escalating violence.

### NECESSARY ACTION

Security forces should ensure the protection of civilians and IDPs in Cabo Delgado. All military operations against Al-Shabaab must be carried out with strict adherence to international law. The government should also welcome external support from the AU, EU, SADC, the UN and neighboring states as it attempts to combat Al-Shabaab and the threat of violent extremism.

## 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.



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

## MYANMAR (BURMA)

*Populations in Myanmar remain at risk of 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. A ceasefire was reached between the AA and Myanmar’s military during November 2020 amid calls to hold supplementary elections in parts of Rakhine State where voting in the 8 November general elections was canceled due to insecurity. Although the civilian government has not formally responded to the call for supplementary elections, the AA and military agreed to extend the temporary ceasefire until the end of February while they attempt to negotiate a permanent cessation of hostilities.

During the two-year conflict Myanmar’s security forces shelled villages, blocked food supplies and arbitrarily detained civilians. The UN High Commissioner for Human Rights, Michelle Bachelet, has said that attacks on civilians in Rakhine and Chin states may amount to war crimes and crimes against humanity. AA members have also been accused of violations and abuses. According to OCHA, more than 104,000 people are currently displaced in Rakhine and Chin states.

The conflict with the AA ignited a year after Myanmar’s military launched so-called “clearance operations” in Rakhine State against the Rohingya 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. The estimated 600,000 Rohingya who remain in Rakhine State are still subject to severe restrictions on their freedom of movement. More than 120,000 Rohingya have been confined to camps since 2012.

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. Under this law, full citizenship is based on the list of 135 "national races," which excludes the Rohingya. 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. The majority of the Rohingya population were unable to vote or run for office in the recent general elections due to these discriminatory laws and policies.

The HRC-mandated FFM on Myanmar concluded in 2018 that the military committed crimes against humanity and war crimes in Rakhine State, as well as acts of genocide against the Rohingya. The FFM has also asserted that Myanmar breached its obligations under the Genocide Convention and "continues to harbor genocidal intent" towards the Rohingya.

### **ANALYSIS**

The Myanmar government has failed to address the root causes of the Rohingya genocide, including amending 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 failure of the civilian government to hold elections in parts of Rakhine State risks reinforcing the belief of many Rakhine people that their political aspirations cannot be fulfilled through electoral politics. The temporary ceasefire between the AA and the military is a rare opportunity that could end the armed conflict.

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 response by the UNSC 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."

Since August 2017 various individual states and regional organizations have responded to atrocities in Rakhine State. The EU has reinforced its arms embargo on Myanmar and imposed restrictive measures on 14 individuals, while Australia, Canada, UK and US have imposed targeted sanctions on senior military officers. During May 2020 Germany announced that it was suspending development cooperation with Myanmar.

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.

During November 2019 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, which resulted in their forced deportation across the Myanmar-Bangladesh border.

On 11 November 2019 The Gambia filed a lawsuit at the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January 2020 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. On 2 September Canada and the Netherlands announced their intention to intervene in support of The Gambia's case against Myanmar. On 21 December the ICJ announced the establishment of an ad hoc committee composed of three judges to "assist the Court in monitoring the implementation of the provisional measures."

On 31 December the UNGA adopted a resolution on the "situation of human rights of Rohingya Muslims and other minorities in Myanmar," calling for an end to ongoing violations of international law and extending the mandate of the Special Envoy.

### **NECESSARY ACTION**

Myanmar's government should support negotiations between the military and the AA to reach formal agreement on a lasting ceasefire. It should also facilitate supplementary elections in parts of Rakhine State where the vote was canceled in November.

Myanmar must fully comply with the ICJ order and address all underlying conditions that led to the 2017 genocide, including by repealing or amending laws that systematically discriminate against the Rohingya. The UNSC should request that the ICJ transmit Myanmar's progress reports to the Council and assess compliance with the provisional measures order. The UNSC should also refer the situation in Myanmar to the ICC and impose an arms embargo.



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

Multiple security threats continue to leave civilians in Nigeria at risk of mass atrocity crimes, including increased attacks by the armed extremist group Boko Haram, recurring inter-communal violence in the "Middle Belt" region and disproportionate force utilized by security forces against peaceful protesters.

Over the past year Boko Haram, and the so-called Islamic State West Africa (ISWA), have intensified their attacks on civilian and military targets in the north-east of Nigeria, killing hundreds of people. Although the government claims to have made progress against these groups, reportedly killing hundreds of fighters, the military has also allegedly forcibly displaced entire villages in the north-east and arbitrarily detained individuals suspected of supporting extremist groups.

According to OCHA, 35,000 people have been killed since 2009 when Boko Haram launched its violent campaign aimed at overthrowing Nigeria's secular government. At least 2.4 million people remain internally displaced in north-eastern Nigeria as a result of insecurity caused by the group. The International Committee of the Red Cross also reported that at least 23,000 people remain missing. In recent years Boko Haram's attacks have expanded into neighboring countries, killing and displacing civilians in Cameroon, Chad and Niger.

On 11 December armed men attacked a secondary school in Katsina State, kidnapping more than 300 schoolboys who were freed several days later. While Boko Haram claimed responsibility, the attack was reportedly perpetrated by local bandits. Since early 2019 armed banditry in Zamfara, Kaduna, Katsina, Sokoto and Niger states has displaced more than 160,000 people. Some attacks were reportedly carried out by suspected Fulani armed

men against farmers from other ethnic and religious groups. Despite efforts by the security forces, bandits killed more than 1,100 people in rural areas during 2020.

Conflict in Nigeria's "Middle Belt," often rooted in historical grievances between herders and farming communities, has also escalated in recent years. Clashes between herders and farmers has left more than 8,000 people dead and displaced 300,000 across the country since 2011.

### 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.

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

Nigerian security forces have a history of using excessive and deadly force against civilians, including during counterterrorism operations against Boko Haram and while suppressing peaceful demonstrations. Protests against police brutality, poor governance and corruption resulted in at least 12 people killed by security forces in Lekki district, Lagos, last October.

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

### INTERNATIONAL RESPONSE

The MNJTF has led efforts to combat Boko Haram since 2015.

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.

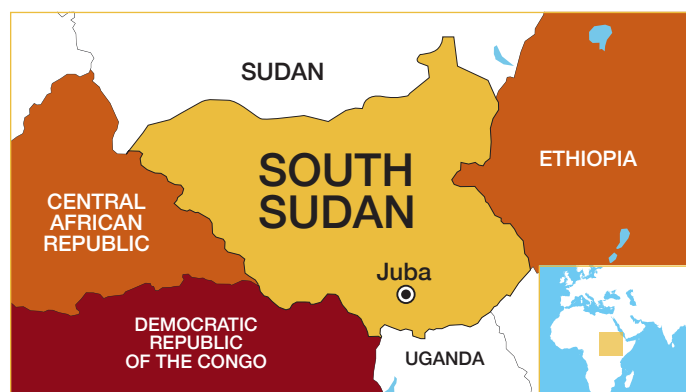
On 11 December the Chief Prosecutor of the ICC requested authorization from the Pre-Trial Chamber to open investigations into the situation in Nigeria. Following a Preliminary Examination, the Prosecutor reported that there is reason to believe that Boko Haram and Nigerian security forces have committed acts constituting crimes against humanity and war crimes.

### 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. The government

should also implement its “National Policy on Climate Change and Response Strategy” and accelerate initiatives in regions affected by drought and desertification.

Utilizing the Economic Community of West African States’ Early Warning System, the government should increase police and military deployments to vulnerable areas. The government should continue to support programs that strengthen security and the rule of law in areas where ISWA and Boko Haram operate. The government needs to urgently reform the security sector, including by incorporating IHL and IHRL into all military and police training.



2,000+ killed in local conflicts during 2020

## 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

Populations in South Sudan continue to suffer as a result of inter-communal violence, particularly in Jonglei State and the Greater Pibor Administrative Area, as well as from clashes between government forces and armed opposition groups. According to the Head of the UN Mission in South Sudan (UNMISS), more than 2,000 civilians died in local-level conflict during 2020. The latest report of the UNSC-mandated Panel of Experts on South Sudan provided evidence of serious human rights violations committed during 2020 by both the South Sudan People’s Defence Forces (SSPDF) and armed rebels from the Sudan People’s Liberation Army in Opposition (SPLA-IO), including attacks against civilians, civilian infrastructure and humanitarian workers.

The Transitional Government of National Unity (TGoNU) is also attempting to overcome years of civil war. Between December 2013 and August 2015 an estimated 400,000 people were killed as the army and SPLA-IO perpetrated war crimes and crimes

against humanity. Although violence between the SSPDF and non-state armed groups has reduced since the signing of the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), there is increased fragmentation within some non-state armed groups.

During late 2020 the SSPDF increased the deployment of troops to Central and Western Equatoria to renew an offensive against the National Salvation Front - who remain outside the R-ARCSS - and the SPLA-IO. Fighting between armed groups during November led to the displacement of 9,000 civilians in Central and Eastern Equatoria states.

An estimated 3.8 million South Sudanese remain displaced as a result of past conflict, with 2.2 million refugees still in neighboring countries. Nearly 6.5 million people in South Sudan are acutely food insecure and an estimated 1.3 million children under the age of five are malnourished. During October 2020 the HRC-mandated Commission on Human Rights in South Sudan (CoHR) alleged that between 2017-2019 government troops and armed opposition forces deliberately used the starvation of civilians as a method of warfare, particularly in Western Bahr el Ghazal and Jonglei states.

### 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 violence between Nuer, Murle and Dinka communities in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by climate-related factors, arms proliferation and the decline of state authority.

The intensification of inter-communal violence and fighting between government forces and some armed groups risks disrupting the peace process. While the formation of the TGoNU during February 2020 was supposed to provide an opportunity to address long-standing divisions in the country, ongoing political rivalries have exacerbated tensions within South Sudan. Senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities.

Despite an August 2015 agreement calling for an independent Hybrid Court for South Sudan to investigate atrocities committed during the civil war, 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 UNMISS 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 level of violence and called upon the TGoNU to accelerate implementation of the peace agreement. The UN High Commissioner for Human Rights and the CoHR have also expressed alarm over the escalation of inter-communal conflicts.

The AU and the government should expeditiously establish the Hybrid Court and prosecute individuals responsible for past atrocities. All perpetrators should be held accountable, regardless of their affiliation or position.

### **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. The AU, IGAD and neighboring countries should actively enforce the arms embargo.



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