

# R2P MONITOR

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A bimonthly bulletin by  
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 (UN), key regional actors and the International Criminal Court (ICC).
- » 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.



3,800+ civilians killed during 2018

1,500 civilians killed or injured during July 2019

## AFGHANISTAN

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

### BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces from Afghanistan, the Taliban have made substantial military gains, currently controlling or influencing more than half of the country. According to the UN Assistance Mission in Afghanistan (UNAMA), civilians in Taliban-controlled areas suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings.

Since December 2018 a United States government delegation has participated in talks with the Taliban in an effort to end the war. The ninth round of negotiations concluded at the end of August with the Taliban and US announcing they were on the verge of reaching a final settlement. However, in the days before the announcement, the Taliban launched a series of deadly attacks in Kunduz, Baghlan and Kabul, killing 45 civilians. A further 49 civilians were killed in suspected Taliban attacks in the days after the announcement of a potential final agreement, prompting US President Donald Trump to call off any further negotiations.

Despite their participation in the talks, since July the Taliban has carried out a number of suicide attacks and car bombings. The UN Security Council (UNSC) condemned these and other recent attacks that have resulted in dozens of civilian deaths. The Taliban has also denounced the upcoming presidential elections,

scheduled for 28 September, and threatened to attack election rallies. The Taliban has warned that the cancellation of peace talks will lead to increased loss of life.

During the first half of 2019 UNAMA documented 3,812 civilian casualties, including 1,366 deaths. Civilian casualties throughout July 2019, totaling more than 1,500, were the highest documented in a single month since May 2017. The government and international military forces were responsible for the majority of civilian deaths from January to July.

The conflict has had a significant impact on children. Among the 3,804 civilians killed during 2018 were at least 927 children, the highest number recorded during the conflict in a single year. According to the UN Secretary-General's annual report on children and armed conflict, the 3,062 children killed or maimed in Afghanistan constituted the highest number of child casualties in any conflict during 2018. Citing the deteriorating security situation, the UN Children's Fund also documented 192 attacks on schools in 2018, three times the number recorded during 2017. By the end of 2018 more than 1,000 schools had been closed.

According to the ICC, the Taliban have potentially committed crimes against humanity and war crimes. Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has also established a significant presence in Afghanistan, carrying out at least 38 terrorist attacks during 2018 and often targeting the minority Shia population. On 18 August ISIL-K carried out the year's deadliest bomb attack in Kabul, killing over 80 civilians and wounding 182.

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

### ANALYSIS

As the Taliban regain territory, the number of civilians at risk of possible war crimes and crimes against humanity continues to increase. During their 18-year war, government forces and the Taliban have both shown blatant disregard for International Humanitarian Law (IHL). In addition to fighting to expand their territorial control, the Taliban have escalated attacks on civilians in urban areas.

Progress made by the United States and Taliban towards a potential peace agreement was a welcome development, however the recent collapse of talks greatly raises the risk of increased Taliban attacks on civilians. Moreover, the exclusion of the Afghan government from the peace discussions – as well as representatives of women, ethnic and religious minorities,

and civil society – risks the further marginalization of vulnerable populations within Afghan society.

Unless sustained action is taken to improve local governance, conflict and insecurity will continue to increase. The upcoming presidential election provides a potential focus for further violence by armed extremist groups.

The rise of ISIL-K has put civilians, particularly members of minority communities, at elevated risk of mass atrocity crimes. Although government forces implemented measures to decrease civilian casualties, the use of improvised explosive devices by the Taliban and ISIL-K in populated areas continues to endanger civilians and may constitute war crimes and crimes against humanity.

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

### INTERNATIONAL RESPONSE

At the July 2016 NATO Summit member states pledged to sustain their assistance to Afghan security forces until 2020. The United States currently has approximately 14,000 troops in Afghanistan.

UNAMA was established under UNSC Resolution 1401 of 2002 and its mandate includes monitoring human rights violations and the protection of civilians. Since 2011 the UNSC has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates.

During November 2017 the Chief Prosecutor of the ICC requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. On 15 March 2019 the United States government announced it would revoke or deny visas to members of the ICC involved in investigating its personnel. On 12 April the Court rejected the Chief Prosecutor's request, citing a lack of cooperation from governments involved in the situation. The Chief Prosecutor has appealed the decision.

In parallel with the United States-led negotiations with the Taliban, the Russian government also hosted peace talks during February and May. The governments of Germany and Qatar hosted an Intra-Afghan Dialogue on 7-8 July that brought together Afghan politicians, civil society and the Taliban.

### NECESSARY ACTION

The international community should continue to support the Afghan government as it combats the Taliban, ISIL-K and other armed extremist groups. Afghan security forces and all international military forces operating within Afghanistan must prioritize the protection of civilians, meaningfully commit to reducing civilian casualties, and strictly adhere to IHL and International Human Rights Law (IHRL). International military forces should strengthen protocols to prevent civilian casualties. Increased efforts should be undertaken to ensure the security of vulnerable minorities.

Promoting good governance and the rule of law remains essential. Ahead of the presidential elections the government must take proximate steps to ensure that all voters are able to safely participate in the political process and exercise their franchise.

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.



Over 720,000 ethnic Rohingya fled atrocities and crossed into Bangladesh between August and December 2017

## MYANMAR (BURMA)

*Populations in Myanmar (Burma) face the threat of ongoing mass atrocity crimes.*

### BACKGROUND

Populations in Myanmar remain at risk of mass atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies. The 2018 report of the Human Rights Council (HRC)-mandated Fact-Finding Mission (FFM) on Myanmar concluded that the military, as well as some civilians, have committed crimes against humanity and war crimes in Rakhine, Shan and Kachin states, as well as acts of genocide perpetrated against the Rohingya minority in Rakhine State. The military units that perpetrated these crimes continue to operate in Myanmar.

Since 15 August fighting between the military and members of the Northern Alliance (a coalition of rebel groups) in Shan State has escalated, putting civilians and humanitarian workers at risk. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), an estimated 8,000 people have been displaced in northern Shan State.

Since November 2018 conflict has also been ongoing in Rakhine State between Myanmar's military and the Arakan Army (AA), an armed group seeking greater autonomy for the ethnic Rakhine Buddhist population. Myanmar's security forces have shelled

villages, blocked food supplies and arbitrarily detained civilians. Access to conflict-affected areas continues to be denied to UN agencies and most humanitarian organizations. On 3 September three UN Special Rapporteurs expressed “grave concern about the use of incommunicado detention by the military” following reports of deaths in custody of people alleged to be associated with the AA.

The latest conflict in Rakhine State ignited roughly a year after the government launched so-called “clearance operations” on 25 August 2017. Between August and December 2017 an estimated 720,000 people – the majority of the Rohingya population – were forced to flee, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. According to the FFM, the treatment of the Rohingya population by Myanmar’s security forces amounts to four of the five prohibited acts defined in the Genocide Convention. The FFM reported that Myanmar’s civilian authorities, including State Counsellor Aung San Suu Kyi, have not met their “responsibility to protect the civilian population” and enabled the commission of atrocities. On 22 August 2019 the FFM reported that sexual violence against Rohingya women and girls “was an indicator of the Tatmadaw’s genocidal intent to destroy the Rohingya people in whole or in part.”

On 15 August government officials from Myanmar and Bangladesh announced their intention to repatriate over 3,000 Rohingya who were “cleared for return” by Myanmar from a list of 22,000 refugees. The process was due to begin on 22 August, but none of the refugees agreed to return. According to UNHCR, which was tasked with surveying the refugees, many feared for their physical safety and cited a lack of accountability for atrocities and the absence of guarantees regarding citizenship and civil rights.

The Rohingya, a distinct Muslim ethnic minority group in Myanmar, have been systematically persecuted for generations. Myanmar’s 1982 Citizenship Law rendered most of the population stateless. The Rohingya are still subject to severe restrictions on their freedom of movement, with more than 120,000 Rohingya confined to camps since 2012. 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.

## ANALYSIS

The failure of the UNSC to hold accountable those responsible for atrocities committed against the Rohingya enables the military to continue their attacks on other populations and further delays the possible repatriation of Rohingya refugees from Bangladesh.

Despite Myanmar’s partial transition to democracy, until discriminatory laws and policies are repealed or amended, and the perpetrators of past atrocities held accountable, the threat of further atrocities endures. Few governments have imposed punitive measures against those responsible for atrocities,

such as targeted sanctions. Regional governments have been especially reluctant to publicly rebuke Myanmar.

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

## INTERNATIONAL RESPONSE

The only formal response of the UNSC to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017. That statement stressed the “primary responsibility of the Myanmar government to protect its population.”

Since August 2017 the European Union (EU), Canada, United States, Australia and others have responded to atrocities in Rakhine State, including by imposing an arms embargo as well as targeted sanctions on senior military officers. A number of countries have recognized the crimes against the Rohingya as constituting genocide. On 16 July the United States government became the first to sanction Myanmar’s Commander-in-Chief Min Aung Hlaing and three other senior military officials for “gross human rights violations” perpetrated against the Rohingya.

During September 2018 the HRC adopted a resolution creating an “independent mechanism to collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law committed in Myanmar.”

On 31 May 2019 the Organisation of Islamic Cooperation urged its “ad hoc ministerial committee on human rights violations against the Rohingyas in Myanmar,” led by The Gambia, to take a case to the International Court of Justice (ICJ). The Gambia has confirmed its intention to bring a case against Myanmar for failing to uphold its obligations under the Genocide Convention.

On 21 August the UNSC discussed the refugee repatriation plan in a closed session that included a briefing from UNHCR. On 23 August three Council members – Germany, Kuwait and Peru – hosted an Arria Formula meeting with a focus on accountability for mass atrocity crimes and other serious human rights violations in Myanmar.

## NECESSARY ACTION

While militarily confronting the AA and other armed groups, Myanmar’s security forces must ensure the protection of civilians and strictly adhere to IHL and IHRL. Access for UN agencies and humanitarian organizations should be restored to all conflict-affected areas.

The international community should adopt the FFM’s recommendations and ensure that those responsible for genocide, crimes against humanity and war crimes do not evade justice. All investment in conflict-affected areas should be conducted in strict adherence with the UN’s Guiding Principles

for Business and Human Rights. The UNSC should refer the situation in Myanmar to the ICC and impose an arms embargo. Myanmar should also be taken to the ICJ for breaching its obligations under the Genocide Convention.

Myanmar's government must create conditions for the voluntary, safe and dignified repatriation of refugees from Bangladesh, including by repealing or amending all laws that systematically discriminate against the Rohingya.



Over 560,000 people killed in eight years of conflict

12 UNSC vetoes blocking action and accountability

## SYRIA

*Populations continue to face war crimes and crimes against humanity committed by government forces and their allies in Syria's ongoing civil war. Various non-state armed groups are also committing war crimes.*

### BACKGROUND

Since the Syrian crisis began in 2011 the conflict between the government and opposition groups has escalated into a civil war where at least 560,000 people have been killed. There are 6.7 million Syrian refugees and nearly 6.2 million people are internally displaced – the largest number of people forcibly displaced by any conflict in the world. An estimated 12 million Syrians remain in dire need of humanitarian assistance.

On 1 January fighting erupted within Idlib Governorate between two major armed groups, Hayat Tahrir al-Sham (HTS) and Nour el-Din el-Zinki, during which HTS consolidated control over the region. Since 29 April Syrian government and Russian forces have increased their bombardment of Idlib Governorate. The Office of the UN High Commissioner for Human Rights (OHCHR) has confirmed 1,089 civilian deaths, including over 300 children, since the launch of the offensive – 1,081 of which are allegedly attributable to Syrian government and Russian forces. Over 400,000 people have been displaced and parties to the conflict have attacked civilian infrastructure, including at least 42 attacks on healthcare facilities.

Since the collapse of a brief ceasefire in August, government forces have captured several strategically important towns and areas. Russia and Syrian government forces declared a unilateral ceasefire in Idlib on 30 August, although they reserved their “right to respond to any violation by the terrorists.”

Idlib and adjoining portions of Aleppo and Hama governorates constitute the last remaining major opposition stronghold within Syria. Idlib was designated a “de-escalation zone” in 2017 and of the 3 million civilians within the governorate, at least 1.5 million are internally displaced. During September 2018 Turkey and Russia agreed to a 15 kilometer-wide “demilitarized zone” within Idlib. Although opposition fighters removed all heavy weaponry from the area, they did not entirely withdraw their forces.

Since 2012 the HRC-mandated Commission of Inquiry (CoI) has reported that government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. According to a report by the UN Secretary-General on children in Syria, between November 2013 and June 2018 at least 3,891 children were killed and over 350 schools and 340 hospitals were attacked by parties to the conflict. The CoI also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces. More than 100,000 arbitrary detentions, abductions or disappearances have been confirmed by the CoI in Syria, with the majority attributable to the government.

On 23 March 2019 the Kurdish-led Syrian Democratic Forces (SDF), supported by United States airstrikes, seized the last remaining territory from the so-called Islamic State of Iraq and the Levant (ISIL) in Syria. In recently liberated areas, the SDF have found numerous mass graves and have called for an international tribunal to deal with hundreds of captured ISIL fighters.

### ANALYSIS

The government of Syria, its allies and armed opposition groups have all committed indiscriminate attacks on civilian populations and infrastructure, demonstrating a complete disregard for international law. The direct participation of Russian and Iranian forces in numerous attacks on civilian-populated areas makes them complicit in alleged war crimes.

Ongoing fighting between rival armed opposition groups and airstrikes on Idlib imperils the lives of millions of civilians. While the governments of Syria and Russia maintain that they are targeting HTS in Idlib, the use of indiscriminate weapons in civilian-populated areas and the systematic bombing of medical facilities constitute potential war crimes.

Despite claims that the war is largely over and that the international community should restore diplomatic and economic ties with the government, armed conflict continues. The Syrian government, with support from its international allies, continues to utilize its military resources to retain power at all

costs. There are ongoing concerns regarding government-run detention facilities, where the CoI has documented summary executions and other abuses and violations that may amount to crimes against humanity and war crimes.

Recent fissures between the United States and Turkey, over the presence of SDF forces in the northwest and Turkey's determination to minimize Kurdish influence in Syria, threaten to open yet another front in the protracted crisis.

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

## 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. Various high-level UN officials, including the Secretary-General, have called for the situation in Syria to be referred to the ICC.

Despite this, the UNSC has failed to respond effectively. Since 2013 the UNSC has passed 24 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several of these refer to the government's responsibility to protect populations, but none have been fully implemented. The Syrian government and its partners often directly violate various resolutions, and Russia has systematically shielded Syria from accountability measures. Russia and China have jointly vetoed six draft resolutions and Russia has independently vetoed a further six resolutions.

The UN Special Envoy for Syria, Geir Pedersen, is currently facilitating a political process under the auspices of UNSC Resolution 2254 of December 2015.

The HRC has adopted 28 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population. During March 2019 the HRC extended the mandate of the CoI for an additional year. On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria.

Following a 30 July demarche by 10 members of the UNSC, UN Secretary-General António Guterres created a Board of Inquiry to investigate all attacks on hospitals and health facilities on the deconfliction list and other UN-supported facilities in northwest Syria. The inquiry will investigate whether the coordinates of civilian infrastructure on the deconfliction list – intended to ensure their protection – were actually used to target them.

## NECESSARY ACTION

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. All parties to the conflict should adhere to the

Idlib “demilitarized zone” and de-escalation agreements. All parties must uphold their obligations under IHL, including ending attacks on civilians and civilian infrastructure, as well as establishing a timetable for identifying and releasing all detainees and abductees.

The governments of Syria, Turkey and Russia should allow the establishment of a field presence in Idlib for OHCHR. Russia, Iran and Hezbollah must cease enabling the crimes of the Syrian government. Countries opposed to the rule of President Bashar Al Assad must also withhold all support from armed groups that commit war crimes and target civilians.

Returns of refugees and other displaced persons must be in accordance with the principle of non-refoulement with guarantees that returnees will not face persecution, discrimination or arbitrary detention. The government should repeal or amend all laws that restrict the access of returning refugees to their homes and other property.

UN member states should ensure the IIIM is incorporated into the UN's regular budget. States should also continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. The Executive Office of the Secretary-General should make the findings of the Board of Inquiry public. The UNSC should immediately refer the situation in Syria to the ICC.



16,000+ civilians killed  
since March 2015

24 million people in  
need of humanitarian  
assistance

## YEMEN

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

## BACKGROUND

Despite diplomatic efforts to end the war in Yemen, now in its fifth year, populations remain at risk of war crimes and are experiencing the largest humanitarian crisis in the world. Fighting between Houthi rebels, members of the General

People's Congress, the Southern Transitional Council (STC), and various forces loyal to the internationally-recognized government in Aden – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has resulted in the deaths of at least 16,000 civilians since March 2015. The actual death toll is likely much higher. At least 3.6 million people have been displaced by fighting.

During December 2018 the UN Special Envoy for Yemen, Martin Griffiths, hosted the first consultations between the government and Houthi representatives since 2016. During the consultations in Sweden parties to the conflict formulated the “Stockholm Agreement,” which included a ceasefire in Hodeidah Governorate and the withdrawal of all forces from the city of Hodeidah; an exchange of prisoners; and a statement of understanding on the besieged city of Taiz. The ceasefire in Hodeidah has largely held, and on 11 May the Houthis withdrew forces from Saleef, Ras Isa and Hodeidah ports. There has been no tangible progress regarding prisoners and detainees.

Meanwhile, hostilities have intensified in Al-Dhale, Hajjah and Taiz governorates. In addition, Houthi forces have increased their attacks on Saudi Arabia since June, including repeated drone attacks on Abha airport and on Saudi Aramco oil installations.

During August clashes also increased in Aden and throughout southern Yemen between the UAE-supported STC and forces loyal to President Abd-Rabbu Mansur Hadi. In the aftermath of the initial fighting in Aden, the STC's Security Belt Forces reportedly attacked civilians from the northern parts of Yemen, allegedly subjecting them to arbitrary arrests and detention, forced displacement and physical assaults. Mediation between the STC and Hadi's government is currently taking place in Jeddah.

The UNSC-mandated Panel of Experts on Yemen has documented widespread violations of IHL and IHRL by all parties to the conflict. The HRC-mandated Group of Independent Eminent Experts (GEE) on Yemen has also documented violations and abuses that may amount to war crimes committed by all parties to the conflict, including airstrikes, indiscriminate shelling, use of landmines, arbitrary detention, torture, sexual and gender-based violence, and impeding access to humanitarian aid. The GEE asserts that the United States, United Kingdom, France and Iran may be complicit in violations due to their provision of military intelligence, arms and weaponry, as well as logistical support, to parties to the conflict.

Between April 2013 and January 2019 the Secretary-General reported more than 7,500 cases of the killing and maiming of children, almost half of which were caused by coalition airstrikes, as well as the recruitment or use of more than 3,000 children by parties to the conflict. More than 1,689 child casualties occurred in Yemen in 2018 alone. Despite the Stockholm Agreement, the GEE reported that the number of incidents that killed or injured children more than tripled between the last quarter of 2018 and the first quarter of 2019.

At least 24.1 million Yemenis are now in need of humanitarian assistance. During November 2018 Save the Children reported that 85,000 children under five may have died due to starvation since April 2015. Following a 2017 outbreak of cholera that resulted in more than 1 million cases and 2,300 deaths, there is fear of a renewed epidemic with 460,000 suspected cases reported so far during 2019. Essential vaccines to treat cholera have reportedly been blocked by parties to the conflict.

## **ANALYSIS**

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. A climate of impunity has enabled ongoing violations of IHL and IHRL.

The protracted conflict in Yemen, characterized by fragmenting coalitions and a multitude of fronts, poses grave consequences for civilians throughout the country. Continued instability has also allowed al-Qaeda in the Arabian Peninsula and ISIL to exploit the situation and intensify attacks on civilians.

The dire humanitarian situation in Yemen is a direct result of the armed conflict and requires a political solution. Yemen imports 90 percent of its staple food supplies and the port city of Hodeidah serves as the entry point for 80 percent of the country's food and fuel imports. The besieged city of Taiz is also crucial to the distribution of food imports.

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

## **INTERNATIONAL RESPONSE**

The UNSC imposed sanctions on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo against Houthi leaders and some supporters of Saleh and demanded the Houthis withdraw from all areas they had militarily seized. On 26 February 2019 the UNSC renewed sanctions and extended the mandate of the Panel of Experts until 28 March 2020.

On 21 December 2018 the UNSC passed its first substantive resolution on the conflict in over three years, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team to oversee its implementation. On 16 January the UNSC adopted Resolution 2452, establishing the UN Mission to support the Hodeidah Agreement.

On 30 September 2018 the HRC voted to extend the mandate of the GEE, but the government has refused entry to the Group.

Civilian casualties caused by international coalition airstrikes have resulted in public pressure for the United States, United Kingdom and other governments to cease selling arms to Saudi Arabia and the UAE. On 25 October the European Parliament passed a resolution calling upon EU member states to halt weapons exports to Saudi Arabia. The United States Congress has made four attempts this year to end US military support

for the Saudi/UAE-led coalition in Yemen, however President Trump has vetoed all of these measures.

On 20 June the Court of Appeal in London ruled that the UK government had failed to adequately assess the actions of the Saudi/UAE-led military coalition in Yemen prior to issuing licenses for arms exports to Saudi Arabia. Following the ruling the UK suspended arms sales until an appropriate assessment is conducted.

On 8 July the UAE announced that it was in the process of drawing down its military presence in Yemen.

### **NECESSARY ACTION**

All parties to the conflict should fully implement the terms of the Stockholm Agreement. Parties to the conflict should extend the Hodeidah ceasefire to other areas, particularly Al-Dhale, Hajjah

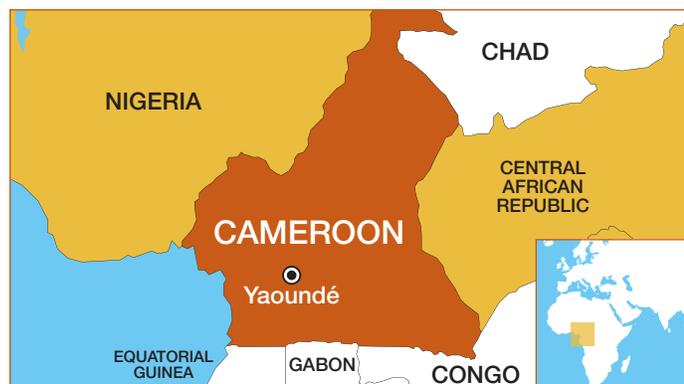
and Taiz governorates. The UNSC should also adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance.

The mandate of the GEE should be renewed by the HRC during its 42nd session in order to enable it to continue documenting and reporting violations and abuses of IHL and IHRL. The government of Yemen should allow access to the GEE and ensure that all potential war crimes and crimes against humanity are properly investigated.

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.

**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.



530,000+ people displaced by conflict in the north-west and south-west regions

**CAMEROON**

*There is an imminent risk of mass atrocity crimes due to widespread violence between government forces and armed separatists in the Anglophone regions of Cameroon. The armed extremist group Boko Haram also poses an ongoing threat.*

**BACKGROUND**

Political conflict over cultural rights and identity have escalated in Cameroon's Anglophone regions since 2016 when English-speaking lawyers, students and teachers began protesting against their under-representation and cultural marginalization by the Francophone-dominated government. Violent repression by the security forces resulted in arbitrary arrests, sexual violence and the killing of civilians in the north-west and south-west regions. The crisis deepened after October 2017 when Anglophone separatists proclaimed independence, declaring a new state of "Ambazonia." Since October 2017 at least 650 civilians, 235 members of the security forces and nearly 1,000 alleged separatists have been killed as a result of armed conflict and, according to OCHA, 530,000 people have been displaced.

As the conflict has intensified, there has been growing evidence of the security forces perpetrating extrajudicial killings and torture, as well as burning Anglophone villages. The government is detaining hundreds of people with alleged separatist ties in the capital, Yaoundé, where they are reportedly subjected to torture and ill-treatment.

Armed separatist forces have also perpetrated abuses, including kidnappings and killing civilians. Due to a ban on government education by armed separatists, 80 percent of the schools in the two regions have closed and at least 74 have been destroyed.

On 20 August the leader of the self-declared Governing Council of Ambazonia, Sisiku Ayuk Tabe, and nine followers were sentenced to life imprisonment for rebellion. In response, armed separatists attacked villages and towns across the Anglophone region, resulting in 40 people being killed and tens of thousands displaced.

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.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. The group continues to commit atrocities in the far north of Cameroon, including the abduction, mutilation and killing of civilians. During military operations against Boko Haram there have been widespread allegations of the security forces perpetrating extrajudicial killings. As of June 2019, there are 240,000 internally displaced persons (IDPs) in the far north region.

**ANALYSIS**

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. As a result of ongoing violence and insecurity in Cameroon, 4.3 million people are in need of emergency assistance.

The deteriorating situation in Cameroon has received little international attention despite systematic and widespread attacks on civilians, potentially amounting to crimes against humanity. Jan Egeland, Head of the Norwegian Refugee Council, noted during April 2019 that "there is no mediation, no large relief programme, no media interest and little pressure on the parties to stop attacking civilians."

Bilateral pressure on the government to initiate a credible and inclusive dialogue has not led to any tangible result, despite some separatist leaders, including Ayuk Tabe, indicating their willingness to join negotiations. The government of Cameroon continues to deny the severity of the crisis and has consistently failed to address the root causes of the Anglophone conflict, or provide a political means for resolving it. Although President Paul Biya announced on 10 September his government's plans to hold a national dialogue at the end of the month, at the time of publication it remained unclear whether talks would take place and if representatives from the separatists would attend.

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

### INTERNATIONAL RESPONSE

On 17 November 2017 six UN Special Rapporteurs issued a joint statement urging the government to engage in meaningful dialogue and halt violence in the north-west and south-west.

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 HRC for the 2019-2021 term.

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

Following a visit to Cameroon, on 6 May the UN High Commissioner for Human Rights urged the government to hold accountable members of the security forces who commit serious human rights abuses.

On 27 June Switzerland offered to mediate between the government of Cameroon and Anglophone separatists.

### NECESSARY ACTION

The security forces must cease all extrajudicial killings of unarmed civilians and ensure that the human rights of all Cameroonians are equally protected, regardless of language, cultural identity or political affiliation. Armed separatist groups must also halt attacks on civilians or civilian infrastructure.

The government of Cameroon should immediately grant OHCHR access to the north-west and south-west regions to investigate potential human rights violations and abuses. Foreign governments and regional organizations should suspend all military aid to Cameroon until it has made demonstrable progress in upholding the human rights of vulnerable populations.

Separatists and the government should engage with the mediation process proposed by Switzerland and work towards a negotiated political solution to the crisis in the north-west and south-west regions. The African Union (AU) and Economic Community of Central African States should work with Cameroon's government to prevent any further deterioration of the armed conflict.



More than 600 people killed in inter-communal violence in Mali's Mopti region since January

## MALI AND BURKINA FASO

*Populations in Mali and Burkina Faso are at imminent risk of potential atrocity crimes as a result of growing conflict between ethnic militias and community "self-defense groups." Attacks perpetrated by armed Islamist groups also threaten populations throughout the Sahel.*

### BACKGROUND

Since 2015 Islamist armed groups have expanded their activities from northern to central Mali, prompting the formation of ethnic militias and armed "self-defense groups" in many communities. Rival armed groups have targeted civilians in an increasing number of attacks in central Mali and Burkina Faso. The violence has also included the burning of villages and destruction of food sources. According to OCHA, violence across Mali, Burkina Faso and Niger during July 2019 included 121 incidents that resulted in more than 186 people killed.

A cycle of reprisal attacks in the Mopti region of Mali has dramatically increased since January, with more than 600 people killed in the first six months of the year. Most fighting has taken place between Dozos – traditional hunters mainly from the Dogon ethnic community – and ethnic Bambara fighters, against members of the Fulani community. The UN Mission in Mali (MINUSMA) documented seven incidents between 1 January and 16 February that resulted in the deaths of 49 civilians in the Bankass area of Mopti alone. On 23 March Dozos massacred at least 150 people, including 50 children, in the predominately Fulani village of Ogossagou.

The violence in central Mali is partly a result of a stalled peace process. Following a 2012 military coup, Tuareg separatists and armed Islamist groups seized territory in northern Mali. Despite the presence of MINUSMA and a French-led intervention force, as well as the 2015 signing of the "Bamako Agreement," violence between government forces and various armed extremist groups – including Ansar Dine, al-Qaida in the Islamic Maghreb and others – has continued in northern Mali. MINUSMA has

frequently been attacked by these groups, with 18 peacekeepers killed in malicious acts so far this year.

The porous border between Mali and neighboring Burkina Faso has facilitated the expanded activities of Islamist armed groups throughout the region. Since mid-2018 groups operating in Burkina Faso, particularly Ansaroul Islam, have perpetrated atrocities against populations in Soum Province, near the Mopti region of Mali. Despite the government deploying troops to the area, at least 29 people were killed on 8 September in two separate attacks on a food convoy and transport truck.

More than 1,100 schools have been forced to close in Burkina Faso as a result of growing violence. Counter-terrorism operations by the Burkinabè security forces have also led to grave human rights abuses perpetrated against civilians presumed to be sympathetic to Islamist armed groups.

## **ANALYSIS**

Mali's security forces and Islamist armed groups have been implicated in war crimes and crimes against humanity perpetrated since 2012. Various parties to the conflict have also violated the Bamako Agreement or impeded its implementation. Militias and self-defense groups continue to target civilian populations on the basis of their ethnic and/or religious identity.

Any security response in Mali and Burkina Faso must take mass atrocity risks into consideration in addition to fighting terrorism and countering violent extremism. Weak state institutions, porous borders and arms proliferation have exacerbated conflict in both countries. Despite support from international military forces, Malian and Burkinabe security forces have been unable to provide adequate protection to civilians in the vast regions of central Mali and northern Burkina Faso.

Historically, the Dogon, Bambara and Fulani communities have clashed over access to land, water and grazing rights. However, recent fighting in central Mali and neighboring areas of Burkina Faso has been exploited by armed Islamist groups who have targeted young Fulani men for recruitment. The inability of Mali's government to provide adequate and equal protection to vulnerable populations has accelerated the recruitment into rival armed groups and ethnic militias.

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

## **INTERNATIONAL RESPONSE**

Algeria served as a mediator regarding the conflict in Mali, helping to negotiate the Bamako Agreement during 2015.

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

Operation Barkane, a 4,000-member French force, has led the international military response in Mali since January 2013. During July 2017 the G5 Sahel Force was established to combat border insecurity using troops from Burkina Faso, Chad, Mali, Mauritania and Niger.

MINUSMA was authorized by the UNSC during April 2013 with a civilian protection mandate. On 28 June the UNSC renewed MINUSMA for an additional year.

On 23 January 2018 the UNSC authorized the creation of a Col to investigate violations of IHL and IHRL in Mali between 2012 and 2018. On 20 December the UNSC authorized targeted sanctions, including asset freezes and travel bans, on three individuals for obstructing the peace process and violations of human rights, including recruitment of child soldiers and attacks on UN personnel. The Council added five additional people to the sanctions list on 10 July 2019.

On 23-24 March 2019 the UNSC met with leaders in Mali and Burkina Faso as part of a visiting mission to the Sahel. During their visit the Council condemned the massacre in Ogossagou.

On 27 March the UN Special Adviser on the Prevention of Genocide issued a statement calling for Malians "to prevent and refrain from stigmatizing entire communities." The Special Adviser released a second statement, together with the Special Advisers on the Responsibility to Protect and on Children and Armed Conflict, on 10 June condemning atrocities perpetrated against civilians in the Mopti region.

## **NECESSARY ACTION**

While countering violent extremism remains crucial for Mali and Burkina Faso, it is essential that both governments also ensure that their efforts do not further exacerbate inter-communal tensions and are undertaken in strict compliance with IHRL.

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

The government of Mali, with the support of MINUSMA and OHCHR, should investigate the massacres in the Mopti region and hold all perpetrators accountable. The governments of both Mali and Burkina Faso should work with traditional and religious leaders to develop programs aimed at improving inter-communal relations and reducing recruitment into armed groups and ethnic militias.

## 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.



More than 1,200 people killed and 10,000 arbitrarily detained since April 2015

352,000 refugees in neighboring countries

## BURUNDI

*Severe repression and persecution of alleged government opponents leaves populations in Burundi at risk of crimes against humanity.*

### BACKGROUND

Ongoing violations and abuses of human rights perpetrated by state forces in Burundi leave populations at risk of mass atrocity crimes. The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed since April 2015. In a report released on 4 September, the Col found that ongoing violence against alleged government opponents constitute systematic attacks that have created an environment conducive to the commission of atrocities.

Since the registration of a new opposition party in February – the Congrès national pour la liberté (CNL) – the Col and human rights organizations have raised alarm about increasing repression. According to the Col, elections scheduled for 2020 could trigger further violations and abuses that may amount to crimes against humanity. The Col has found evidence of recent extrajudicial killings and summary executions, enforced disappearances, sexual violence, arbitrary detention and torture of suspected dissidents. Such acts have primarily been carried out by the Imbonerakure, the youth wing of the ruling Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD), together with members of the National Intelligence Service and police.

The crisis in Burundi developed following the April 2015 announcement that President Pierre Nkurunziza would seek a third presidential term. This was regarded by many as violating the 2000 Arusha Peace Agreement, which ended a civil war that

claimed over 350,000 lives between 1993–2005. Following a failed coup, widespread protests and violence, President Nkurunziza was re-elected during July 2015. The East African Community (EAC) has attempted to mediate between the government and opposition parties, but with little success.

### ANALYSIS

The Imbonerakure, police, National Intelligence Service and local government officials continue to commit serious human rights violations and abuses that may amount to crimes against humanity. Despite President Nkurunziza's announcement that he would not run for an additional term in 2020, the current political environment is not conducive to holding free and fair elections. Organized violence and public threats by senior officials against suspected opposition members constitute early warning signs of potential mass atrocity crimes.

The ongoing hostility directed towards UN mechanisms and institutions is a disturbing indication of the government's unwillingness to engage with the international community. The government has refused to cooperate with OHCHR, the HRC and ICC, and has openly threatened members of the Col. On 28 February 2019 the government announced the permanent closure of the UN human rights office in Bujumbura. The government has also banned most independent non-governmental organizations and media outlets.

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

### INTERNATIONAL RESPONSE

On 18 October 2016 President Nkurunziza initiated Burundi's withdrawal from the Rome Statute, which came into effect during October 2017. Prior to withdrawal, the ICC opened an investigation into crimes committed in Burundi from April 2015 until October 2017.

On 30 September 2016 the HRC created the Col to investigate human rights violations and abuses in Burundi. During 2018 the Col compiled a list of alleged perpetrators of crimes against humanity. On 27 September 2018 the HRC extended the mandate of the Col despite the refusal of the government to allow the Commissioners to enter Burundi.

On 25 October the EU renewed travel bans and asset freezes on four Burundians for serious human rights violations, obstruction of democracy and inciting violence.

### NECESSARY ACTION

It remains essential that Burundi's government end the violent targeting of political opponents, civil society organizations and independent media. The HRC-mandated Col on Burundi should be

granted immediate access to the country and its mandate should be renewed during the Council's current 42nd session.

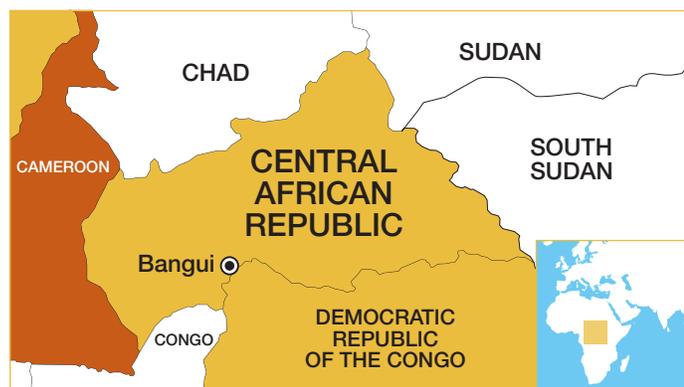
The EAC should intensify mediation efforts and, together with the AU and UN, support measures to ensure free and fair elections in 2020. The AU should increase the number of human rights observers deployed in the country and reinstate the High-Level Delegation to Burundi.

The UNSC should invite the Col to brief the Council and should impose targeted sanctions against all those who continue to threaten peace and security in Burundi, including the list of suspected perpetrators of crimes against humanity supplied by the Col.

The February agreement, negotiated under the AU-led African Initiative for Peace and Reconciliation, highlights the need to address the root causes of the conflict. It also contains provisions on the disarmament, demobilization and reintegration of former fighters and the establishment of a Truth, Justice, Reparation and Reconciliation Commission.

The crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominately 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. A hybrid judicial mechanism – the Special Criminal Court (SCC) for CAR – opened its first session during October 2018. Seven investigations are currently underway.

An estimated 1.2 million Central Africans have fled their homes since 2013. The dangerous operating environment also threatens the provision of life-saving humanitarian aid for an estimated 2.9 million people.



1.2 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 risk of recurring mass atrocity crimes.*

### BACKGROUND

On 6 February the government and 14 armed groups signed a peace deal to bring an end to years of armed conflict in the Central African Republic (CAR). Despite the peace process, the security situation remains fragile and populations remain at risk. According to the July 2019 report from the UNSC-mandated Panel of Experts on CAR, violations of IHL and IHRL continue on an almost daily basis, including by signatories to the agreement.

Since 2013 endemic violence in CAR has been fueled by predatory armed groups, including factions of the ex-Séléka rebel alliance and anti-balaka militias. These groups have targeted civilians, humanitarian workers and peacekeepers, committed sexual and gender-based violence, and perpetrated attacks on IDP camps, medical facilities and places of worship. Some of the signatories have used the peace agreement to legitimize their de-facto control over territory.

### ANALYSIS

In keeping with the terms of the peace agreement, on 22 March the government announced a new cabinet, assigning multiple positions to members of various armed groups. However, the promotion of leaders of armed groups responsible for past atrocity crimes into senior governmental roles, including as military advisors to the Prime Minister, potentially undermines the credibility of the justice process and limits long-term reconciliation efforts.

The SCC urgently requires international assistance to strengthen its investigative capacity and provide protection for victims and witnesses.

Governmental control remains extremely limited outside the capital, Bangui, while large swathes of the country are still in the hands of armed groups. Illegal trafficking allows for arms proliferation and armed groups benefit from revenues generated through the control of roads and natural resource extraction sites.

The CAR government requires ongoing international assistance to uphold its responsibility to protect.

### INTERNATIONAL RESPONSE

The UNSC has passed 12 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. On 31 January 2019 the UNSC extended the sanctions regime that has been in place since 2013. On 12 September the UNSC decided to partially ease the arms embargo to ensure greater training and equipment for defense and security forces.

During May 2014 the government referred the situation in CAR to the ICC, which opened an investigation into alleged war crimes and crimes against humanity by both Séléka and anti-balaka forces. Two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaïssona, have been transferred to the ICC.

## NECESSARY ACTION

In addition to focusing on ongoing threats to the civilian population, the UN peacekeeping mission in CAR, MINUSCA, must strengthen its preventive capacity by bolstering local disarmament and reintegration efforts.

The government should prioritize accountability for mass atrocity crimes by continuing its cooperation with the ICC and by ensuring the SCC can fulfill its mandate. Signatories to the peace deal should fully participate in the follow-up mechanisms established under the February agreement, refrain from any action limiting the restoration of state authority, and fully comply with their obligations under IHL.

The UNSC and AU should closely monitor implementation of the peace agreement and impose targeted sanctions on any individuals or groups that breach its key provisions. Criteria for the further suspension of the international arms embargo must focus on the successful reintegration of former fighters and on halting the illicit trafficking of weapons by armed groups.

combatting “religious extremism” has resulted in large-scale arbitrary detention, severe restrictions on religious practice, and pervasive surveillance and control of the Muslim population of Xinjiang.

Approximately one million Uighurs and other Turkic Muslim minorities are currently being detained in “re-education” or “de-extremification” facilities without formal charges, due process, or access to legal representation. Some former detainees have reported that while in state custody they were subjected to abuse, ill-treatment and forced political indoctrination.

On 30 July 2019 two senior XUAR government officials claimed during a press conference that most people have been released from the “vocational training centers,” with more than 90 percent reuniting with their families and finding “satisfactory jobs with good incomes.” However, no evidence was provided to support this claim and continued lack of access to the XUAR region prevents independent observers from verifying it. Many within the Uighur diaspora have reported that their family members in XUAR are still missing or unreachable.

Along with the mass detention program, over the past year China has expanded its pervasive policing and surveillance system in Xinjiang. Chinese authorities have implemented systems that monitor the daily lives of all Uighurs, including what they read, the content of their communications and the people with whom they interact. Data is reportedly used to profile persons at risk of extremist thought, which is the basis for being sent to “re-education” camps. Authorities also collect DNA during medical check-ups, install a GPS tracking system on all vehicles, and monitor and control all mobile and online communications.

The dramatic expansion of detention and surveillance programs has occurred 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, wearing face coverings or veils in public, and refusing to participate in state-sponsored cultural or education programs. Chinese authorities have also engaged in the destruction of Uighur cultural heritage, including bulldozing historic mosques and some other Uighur religious sites. The government has also reportedly separated Muslim children from their families, placing them in boarding schools and denying access to information on their location.



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

## CHINA

*The treatment of ethnic Uighurs and other Turkic Muslim minorities in China's Xinjiang Uighur Autonomous Region may amount to crimes against humanity.*

### BACKGROUND

Under the auspices of combatting religious extremism and terrorism, over recent years the government of China and authorities in the Xinjiang Uighur Autonomous Region (XUAR) have increased repression of members of the ethnic Uighur community and other Turkic Muslims. China's approach to

### ANALYSIS

The large-scale detention program, systematic abuse of detainees, and lack of information regarding the fate of persons in state custody in Xinjiang could constitute crimes against humanity under international law.

Systematic discrimination against the Uighurs, as well as surveillance systems that target the group, increases their vulnerability to violations and abuses of their fundamental human rights. The targeted destruction of historic mosques and other places of cultural significance may be part of a systematic attempt to eradicate Uighur cultural heritage in China.

The government of China is failing to uphold its responsibility to protect and may be perpetrating crimes against humanity against the Uighurs and other Turkic Muslim minorities in XUAR.

### INTERNATIONAL RESPONSE

During China's third Universal Periodic Review at the HRC on 6 November 2018, several states issued specific recommendations for remedial action regarding the human rights situation in Xinjiang, including abolishing the program of arbitrary detention and providing access to relevant UN bodies.

On 13 June China's Ambassador to the UN in Geneva invited the UN High Commissioner for Human Rights, Michelle Bachelet, to visit XUAR, but negotiations regarding access to the detention camps are ongoing.

On 8 July 22 governments sent a letter to the President of the HRC calling upon China to halt its mass detention of ethnic Uighurs and other minorities in Xinjiang. In an apparent response, on 12 July Ambassadors from 37 governments sent a letter to the HRC President defending China's policies.

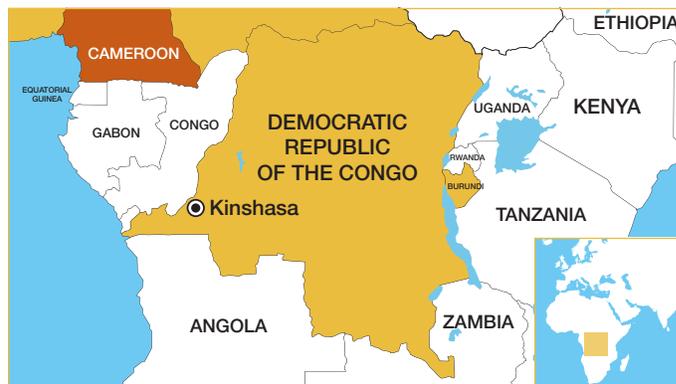
### NECESSARY ACTION

The government of China should immediately halt widespread violations and abuses of human rights in XUAR and repeal the Regulation on De-extremification. The government should grant unfettered access to OHCHR and ensure an impartial and credible investigation into allegations of abuse, torture and ill-treatment of persons held in detention in Xinjiang.

The XUAR authorities should release all Uighur and other Turkic Muslim individuals being arbitrarily detained in "re-education camps" and other detention facilities. The authorities should immediately end the enforced separation of Uighur children from their families. The government should also cease the deliberate destruction of the unique cultural heritage of Turkic Muslims in Xinjiang, including historic mosques.

OHCHR and special procedures mandate holders should continue to call for the immediate release of all persons involuntarily held in detention without due process, and closely monitor the situation in Xinjiang.

Recognizing the important influence they may have in urging China to reconsider its policies in Xinjiang, the Organization of Islamic Cooperation, Muslim-majority countries, and neighboring states, should all urge China to respect the rights of all Turkic Muslims.



300,000 people displaced in Ituri during June	At least 80 active armed groups still operating in eastern DRC
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## DEMOCRATIC REPUBLIC OF THE CONGO

*Populations in the Democratic Republic of the Congo continue to face the threat of further mass atrocity crimes committed by various armed groups.*

### BACKGROUND

Attacks by armed groups operating in the eastern provinces of the Democratic Republic of the Congo (DRC), as well as recurring inter-communal violence in various parts of the country, threaten the lives of vulnerable populations. Despite military offensives conducted by the government's armed forces (FARDC) with assistance from the UN Peacekeeping Mission in the DRC (MONUSCO) and its Force Intervention Brigade, attacks by armed groups and inter-communal violence continue. According to UNHCR, over 4.5 million Congolese are internally displaced while more than 854,000 refugees have fled to neighboring countries.

Several provinces in eastern DRC - notably North Kivu, South Kivu, Ituri and Tanganyika - as well as the Kasai region, have been plagued by recent inter-communal violence and attacks by armed groups. According to the Kivu Security Project, at least 80 armed groups operate in the eastern DRC. UNHCR reported that fighting amongst armed groups in North Kivu led to the displacement of more than 100,000 people during April. There were reports of rape and sexual violence as well as of children being forcibly recruited into armed groups.

Renewed inter-communal violence in Ituri Province killed more than 117 people between 10-13 June. According to the UN Joint Human Rights Office (UNJHRO) in the DRC, the majority of victims were from the Hema community who are believed to have been attacked by members of the Lendu community. While investigating several massacres in Djugu and Mahagi territories, UNJHRO documented beheadings and the use of scorched earth tactics to prevent survivors from returning. The violence resulted in more than 300,000 people being displaced.

UNJHRO documented 3,521 human rights violations during the first seven months of 2019. In conflict-affected provinces more than 200 people were extrajudicially executed by government security forces while 500 were killed by non-state armed groups. UNJHRO has also documented more than 450 cases of conflict related sexual violence.

The violence in Ituri and North Kivu contributes to an already precarious security and humanitarian situation as the international community attempts to confront cholera, measles and Ebola outbreaks that have claimed the lives of thousands of people. Since August 2018 Ebola treatment centers have been subjected to arson attacks by suspected members of the Allied Democratic Forces armed group and forced to close. The World Health Organization has documented more than 198 attacks on health facilities in eastern DRC since August 2018.

## ANALYSIS

For more than 20 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilian populations. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and political stability. Competition for control of profitable minerals, as well as unresolved inter-communal conflicts, have enabled the proliferation of militias and other armed groups.

The recent recurrence of deadly inter-communal conflict in Ituri and elsewhere demonstrates the need to hold perpetrators accountable and address the root causes of inter-communal violence.

UNJHRO has reported that the security forces in the DRC continue to perpetrate crimes against civilians. Security forces have also recently been accused of failing to intervene in order to prevent or halt violence in Ituri Province.

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

## INTERNATIONAL RESPONSE

The UNSC currently subjects 13 entities and 31 individuals in the DRC to sanctions. Several governments and regional organizations, including the United States and the EU, have also imposed sanctions on government officials who impeded the 2018 elections or were deemed responsible for deadly attacks on peaceful demonstrators.

On 29 March the UNSC extended the mandate of MONUSCO until 20 December. 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."

On 8 July the ICC found former DRC warlord Bosco Ntaganda guilty of war crimes and crimes against humanity perpetrated in Ituri from 2002-2003.

On 2 August the UNSC adopted a Presidential Statement on the Ebola outbreak, condemning all attacks against medical personnel and facilities.

## 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 protection of civilians and health centers in North Kivu must remain an integral part of any strategy to combat the Ebola, cholera and measles outbreaks.

The government and MONUSCO should implement measures to mediate inter-communal tensions in eastern DRC, the Kasai region and Mai-Ndombe Province. The government should conduct a thorough investigation of the massacres in Ituri and Yumbi and hold the perpetrators accountable.

While protecting populations from the threat of armed groups, the security forces must strictly adhere to IHL and IHRL. The government should hold all those who used lethal force against unarmed protesters prior to the 2018 election accountable.



At least 145 civilians have been killed and over 100,000 displaced since 4 April

## LIBYA

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

## BACKGROUND

On 4 April 2019 Field Marshal Khalifa Haftar ordered his self-proclaimed Libyan National Army (LNA) to launch an offensive against the UN-backed Government of National Accord (GNA) based in Tripoli. Fighting has taken place in heavily-populated civilian areas of Tripoli, resulting in over 100,000 displaced and at least 100 civilians killed, including 53 people who died in an LNA airstrike on a detention center for migrants and asylum seekers outside Tripoli on 3 July. The UN Support

Mission in Libya (UNSMIL) has reported more than 37 attacks on healthcare facilities.

Fighting has also intensified in the southern city of Murzuq since 4 August when the LNA bombed a townhall meeting, killing 43 civilians. According to OCHA, heavy artillery fire in residential areas of Tripoli and Murzuq has blocked emergency services and aid from reaching vulnerable civilians and fear of reprisals has prevented people from fleeing to safety.

The current political crisis has its origins in the 2011 overthrow of the Libyan government by various rebel forces. Despite the 2015 signing of the Libyan Political Agreement, which led to the creation of the GNA, Haftar and the LNA continue to contest its legitimacy and want to militarily seize control of the country and government. Various armed militias also continue to commit extrajudicial killings, torture and abductions and have indiscriminately attacked civilian areas.

Armed militias in Libya also facilitate human trafficking and the enslavement of African migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. As of April 2019 the International Organization for Migration estimated that more than 663,000 migrants and asylum seekers were in detention in Libya, where many are subject to a range of abuses, including sexual violence.

### ANALYSIS

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

The UN-facilitated peace process faces many obstacles and delays. The LNA offensive on Tripoli resulted in the cancellation of a national conference to determine a timeline for democratic elections.

Armed groups on all sides have violated IHL and IHRL. There is also evidence that competing regional and international powers, including at least two permanent members of the UN Security Council, have provided arms and support to parties to the conflict, despite a UN-mandated arms embargo.

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

### INTERNATIONAL RESPONSE

On 26 February 2011 the UNSC passed Resolution 1970, calling upon the former Libyan government to cease attacks on civilians and uphold its responsibility to protect. Resolution 1973 of 17 March 2011 called upon UN member states to take "all necessary measures" to protect civilians and led to an international military intervention. Libyan rebel forces overthrew the government and murdered the former dictator, Muammar al-Qaddafi, in October 2011. Following the end of Libya's 2011 civil war,

international engagement to assist in rebuilding government institutions waned.

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

On 7 June 2018 the UNSC imposed targeted sanctions on six individuals accused of people smuggling in Libya. On 10 June 2019 the UNSC adopted Resolution 2473 renewing the arms embargo against Libya for one year.

### NECESSARY ACTION

The UNSC should impose targeted sanctions against all individuals and forces who actively seek to subvert the peace process, including Haftar and the LNA. All armed groups need to uphold their obligations under IHL and immediately cease military operations in heavily-populated areas. Regional powers need to act in accordance with the arms embargo.

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



Over 3,600 people killed in inter-communal clashes since January 2016

## 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 place civilians in Nigeria at risk of mass atrocity crimes, including increased attacks by the armed extremist group Boko Haram and recurring inter-communal violence in the "Middle Belt" region.

Despite claims by the government that it had defeated Boko Haram, the armed extremist group and the so-called Islamic State in West Africa (ISWA) have intensified their attacks in the north-east of Nigeria since December 2018. On 27 July

at least 65 people were killed during a Boko Haram attack on people returning from a funeral in the Nganzai district of Borno State. According to OCHA, there are still 1.4 million IDPs in Borno State and an additional 400,000 in Adamawa and Yobe states as a result of insecurity caused by Boko Haram. The International Committee of the Red Cross reported that at least 22,000 people are missing due to the decades-long conflict with Boko Haram.

Conflict in Nigeria's "Middle Belt," rooted in historical grievances between herders and farming communities, has also escalated over the past two years. According to Amnesty International, 3,641 people were killed in clashes between herders and farming communities between January 2016 and October 2018, with 57 percent of deaths occurring during 2018. Hundreds of people were killed in clashes in Kaduna, Nassarawa and Adamawa states between February and April of this year.

In an attempt to reduce the violence, during June the government of Nigeria proposed a new program of so-called "rural grazing areas," comprising villages with basic infrastructure, to accommodate pastoralist groups and their livestock. Due to strong criticism and increasing tensions, the launch of the project has been indefinitely postponed.

Since the beginning of 2019 there has also been an increase in armed banditry in Zamfara and Katsina states despite efforts by the security forces to neutralize such groups. More than 200 civilians have been killed by bandits in attacks on villages in Zamfara State so far this year, while 20,000 people were forced to flee to Niger.

Political tensions have also escalated between the government and the Islamic Movement in Nigeria (IMN), a Shia political group that opposes Nigeria's federal state. Following deadly clashes between the security forces and IMN protesters in Abuja that resulted in eight people being killed, on 28 July the government banned the IMN and officially listed it as a terrorist organization.

## ANALYSIS

Although the "Middle Belt" region has experienced recurring inter-communal violence, growing desertification has exacerbated competition for resources. The loss of grazing land in the north has driven many ethnic Fulani herders, who are mainly Muslim, southward into areas farmed by settled communities that are predominately Christian.

During 2018 Boko Haram and ISWA have grown in power and influence. Although the regional Multinational Joint Task Force (MNJTF) has made significant progress, the ongoing threat leaves civilians at risk of terrorist attacks and identity-based violence. Nigerian security forces have also been implicated in human rights abuses during operations against Boko Haram, ISWA and other armed groups.

Ongoing conflict between the IMN and the federal government has led to deadly clashes in the past. Nigerian security forces shot dead at least 30 IMN supporters during a religious

procession in October 2018 and killed 340 following a violent confrontation in Kaduna State during 2015.

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

## INTERNATIONAL RESPONSE

The regional MNJTF has led efforts to combat Boko Haram since 2015. On 19 August 2018 the UN Secretary-General called for "the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin." During February 2019 the MNJTF launched a new offensive against Boko Haram.

## NECESSARY ACTION

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

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



Over 8,300 extrajudicial killings and 12,000 people arbitrarily detained since 2014

## VENEZUELA

*Ongoing political conflict in Venezuela leaves populations at risk of potential crimes against humanity.*

### BACKGROUND

Since President Nicolas Maduro took office during 2013, popular discontent with the government has led to widespread protests. A catastrophic economic crisis has resulted in hyper-inflation, food shortages and the collapse of essential services. The government has routinely responded to mass protests with disproportionate and deadly force as well as the mobilization of auxiliary militias, including so-called armed "colectivos." During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of crimes against humanity.

The Venezuelan government has reported that 6,856 people have been killed in "security operations" since January 2018. From 19-21 June the UN High Commissioner for Human Rights undertook her first official visit to Venezuela, raising alarm about an "unusually high" number of suspected extrajudicial killings. The High Commissioner has also reported on the arbitrary detention of government opponents and their family members, often accompanied by allegations of torture, ill-treatment and/or sexual and gender-based violence. While naming the National Guard, National Police and Intelligence Service as alleged perpetrators, the role of the Special Action Forces was particularly emphasized.

Despite allegations of electoral fraud, President Maduro was re-elected in May 2018. The start of his second term in January 2019 sparked a diplomatic crisis as the United States and many Latin American and European countries recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President. While the government of Norway has subsequently facilitated mediation between the government and opposition, no progress has been achieved thus far.

### ANALYSIS

In the midst of an ongoing struggle between the government and the opposition for control of the state, Venezuelans face an enduring risk of potential atrocity crimes. Influenced by years of militarization of state institutions, the leadership of the armed forces remains loyal to Maduro, risking a protracted political crisis. Political violence has created an environment which facilitates the commission of serious violations and abuses of human rights, some of which may amount to crimes against humanity.

Current mediation efforts constitute an important opportunity, but it remains unclear whether the government is willing to work together with the opposition to resolve the political conflict.

Although the government has agreed to some humanitarian relief provided by the UN and other neutral actors, access restraints continue. According to OCHA, an estimated 7 million people, 25 percent of the population, are in need of urgent assistance. The recent extension of United States sanctions against the Maduro government are likely to further exacerbate the humanitarian emergency by putting at risk the importation of essential goods, including food and medicine.

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

### INTERNATIONAL RESPONSE

Various governments, including the majority of OAS member states, have publicly criticized systematic human rights violations and abuses in Venezuela, and more than 50 governments now recognize Guaidó as interim President.

During November 2017 the EU imposed an arms embargo on Venezuela. The EU has also imposed travel bans and asset freezes on 18 senior government officials. The United States has imposed extensive sanctions on Maduro, his family and senior members of his government.

On 26 September 2018 six states referred the situation in Venezuela to the ICC. By requesting the Chief Prosecutor open a formal investigation into possible crimes against humanity, Argentina, Canada, Chile, Colombia, Paraguay and Peru became the first countries to refer a situation to the ICC for crimes that took place in the territory of another state party.

### NECESSARY ACTION

The government must immediately end the persecution of its political opponents, demobilize auxiliary militias, ensure impartial investigations of all extrajudicial killings, and lift unreasonable restrictions on humanitarian relief. The government should uphold its expressed commitment to grant OHCHR full access to detention centers and release all those who have been arbitrarily detained.

UN member states should impose targeted sanctions on all government officials responsible for systematic violations

and abuses of human rights, but refrain from any measures that may further limit the populations' access to basic goods and services. The mediation process led by Norway should be politically supported.

During its 42nd session the HRC should establish a CoI mandated to collect evidence of violations of international law in Venezuela and identify individual perpetrators in order to help ensure accountability for possible crimes against humanity.

# R2P MONITOR

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