

R2P MONITOR

15 JANUARY 2020
ISSUE 49

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, 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 8,200 civilians killed or injured during 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 the country. The UN Assistance Mission in Afghanistan (UNAMA) has reported that civilians in Taliban-controlled areas suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings. According to the Chief Prosecutor of the International Criminal Court (ICC), the Taliban have potentially committed crimes against humanity and war crimes. Afghan security forces and members of the United States (US) military may have also committed war crimes, including the torture of detainees and summary executions.

From December 2018 to September 2019 a US government delegation engaged in talks with the Taliban in an effort to end their 18-year war. However, as an agreement was being finalized, the Taliban launched attacks in Kunduz, Baghlan and Kabul, killing 94 civilians. The US cancelled further negotiations, but US Special Envoy Zalmay Khalilzad resumed talks during December.

After talks collapsed in September, Afghan security forces and the US military escalated operations against the Taliban, who also increased their attacks on civilian areas. UNAMA reported that there were more civilian casualties in Afghanistan between

1 July and 30 September than in any other three-month period in the past ten years, with 1,174 civilians killed and 3,139 wounded. This brought the total number of civilian casualties in 2019 to more than 8,200.

Meanwhile, over 12,500 children have been killed or maimed in Afghanistan since 1 January 2015, accounting for one-third of all civilian casualties. More than 2,400 children were killed or injured in the first nine months of 2019. The UN Children's Fund also documented 192 attacks on schools in 2018, three times the number recorded during 2017.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) continues to operate in Afghanistan, 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.

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

The threat of further war crimes and crimes against humanity has escalated since peace talks were suspended in September. Despite the resumption of negotiations between the US government and the Taliban, the Taliban still refuses to engage with the Afghan government. Without a meaningful commitment to a ceasefire by all parties to the conflict, the threat to civilians will continue.

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 continued attacks on civilians in urban areas. Unless sustained action is taken to improve local governance, conflict and insecurity will continue to increase.

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

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.

At the July 2016 NATO Summit member states pledged to sustain their assistance to Afghan security forces until

2020. The US currently has approximately 13,000 troops in Afghanistan.

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 US government announced it would deny visas to members of the ICC 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 addition to the US-Taliban talks, the Russian government hosted Afghan peace talks during February and May 2019. The governments of Germany and Qatar also 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 and strictly adhere to IHL and International Human Rights Law (IHRL). International military forces should strengthen protocols to prevent civilian casualties and increase efforts to ensure the security of vulnerable minorities.

Promoting good governance and the rule of law remains essential. All parties to the conflict should commit to an immediate ceasefire. Any resulting talks must include meaningful representation of women, ethnic and religious minorities, and civil society.

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.



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, in 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 as well as other Turkic Muslims, including ethnic Kazakhs and Kyrgyz. China's approach to 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 XUAR.

Approximately 1 million Uighurs and other Muslim minorities are currently being detained in "re-education" or "de-extremification" facilities without formal charges or due process. Former detainees have reported that while in state custody they were subjected to abuse and forced indoctrination. The government has also reportedly separated nearly half a million Muslim children from their families, often denying access to information on their location.

In addition to the large-scale detention program, China has also expanded its pervasive policing and surveillance system across XUAR. Authorities monitor the daily lives of almost all Uighurs, including religious gatherings and informal meetings. Data is reportedly used to profile persons at risk of "extremist thought" prior to being sent to "re-education" camps. Authorities also collect DNA during medical check-ups, install a GPS tracking system on all vehicles, and monitor all mobile and online communications.

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 or wearing face coverings or veils in public. Authorities have also engaged in the systematic destruction of Uighur cultural heritage, including demolishing historic mosques and shrines. According to recent reports, at least 100 Uighur cemeteries as well as over 100 mosques have been partially destroyed or completely demolished in XUAR.

Official Chinese government documents that were leaked during November 2019 reveal that the crackdown in Xinjiang was a result of pressure from senior government officials. Following a visit to XUAR in April 2014, President Xi Jinping called for a "struggle against terrorism, infiltration and separatism" to be conducted with "absolutely no mercy." The Communist Party Secretary of XUAR, Chen Quanguo, then intensified Uighur persecution and drastically expanded the camps.

ANALYSIS

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

Systematic discrimination against the Uighurs and other Muslims, as well as surveillance systems that target these groups, increase their vulnerability to violations and abuses of their fundamental human rights. The targeted destruction of 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 is perpetrating crimes against humanity with regard to the Uighurs and other Muslim minorities in XUAR.

INTERNATIONAL RESPONSE

Twenty-two governments sent a letter to the President of the Human Rights Council (HRC) on 8 July 2019 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.

On 8 October the US government imposed visa restrictions on Chinese government and Communist Party officials "who are believed to be responsible for, or complicit in, the detention or abuse of Uighurs, Kazakhs, or other members of Muslim minority groups in Xinjiang." On 3 December the US House of Representatives passed the Uighur Act of 2019, calling for sanctions against senior officials responsible for serious human rights abuses in Xinjiang.

On 29 October the United Kingdom (UK) delivered a statement on behalf of 23 states at the Third Committee of the UN General Assembly (UNGA), urging China to respect freedom of religion and belief and "allow the Office of the UN High Commissioner for Human Rights [OHCHR] and UN Special Procedures immediate unfettered, meaningful access to Xinjiang."

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.

XUAR authorities should release all Uighurs and members of other minorities being arbitrarily detained in "re-education camps" and related facilities. The authorities should immediately end the enforced separation of Uighur children from their families and cease the deliberate destruction of the unique cultural heritage of Xinjiang.

UN bodies, including the HRC, should consider mandating a fact-finding mission to investigate international crimes and violations of human rights committed in XUAR.

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



Since August 2017 over 745,000 ethnic Rohingya have fled atrocities and crossed into Bangladesh

MYANMAR (BURMA)

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

BACKGROUND

Almost two and a half years since the government of Myanmar launched so-called "clearance operations" in Rakhine State, populations remain at risk of mass atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies. Since August 2017 an estimated 745,000 people – the majority of the Rohingya population – have been forced to flee Myanmar, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people.

In its 2018 report, the HRC-mandated Independent International Fact-Finding Mission (IFFM) on Myanmar concluded that the military have committed crimes against humanity and war crimes in Rakhine, Shan and Kachin states, as well as acts of genocide against the Rohingya in Rakhine State. In its final report, published in September 2019, the IFFM concluded that Myanmar “continues to harbor genocidal intent” towards the Rohingya. The IFFM has named alleged perpetrators, including military Commander-in-Chief, General Min Aung Hlaing, and called for them to be prosecuted at an international court. The IFFM also asserted that Myanmar had breached its obligations under the Genocide Convention.

The Rohingya, a distinct Muslim ethnic minority group in Myanmar, have been systematically persecuted for generations. Myanmar’s 1982 Citizenship Law rendered most of the population stateless. The rights of the Rohingya are further limited by the so-called “Protection of Race and Religion” laws that place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights. An estimated 600,000 Rohingya that remain in Rakhine State are subject to severe restrictions on their freedom of movement and more than 120,000 Rohingya have been confined to camps since 2012.

Other populations in Myanmar also continue to be at risk as a result of conflict between the military and various ethnic armed groups. Since November 2018 conflict has been ongoing in Rakhine State between the 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. AA members have also been accused of violations and abuses, including abducting civilians. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), as of December 2019 an estimated 45,000 people have fled to 131 sites in Rakhine and Chin states.

In northern Shan State an estimated 8,800 people are also displaced as a result of ongoing armed conflict between the military and ethnic armed groups. Access to conflict-affected areas across Myanmar continues to be denied or severely restricted for UN agencies and humanitarian organizations.

ANALYSIS

The Myanmar government has failed to take serious steps towards ensuring the safety of the Rohingya and upholding their basic human rights. Military units that perpetrated crimes against the Rohingya also continue to operate across Myanmar, putting civilians at ongoing risk. The failure of the UNSC to hold accountable those responsible for atrocities enables further attacks on other vulnerable populations.

Despite Myanmar’s partial transition to democracy, until discriminatory laws and policies are repealed or amended, and the perpetrators of past crimes are held accountable, the threat of further atrocities endures.

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 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 individual states and regional organizations have responded to atrocities in Rakhine State with a number of measures. The European Union (EU) has reinforced its arms embargo on Myanmar and imposed restrictive measures on 14 individuals, while Canada, Australia and the US have imposed targeted sanctions on senior military officers. A number of countries have also recognized the crimes against the Rohingya as constituting genocide, including the parliaments of the Netherlands and Canada.

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

On 11 November The Gambia, on behalf of the OIC, filed a lawsuit with the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. The first hearings took place on 10-12 December and focused on potential “provisional measures.” On 9 December Canada and the Netherlands issued a joint statement welcoming the ICJ case and expressing their “intention to jointly explore all options to support and assist The Gambia in these efforts.”

On 13 November the Burmese Rohingya Organisation UK, supported by Grandmothers of the Plaza de Mayo and the Fundación Servicio Paz y Justicia, filed a case in an Argentinian court under the principle of universal jurisdiction, urging the prosecution of senior officials in Myanmar who are responsible for the Rohingya genocide.

On 14 November Pre-Trial Chamber III of the ICC authorized the Chief Prosecutor to proceed with an investigation into crimes against humanity that may have been committed against the Rohingya population, including “persecution on grounds of ethnicity and/or religion” resulting in forced deportation across the Myanmar-Bangladesh border.

On 27 December the UNGA adopted a resolution on the “Situation of human rights of Rohingya Muslims and other minorities in Myanmar,” expressing support for the work of the IIM and requesting the Secretary-General “to call the continued attention of the Security Council to the situation in Myanmar.”

NECESSARY ACTION

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. States who are parties to the Genocide Convention should meaningfully support the case brought by The Gambia through public statements and legal interventions at the ICJ.

All investment in Myanmar should be conducted in strict adherence with the UN's Guiding Principles for Business and Human Rights. The UNSC should immediately refer the situation in Myanmar to the ICC and impose an arms embargo.

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. Access for UN agencies and humanitarian organizations should be granted to all conflict-affected areas, including Rakhine and Shan states.



Over 560,000 people
killed in eight years
of conflict

13 UNSC vetoes
blocking action
and accountability

SYRIA

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

BACKGROUND

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

Since 29 April 2019 Syrian government and Russian forces have conducted an intense bombardment campaign in southern Idlib, northern Hama, and western Aleppo governorates, with the stated goal of eradicating the armed group Hayat Tahrir al-Sham (HTS). OHCHR has confirmed over 1,300 civilian deaths,

including over 300 children, since the launch of the offensive, nearly all of which are attributable to Syrian government and Russian forces. There have been at least 68 documented attacks on healthcare facilities. Attacks by government forces have dramatically increased since the end of December, with entire villages razed and civilian evacuation routes reportedly targeted. The hostilities have resulted in over 300,000 displaced, bringing the total number of people displaced in the northwest since April to over 700,000. On 9 January 2020 Russia and Turkey announced a ceasefire in Idlib to facilitate humanitarian aid deliveries.

In northeast Syria, on 9 October Turkish military forces launched "Operation Peace Spring" against the Syrian Democratic Forces (SDF) and the Kurdish People's Protection Units (YPG), which Turkey regards as a terrorist organization. Since the start of the invasion there have been widespread civilian casualties as a result of airstrikes, attacks on civilian objects, summary executions and other violations that may amount to war crimes committed by Turkish forces and affiliated non-state armed groups. There has also been an increase in the indiscriminate use of IEDs in the northeast, including 49 attacks that resulted in at least 78 civilian deaths between 22 October and 3 December.

Despite a ceasefire agreement reached on 22 October, clashes continue between Turkish-backed forces and the SDF and YPG, as well as Syrian government forces. Risks associated with a potential resurgence of the so-called Islamic State of Iraq and the Levant (ISIL) are also high as Kurdish forces struggle to detain thousands of ISIL members in prisons across northeast Syria. Prior to the Turkish offensive, the SDF found numerous mass graves in areas liberated from ISIL and called for an international tribunal to deal with captured ISIL fighters.

Since 2012 the HRC-mandated Commission of Inquiry (CoI) has reported that Syrian government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. The CoI has 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 also been confirmed by the CoI, with the majority attributable to the Syrian government.

ANALYSIS

The government of Syria and numerous armed opposition groups have committed indiscriminate attacks on civilian populations and infrastructure, demonstrating a complete disregard for international law. Some airstrikes by the US-led anti-ISIL coalition, Russia and other parties to the conflict have also violated IHL and may constitute war crimes. The Syrian government, with support from Russia and Iran, continues to utilize its military resources to retain power at all costs.

Turkey intends to establish a "safe zone" in northeast Syria after it has been "cleared" of the YPG and SDF, and to resettle up to 2 million Syrian refugees there. There are fears of the

potential “ethnic cleansing” of the Kurdish population, as the forced resettlement of Syrian Arab refugees may be a deliberate attempt to permanently alter the ethnic composition of northeast Syria.

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

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. 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 UNSC has passed 25 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. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures. Russia and China have jointly vetoed eight draft resolutions and Russia has independently vetoed a further six resolutions.

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.

On 21 December 2016 the UNGA voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria. Germany and a number of other countries have initiated domestic proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction.

The HRC has adopted 29 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.

The UN Special Envoy for Syria, Geir Pedersen, is currently facilitating a political process under the auspices of UNSC Resolution 2254. On 19 September UN Secretary-General Guterres announced the formation of a Constitutional Committee facilitated by the UN in Geneva. It has met twice, but failed to reach an agreement on an agenda.

NECESSARY ACTION

All parties must uphold their obligations under IHL, including ending attacks on civilians and civilian infrastructure and establish a timetable for identifying and releasing 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.

All parties to the conflict should adhere to the Idlib “demilitarized zone” and de-escalation agreements. The governments of Syria, Turkey and Russia should also allow the establishment of an OHCHR field presence in Idlib.

All UN member states should immediately halt arms sales to Turkey and impose targeted sanctions on those with command responsibility for possible atrocity crimes in northeast Syria. All refugee returns must be in accordance with the principle of non-refoulement with guarantees that returnees will not face persecution, discrimination or forced repatriation.

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 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 ongoing diplomatic efforts to end the war in Yemen, 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 – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has resulted in the deaths of more than 16,000 civilians since March 2015. The actual death toll is likely much higher. At least 3.6 million people have been displaced.

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 parties to the conflict, including indiscriminate airstrikes and shelling, use of landmines, arbitrary detention, torture, sexual and gender-based violence, and impeding humanitarian access. The GEE asserts that the US, UK, France and Iran may also be complicit in violations due to their provision of military intelligence, arms and logistical support to parties to the conflict.

During December 2018 the UN Special Envoy for Yemen, Martin Griffiths, hosted the first consultations between the government and Houthi representatives since 2016. Parties to the conflict negotiated 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. Since then, the ceasefire in Hodeidah has largely held and on 11 May the Houthis withdrew forces from Saleef, Ras Isa and Hodeidah ports. Nevertheless, there have been almost 800 civilian casualties in Hodeidah since the Stockholm Agreement was signed. Coalition airstrikes also resumed near Yemen’s Red Sea port of Ras Isa at the end of November.

Meanwhile, hostilities continue in Al-Dhale, Hajjah, Sa’ada and Taiz governorates and airstrikes by the Saudi/UAE-led coalition continue to result in the death of civilians. According to the Armed Conflict Location and Event Data Project, 2019 was the second-most lethal year of the conflict.

During August clashes also increased in southern Yemen between the UAE-supported STC and forces loyal to President Abd-Rabbu Mansur Hadi. Mediation between the STC and the government resulted in a power-sharing agreement signed on 6 November, allowing the government to formally regain control over Aden and all armed groups in the south. However, clashes continue with reports of ongoing extrajudicial killings and summary executions in Aden.

At least 24.1 million Yemenis are in need of humanitarian assistance. A renewed cholera epidemic has resulted in more than 1 million suspected cases since January 2018. Essential vaccines have reportedly been blocked by parties to the conflict.

Between April 2013 and January 2019 the UN Secretary-General reported more than 7,500 cases of the killing and maiming of Yemeni 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. Save the Children reported that 85,000 children under five may have died due to starvation between April 2015 and November 2018.

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, endangers 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.

Civilian casualties caused by airstrikes have resulted in public pressure for the US, UK and other governments to cease selling arms to Saudi Arabia and the UAE. On 25 October the European Parliament passed a resolution calling on all EU member states to halt weapons exports to Saudi Arabia. The US Congress made four attempts during 2019 to end US military support for the Saudi/UAE-led coalition in Yemen, however President Trump 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 26 September 2019 the HRC voted to extend the mandate of the GEE, but the government has refused entry to the Group.

NECESSARY ACTION

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

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.



700,000+ 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."

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.

As the conflict intensified, there has been evidence of the security forces perpetrating extrajudicial killings and burning Anglophone villages. Individuals detained by the government for alleged separatist ties are reportedly subjected to torture and ill-treatment. Armed separatist forces have also perpetrated abuses, including kidnappings and killing civilians.

Since October 2017 at least 650 civilians, 235 members of the security forces and nearly 1,000 alleged separatists have reportedly been killed as a result of armed conflict. Due to a ban on government education by armed separatists, 80 percent of schools in the two regions have closed and at least 74 have been destroyed. According to OCHA, 700,000 people have been displaced, including 5,500 displaced between 9 and 15 December 2019 as a result of military operations in the north-west.

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.

Responding to diplomatic pressure, President Paul Biya organized a national dialogue during the first week of October 2019. Notable opposition and separatist leaders refused to participate, arguing that a dialogue should be facilitated by a neutral party on neutral territory. During October the government also released 333 prisoners from the Anglophone region, as well as opposition leader Maurice Kamto, but it continues to detain hundreds of others. On 21 December Cameroon's parliament proposed a bill that would grant "special status" to the Anglophone regions.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger

and Nigeria. During 2019 the group committed atrocities in the far north of Cameroon, including the killing of at least 225 civilians, as well as abductions and mutilations. During military operations against Boko Haram there have been widespread allegations of the security forces perpetrating extrajudicial killings. In the far north region ongoing violence has displaced over 270,850 people.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. Persistent attacks on civilians may amount to crimes against humanity.

The government of Cameroon 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. Although the legislation proposed on 21 December would grant the north-west and south-west regions special status, the Senate has yet to approve the legislation and it has already been rejected by armed separatists.

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 HRC for the 2019-2021 term. 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 13 May the UNSC held its first Arria Formula meeting on the humanitarian and human rights situation in Cameroon.

On 27 June Switzerland offered to mediate between the government of Cameroon and Anglophone separatists. On 14 October the Council of the EU reiterated that, "the primary responsibility for protecting the population and maintaining security lies with the Cameroonian authorities."

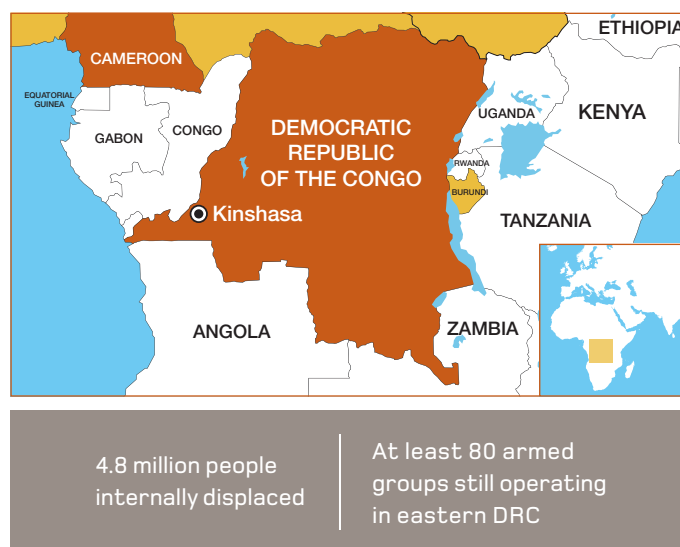
NECESSARY ACTION

The security forces must end 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 and civilian infrastructure. The government and armed separatists should immediately negotiate a ceasefire.

The government of Cameroon should 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.

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



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, 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 4.8 million Congolese are internally displaced while more than 886,000 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. The UN Joint Human Rights Office (UNJHRO) in the DRC 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 also documented more than 450 cases of conflict-related sexual violence.

The violence contributes to an already precarious security and humanitarian situation as the government and international community attempt 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 (ADF) armed group and forced to close. The World Health Organization documented more than 390 attacks on health facilities in DRC during 2019.

On 30 October the FARDC launched an offensive against the ADF. Since then the ADF has carried out a series of retaliatory attacks against villages in the Beni region of North Kivu, massacring more than 200 civilians. Increasing casualties prompted violent protests in Beni by locals demanding greater protection. The government and MONUSCO have subsequently deployed additional troops to the region.

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. Rampant impunity, competition for control of profitable minerals, as well as unresolved inter-communal conflicts, have enabled the proliferation of militias and other armed groups.

The ADF has a history of attacking villages in North Kivu, perpetrating potential war crimes and crimes against humanity, and is accused of massacring more than 700 civilians in the Beni region between October 2014 and January 2017. In response to previous military offensives by the FARDC and MONUSCO, the ADF has engaged in retaliatory attacks on isolated villages.

UNJHRO has reported that the FARDC continues to perpetrate crimes against civilians. Security forces have also recently been accused of failing to intervene or halt violence against civilians in Ituri and North Kivu provinces.

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

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 8 November Ntaganda was sentenced to 30 years imprisonment.

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

NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. During their offensives against the ADF and other armed groups, the security forces must strictly adhere to IHL and IHRL.

The government should cooperate with UNJHRO monitoring and ensure all state agents found responsible for extrajudicial killings, sexual violence and other human rights violations and abuses are held accountable.

The government and MONUSCO should implement measures to mediate inter-communal tensions in eastern DRC, the Kasaï region and Mai-Ndombe Province. The government should conduct a thorough investigation of the 2018 and 2019 massacres in Ituri and Yumbi and hold the perpetrators accountable.



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

MALI AND BURKINA FASO

Populations in Mali and Burkina Faso face an imminent risk of potential atrocity crimes as a result of attacks by armed Islamist groups, as well as growing conflict between ethnic militias and community "self-defense groups."

BACKGROUND

Since 2015 Islamist armed groups have expanded their activities from northern to central Mali, as well as to Burkina Faso and Niger, 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.

A cycle of reprisal attacks in the Mopti region of Mali dramatically increased during 2019, with more than 600 people killed in the first six months of the year. The violence has also included the burning of villages and destruction of food sources. Most fighting took place between Dozos (traditional hunters mainly from the Dogon ethnic community) and ethnic Bambara fighters, against members of the predominantly Muslim Fulani community. In one of the largest attacks, 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 a UN peacekeeping force (MINUSMA) and a French-led intervention force, as well as the 2015 "Bamako Agreement," violence between government forces and various armed extremist groups – including Ansar Dine and al-Qaida in the Islamic Maghreb – has continued in northern Mali. MINUSMA has frequently been attacked by these groups, with more than 125 peacekeepers killed in "malicious acts" since July 2013.

The porous border between Mali and Burkina Faso has facilitated the expansion of Islamist armed groups throughout the Sahel. Since mid-2018 Islamist armed groups, including Ansaroul Islam, have perpetrated atrocities against populations in Burkina Faso, particularly in the regions bordering Mali. According to the Head of the UN Office in West Africa and the Sahel (UNOWAS), more than 4,000 people were killed in terrorist attacks in Mali, Burkina Faso and Niger during 2019 as compared to 770 during 2016. Nearly half of those killed were victims of attacks in Burkina Faso. This includes 35 people, mostly women, killed in an attack on 24 December claimed by ISIL on a military base and an internally displaced persons (IDP) camp in Arbinda. Since May armed Islamist groups have also increased attacks targeting Christian places of worship.

The number of people displaced by violence in Burkina Faso has more than doubled since July, with over 500,000 people fleeing their homes, and more than 2,850 schools forced to close. 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

Various parties to the conflict in Mali have 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 Burkinabè 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 and Burkina Faso's governments 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

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

MINUSMA was authorized by the UNSC during April 2013 with a civilian protection mandate. On 28 June 2019 the UNSC renewed the mandate for an additional year.

On 20 December 2018 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 and 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.

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. On 13 January 2020 France and the G5 countries agreed to combine their military forces under a single command structure to fight armed extremist groups in the Sahel region.

NECESSARY ACTION

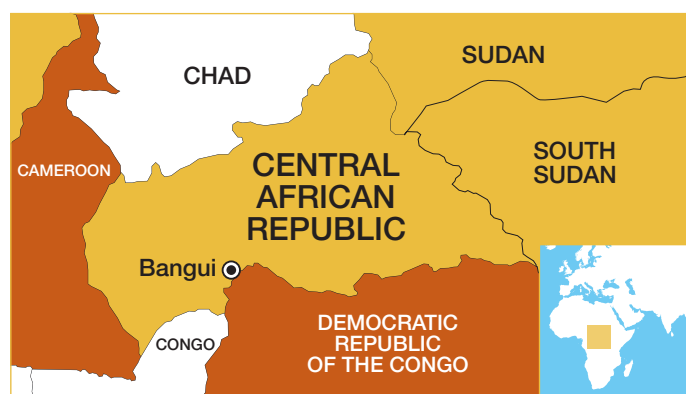
While countering violent extremism remains crucial for Mali and Burkina Faso, it is essential that both governments ensure that their efforts do not further exacerbate inter-communal

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 perpetrators accountable. Both governments 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.



1.2 million Central Africans have fled their homes since 2013

CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

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

On 6 February 2019 the government and 14 armed groups signed a peace deal to bring an end to armed conflict. The agreement, negotiated under the AU-led African Initiative for Peace and Reconciliation, highlights the need to address the root causes of the conflict and contains provisions on the disarmament, demobilization and reintegration of former fighters. Despite the historic agreement, populations remain at risk of atrocity crimes. According to a 14 December report by the UN mandated

Panel of Experts on CAR, signatories continue to violate the agreement, including by attacking civilians and other protected persons. Some groups have used the peace agreement to legitimize their de-facto control over territory and obstructed the restoration of state authority.

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, and several investigations are currently underway.

More than 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 2.6 million people.

ANALYSIS

Almost one year since the signing of the peace deal, implementation remains limited. Ongoing violence and fighting over territory by armed groups, including parties to the February agreement, highlights that governmental control remains extremely limited outside the capital. Armed groups continue to benefit from revenues generated through illegal taxation and cross-border arms trafficking.

The promotion of leaders of armed groups responsible for past atrocity crimes into senior governmental roles potentially undermines the credibility of the justice process. The SCC also urgently requires international assistance to strengthen its investigative capacity and provide protection for victims and witnesses.

While the UN peacekeeping mission in CAR (MINUSCA) has been mandated to support the implementation of the peace agreement and assist in preparations for possible elections in

2020 and 2021, it has not been granted additional resources, potentially undermining its civilian protection capacity.

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

INTERNATIONAL RESPONSE

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

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 Séléka and anti-balaka forces. On 11 December the ICC Pre-Trial Chamber partially confirmed charges against two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaïssona, committing both suspects to trial for war crimes and crimes against humanity.

NECESSARY ACTION

MINUSCA must prioritize the protection of civilians and continue to strengthen its early warning capacity. The UNSC should increase resources for MINUSCA to ensure the mission can fully implement its mandate.

Ahead of the anniversary of the peace deal, the government should prioritize accountability for mass atrocity crimes by ensuring the SCC can fulfill its mandate. Signatories to the peace deal must 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.



More than 500 people killed during anti-government protests since October 2019

IRAQ

Ongoing violations of international law by various armed forces and non-state armed groups threaten civilians in Iraq.

BACKGROUND

Mass protests across Iraq against unemployment, poor public services, corruption and the government's sectarian quota-based system, have been ongoing since 1 October 2019. While suppressing the protests, Iraqi security forces have utilized disproportionate and deadly force, resulting in at least 500 deaths and over 15,000 serious injuries. The UN Assistance Mission for Iraq (UNAMI) has determined that Iraqi authorities have committed serious human rights violations and abuses including the deliberate killing of unarmed protesters, and misuse of tear gas and stun grenades. Security forces have arbitrarily detained thousands of people, subjecting many to ill-treatment or torture. UNAMI has also documented killings, forced disappearances and arbitrary detention of protesters carried out by militias and unidentified third parties.

Violence by security forces sparked outcry from Iraqi political and tribal leaders, prompting Prime Minister Adel Abdul Mahdi to resign on 29 November. A caretaker government is now in place until President Barham Salih names a new prime minister.

Iranian-affiliated armed groups, including the Popular Mobilization Forces (PMF), have been accused of fomenting violence in Iraq. On 20 December the US conducted a series of airstrikes targeting the Kataib Hezbollah paramilitary group. The US carried out an additional airstrike on 2 January 2020, killing the head of Iran's Islamic Revolutionary Guard Corps-Quds Force, General Qasem Soleimani, and a senior PMF commander, Abu Mahdi al-Muhandis. Following the assassinations of Soleimani and al-Muhandis, Iraq's parliament voted to end the presence of all foreign troops in Iraq and halt assistance from the US-led coalition against ISIL.

The mass killing of protesters comes just two years after another deadly armed conflict in Iraq. During 2014 ISIL militarily

seized vast territory across Iraq and Syria and launched a systematic campaign of atrocities across northern Iraq. In response a military coalition comprised mainly of the Iraqi Security Forces (ISF) and Kurdish Peshmerga, supported by the US-led coalition, launched offensives and eventually declared victory on 21 November 2017. The PMF and Iranian-backed militias also played a key role in defeating ISIL.

Throughout the conflict ISIL fighters perpetrated systematic violations – such as killings, sexual slavery, torture and forcible transfer – that may amount to war crimes, crimes against humanity and genocide. Hundreds of civilians were also killed in anti-ISIL coalition airstrikes, and members of the ISF, PMF and Peshmerga carried out forced evictions and targeted killings of Sunni civilians in formerly ISIL-held territories.

ANALYSIS

Cultural identities and religious loyalties continue to be manipulated by various forces in Iraq, posing a threat to the country's long-term political stability and social cohesion. These existing challenges are being exacerbated by the ongoing political conflict between the US and Iran. Ongoing violations of international law by various armed forces and non-state armed groups present grave risks to civilians in Iraq.

In particular, influential armed extremist groups, including ISIL, could exploit this new wave of instability and perpetrate further violence against civilians. There is also a risk that the conflict between Iran and the US could spiral into yet another regional armed conflict with devastating consequences for civilians in Iraq.

The Iraqi government needs ongoing international assistance to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

On 21 September 2017 the UNSC authorized the establishment of the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) to support domestic accountability efforts and collect evidence regarding potential atrocities committed by ISIL in Iraq. UNITAD has identified 160 ISIL-affiliated individuals who could potentially be held legally responsible for mass atrocities.

Since October 2019 the Head of UNAMI, UN Secretary-General, OHCHR and six UN Special Rapporteurs have all released statements condemning the unlawful killing of protesters, urging the Iraqi authorities to cease violence, and calling for accountability.

After the assassination of Soleimani in Baghdad, the UN Secretary-General urged the leaders of the US and Iran to exercise maximum restraint.

NECESSARY ACTION

The government of Iraq should implement a code of conduct for the security forces that is grounded in respect for universal

human rights. Iraqi authorities must carry out an immediate investigation into the use of deadly and disproportionate force against unarmed civilian protesters and engage in meaningful security sector reform.

The Iraqi government should take active steps towards inter-communal reconciliation and minimize the risk of recurring armed conflict. The PMF and all other non-state armed groups should be demobilized and reintegrated into society. The government of Iraq should adopt enabling legislation to incorporate genocide, war crimes and crimes against humanity into domestic law. All perpetrators of past atrocities in Iraq, regardless of affiliation, should be held accountable for their crimes.



At least 287 civilians have been killed and over 150,000 displaced since 4 April 2019

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. Since April fighting has taken place in heavily populated areas of Tripoli, resulting in over 150,000 people being displaced and the death of more than 287 civilians. The UN Support Mission in Libya (UNSMIL) also reported more than 58 attacks on healthcare facilities between April and November.

Fighting in Tripoli further intensified on 12 December after Haftar announced a final offensive to take the city. Intensified airstrikes have resulted in attacks on schools, medical facilities and other civilian infrastructure. On 5 January Turkey announced that it had established an agreement with the GNA and was deploying troops to Libya. However, on 8 January Turkey and Russia, which supports the LNA, jointly called for a ceasefire.

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 aim to militarily seize control of the country.

Various armed militias also continue to commit extrajudicial killings, torture and abductions and have indiscriminately attacked civilian areas. The December 2019 report of the UN Panel of Experts on Libya detailed blatant violations of the UN arms embargo, highlighting that both sides of the conflict have received weapons, technical support or mercenaries from Chad, Jordan, Sudan, Turkey and the UAE.

Armed militias in Libya also facilitate human trafficking and the enslavement of migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. As of September 2019 the International Organization for Migration estimated that more than 655,000 migrants and asylum seekers were in detention centers 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, and the UN-facilitated peace process has faced continual obstacles and delays. While the conflict has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances.

Armed groups on all sides have violated IHL and IHRL. UNSMIL has said that some LNA airstrikes may amount to war crimes. There is also evidence that competing regional and international powers, including permanent members of the UNSC, have provided arms and support to parties to the conflict, despite a UN-mandated arms embargo.

The GNA needs sustained international assistance in order to end armed conflict, 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 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. All UN member states 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 leave 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 over the past year. On 14 December at least 19 ethnic Fulani herders were killed by Boko Haram fighters in Fuhe village, close to the Cameroonian border. On 6 January at least 30 people were killed when an improvised explosive device detonated on a bridge in Borno State.

According to OCHA, 35,000 people have been killed since 2009 and 1.8 million are internally displaced in Borno, Adamawa and

Yobe states as a result of insecurity caused by Boko Haram. The International Committee of the Red Cross also reported that at least 22,000 people are still missing due to the decades-long conflict with Boko Haram.

Conflict in Nigeria's "Middle Belt," rooted in historical grievances between herders and farming communities, has also escalated in recent years. According to Amnesty International, 3,641 people were killed in clashes between herders and farming communities between January 2016 and October 2018. Hundreds of people were also killed in clashes in Kaduna, Nassarawa and Adamawa states between February and April 2019.

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

During 2019 there was also an increase in armed banditry in Zamfara and Katsina states despite efforts by the security forces to neutralize such groups. As a result, an estimated 60,000 people are internally displaced in Zamfara, while more than 200 civilians were killed by bandits in attacks on villages over the year.

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 herdsman, who are mainly Muslim, southward into areas farmed by settled communities that are predominately Christian.

Since 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.

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."

NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence in the "Middle Belt" through socio-economic initiatives and political reforms that tackle land rights and poor governance. The government should work

with local civil society to ameliorate long-standing grievances between herding and settled communities. Utilizing the Early Warning System of the Economic Community of West African States, the government should increase police and military deployments to vulnerable areas. The government should also implement its "National Policy on Climate Change and Response Strategy" and accelerate initiatives in regions affected by drought and desertification.

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



3.7 million people
remain displaced

1,157 cases of conflict-related
sexual violence during 2018

SOUTH SUDAN

Despite a September 2018 peace agreement, the risk of recurring armed conflict between government forces and armed rebel groups continues to pose a threat to civilians in South Sudan.

BACKGROUND

On 12 September 2018 a Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) was signed by the parties to the conflict – including President Salva Kiir and former Vice President Riek Machar – formally ending the civil war that started during December 2013. Since the signing, there have been severe delays in implementing crucial components of the R-ARCSS, including the reunification of the armed forces, the demarcation of state borders, and the establishment of a Transitional Government of National Unity (TGoNU). On 7 November President Kiir and Machar agreed to extend the deadline for the formation of the TGoNU for an additional 100 days.

Although a ceasefire has largely been maintained and armed violence has reduced since September 2018, clashes between government forces and rebel groups that refused to sign the

R-ARCSS, including the National Salvation Front (NAS), continue to pose a threat to civilians. During September approximately 1,600 people, mainly women and children, fled to Yei following clashes between government forces and the NAS in Otego, Central Equatoria.

Between December 2013 and August 2015 an estimated 400,000 people in South Sudan were killed as the Sudan People's Liberation Army (SPLA) and armed rebels from the SPLA-IO perpetrated war crimes and crimes against humanity, including widespread extrajudicial killings, torture, child abductions and sexual violence. Despite the signing of numerous peace agreements between August 2015 and September 2018, atrocities continued.

Since December 2013 an estimated 3.7 million South Sudanese have been forced to flee their homes, with 2.3 million refugees spread across neighboring countries. Since the signing of the peace agreement in September 2018, refugees and IDPs have slowly returned. According to OCHA, 4.54 million people remain acutely food insecure.

Recurring inter-communal violence also continues to pose a threat to civilians. During early December at least 79 people were killed in clashes between the Gak and Manuer communities in Maper, Lakes region.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its eight years of independence and numerous previous peace agreements have failed. The establishment of the TGoNU could enable South Sudan to start addressing long-term social challenges and political divisions, including recurring inter-communal violence.

In the past, sections of the SPLA were largely organized along ethnic lines, resulting in clashes between those loyal to Machar and those loyal to Kiir. Disputes over state boundaries were also linked to wider arguments between the government and opposition regarding perceptions of ethnic favoritism and the abuse of power. The inability to resolve these outstanding issues puts the R-ARCSS at serious risk.

Despite an August 2015 agreement calling for an independent Hybrid Court for South Sudan to investigate atrocities committed during the conflict, the government has repeatedly delayed its formation. The R-ARCSS includes new timelines for the establishment of transitional justice mechanisms and the Hybrid Court.

The government of South Sudan must uphold its responsibility to protect, including by fully and expeditiously implementing the R-ARCSS.

INTERNATIONAL RESPONSE

Several regional actors, including the Intergovernmental Authority on Development (IGAD), Kenya, Sudan and Uganda,

facilitated the peace process in South Sudan. These combined efforts culminated in the R-ARCSS.

On 15 March 2019 the UNSC extended the mandate of UNMISS until March 2020, emphasizing that "South Sudan's government bears the primary responsibility to protect its populations" and expressing concern that despite the R-ARCSS, violations that may amount to war crimes and crimes against humanity continue. On 30 May the UNSC extended South Sudan's sanctions regime, including the arms embargo imposed in 2018.

On 21 March the HRC extended the mandate of the Commission on Human Rights in South Sudan for another year, emphasizing that the government has "the responsibility to protect all of its population in the country from genocide, war crimes, ethnic cleansing and crimes against humanity."

On 8 January 2020 the US imposed sanctions on Vice President Taban Deng Gai for human rights violations and impeding the peace process.

NECESSARY ACTION

The international community must continue to 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 or impede the peace process in South Sudan, regardless of position or office. The AU, IGAD and neighboring countries should actively assist in imposing and monitoring the arms embargo.

The AU and the government should expeditiously establish the Hybrid Court and ensure that it has the resources to investigate and prosecute individuals responsible for past atrocities. All perpetrators of such crimes should be held accountable, regardless of their affiliation or position.



Over 6,850 people killed in "security operations" since January 2018

VENEZUELA

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

BACKGROUND

Following President Nicolás Maduro taking office during 2013, popular discontent with the government 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 pro-government groups, including so-called armed "colectivos." During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of perpetrating crimes against humanity.

The Venezuelan government has reported that 6,856 people have been killed in "security operations" since January 2018. During 2019 the UN High Commissioner for Human Rights raised alarm about an "unusually high" number of suspected extrajudicial killings, as well as 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. The High Commissioner also highlighted the role of the Special Action Forces in alleged extrajudicial killings and warned about threats and intimidation directed against opposition members, media and civil society organizations.

Due to allegations of electoral fraud, the start of President Maduro's second term in January 2019 sparked a diplomatic crisis as the US and many Latin American and European countries recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President instead. On 5 January 2020 the government prohibited Guaidó and other lawmakers access to the National Assembly. While Guaidó was re-elected by opposition legislators in a separate session, the government recognized a rival leadership in an attempt to regain control over the National Assembly.

According to OCHA, an estimated 7 million people, 25 percent of the population, are in need of urgent humanitarian assistance. At least 4.6 million Venezuelans have left the country since the outbreak of the crisis, and the UN warns that an additional 2 million may leave by the end of 2020.

ANALYSIS

In the midst of an ongoing struggle between the government and opposition for control of the state, Venezuelans face an enduring risk of potential atrocity crimes. Following years of the militarization of state institutions, the leadership of the armed forces remains deeply politicized. Despite efforts by numerous regional and international actors to end the political crisis, the government continues to operate in a climate of impunity.

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

INTERNATIONAL RESPONSE

Since November 2017 the EU has imposed travel bans and asset freezes on 25 senior government officials. The US has imposed extensive sanctions on Maduro, his family and senior members of his government. On 3 December a number of regional governments imposed targeted sanctions on 29 individuals, including the Foreign Minister and other high-level government officials. More than 50 governments now recognize Guaidó as interim President.

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

On 27 September 2019, under the leadership the so-called "Lima Group," the HRC adopted a resolution establishing an independent FFM for Venezuela, mandated to investigate these violations and abuses of human rights. Despite ongoing human rights violations and abuses, on 17 October Venezuela was elected to the HRC for the 2020-2022 term.

NECESSARY ACTION

The government must immediately end the systematic persecution of its political opponents, ensure impartial investigations of all extrajudicial killings, and fully cooperate with all UN agencies and mechanisms. The government should fully cooperate with the FFM and grant its members unrestricted access to the country.

All parties involved in the political conflict should commit to genuine and inclusive dialogue to find a peaceful solution to the crisis.

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

R2P MONITOR

**Global Centre for the
Responsibility to Protect**

**Ralph Bunche Institute for
International Studies**

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

Phone: (+1) 212.817.1929

www.globalr2p.org

Email: info@globalr2p.org

**R2P Monitor is a bimonthly publication of
the Global Centre for the Responsibility
to Protect (GCR2P).**

Executive Director

Simon Adams

Deputy Executive Director

Savita Pawnday

Publications Director

Jaclyn D. Streitfeld-Hall

Contributors

Sarah Hunter, Nadira Khudayberdieva,
Juliette Paaue, Jahaan Pittalwala,
Elisabeth Pramendorfer

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