

R2P MONITOR

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the Global Centre for the
Responsibility to Protect

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



More than 10,000 civilians
killed or injured during 2019

AFGHANISTAN

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

BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces 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. The talks collapsed in September 2019 when the Taliban launched attacks in Kunduz, Baghlan and Kabul, killing 94 civilians. The US Special Inspector General for Afghanistan Reconstruction reported that the Taliban carried out 8,204 attacks in the final quarter of 2019, the highest tally recorded since 2010, and that US military aircraft dropped or fired 7,423 bombs and missiles throughout 2019, one of the highest totals

since 2006. As a result of the escalation, 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 10,000 for the sixth year in a row.

Following a resumption of talks during December 2019, the US and Taliban finalized an “agreement for bringing peace” on 29 February. The agreement includes guarantees to prevent the use of Afghan territory by terrorist groups, a timeline for withdrawal of all international forces from Afghanistan, creation of conditions for intra-Afghan negotiations, and a permanent ceasefire. However, shortly after the agreement was finalized the Taliban resumed its military campaign, carrying out 76 attacks across 24 provinces by 4 March, prompting the US to launch renewed airstrikes.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) also continues to operate in Afghanistan, often targeting the minority Shia population. On 18 August ISIL-K carried out 2019’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

During their 18-year war, the Taliban, as well as government and some international forces, have shown blatant disregard for International Humanitarian Law (IHL). In addition to fighting to expand their territorial control, the Taliban have continued their 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 (IEDs) by the Taliban and ISIL-K in populated areas continues to endanger civilians and may constitute war crimes and crimes against humanity. Civilians also continue to endure airstrikes, including dozens killed in a US drone attack in January.

Although the US-Taliban agreement is a welcome step towards ending the war, the threat of further war crimes and crimes against humanity will continue unless a comprehensive ceasefire is fully implemented. Innocent civilians have previously borne the brunt of failed negotiations and unimplemented ceasefires in Afghanistan.

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.

The US currently has approximately 12,000 troops in Afghanistan. Some other NATO member states are also considering withdrawing forces from Afghanistan once the US begins their long-planned troop draw-down.

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 12 April 2019 the Court rejected the Chief Prosecutor's request, citing a lack of cooperation from some governments. The Chief Prosecutor appealed the decision and on 5 March the Appeals Chamber issued a decision allowing the investigation to proceed.

In addition to US-led negotiations with the Taliban, 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. Under the provisions of the US-Taliban agreement, intra-Afghan negotiations were set to begin on 10 March 2020. However, the Afghan government has rejected this timeline.

On 10 March the UNSC unanimously adopted Resolution 2513, welcoming the US-Taliban agreement and calling upon the government of Afghanistan and the Taliban to pursue confidence-building measures. The resolution also stipulated that the easing of sanctions is dependent upon sustained progress towards peace.

NECESSARY ACTION

All parties to the conflict should commit to an immediate ceasefire and the Taliban and Afghan government should commence substantive negotiations. Intra-Afghan talks must include meaningful representation of women, ethnic and religious minorities and civil society and should focus on protecting and promoting human rights. Promoting good governance and the rule of law in Afghanistan also remains essential.

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

The international community should continue to pursue international justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator.



700,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

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

BACKGROUND

Political conflict over cultural rights and identity 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. Security forces violently repressed the protests, resulting in arbitrary arrests, sexual violence and the killing of civilians in the north-west and south-west regions.

Clashes between government forces and armed Anglophone separatists intensified during the lead-up to municipal and parliamentary elections on 9 February. Security forces were accused of burning several Anglophone villages and of indiscriminately shooting civilians. Armed separatists have also been responsible for killings and abductions. During the voting period armed separatists ordered a "lockdown" on towns in the north-west and south-west regions, threatening any civilians who attempted to vote. On 14 February at least 22 civilians, including 14 children, were killed in the village of Ntumbo in the north-west region. Evidence suggests that government forces were responsible for the massacre.

The political crisis in Cameroon has been deepening since October 2017 when Anglophone separatists proclaimed independence, declaring a new state of "Ambazonia." The Anglophone and Francophone areas of Cameroon were unified in 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west regions.

Since October 2017 at least 650 civilians, 235 members of the security forces and nearly 1,000 alleged separatists have reportedly been killed as a result of the armed conflict. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that as of 31 January at least 679,393 people have been internally displaced in the north-west and south-west regions, while 51,000 have fled to neighboring Nigeria.

Throughout the conflict there has been extensive 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 kidnapping and killing civilians. Due to a ban on government education by the separatists, 80 percent of schools in the two regions have closed and at least 74 have been destroyed.

Despite international pressure to resolve the conflict and an attempt by President Paul Biya to organize a national dialogue, the crisis continues. In an attempt to ease tensions, during October the government released 333 prisoners from the Anglophone region, as well as opposition leader Maurice Kamto. On 21 December Cameroon's parliament proposed a bill that would grant "special status" to the Anglophone regions. The elections on 9 February were supposed to contribute to the decentralization of power.

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 by both armed separatists and the security forces 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 Human Rights Council (HRC) for the 2019-2021 term. Following a visit to Cameroon, on 6 May 2019 the UN High Commissioner for Human Rights urged the government to hold accountable members of the security forces who commit serious human rights abuses.

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

On 14 October the Council of the European Union (EU) reiterated that, "the primary responsibility for protecting the population and maintaining security lies with the Cameroonian authorities."

On 17 February 2020 UN Secretary-General António Guterres condemned the killings in Ntumbo and called upon the government "to conduct an investigation and to ensure that those responsible are held accountable."

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

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 the Office of the UN High Commissioner for Human Rights (OHCHR) immediate and unfettered access to the north-west and south-west regions to investigate potential violations and abuses of IHRL. Foreign governments and regional organizations should suspend all military aid to Cameroon until its security forces have made demonstrable progress 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.



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

CHINA

The treatment of ethnic Uighurs and other Muslim minorities in China'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 their repression of members of the ethnic Uighur community as well as ethnic Kazakhs, Kyrgyz and Hui. China's approach to combatting "religious extremism" has resulted in large-scale arbitrary detention, severe restrictions on religious practice, and pervasive surveillance and control of the country's Muslim population.

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

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

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. Authorities collect DNA during medical check-ups, install a GPS tracking system on all vehicles, and monitor all mobile and online communication. Data is reportedly used to

profile persons at risk of "extremist thought" prior to being sent to "re-education" camps.

On 17 February The Associated Press published leaked information from a database that includes profiles of over 300 detainees from Karakax County, XUAR. The database demonstrates that the Chinese government focused on religious devotion as one of the main reasons for detention, including ordinary activities such as fasting, praying or attending mosque.

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.

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. Official Chinese government documents that were leaked during November 2019 reveal that the crackdown in Xinjiang was a result of pressure from senior 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. The targeted destruction of places of cultural significance may be part of a systematic attempt to eradicate Uighur cultural heritage in China.

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. There is growing evidence that the XUAR authorities are systematically punishing ethnic Uighurs simply for practicing their Muslim faith. Article 18 of the Universal Declaration of Human Rights enshrines "the right to freedom of thought, conscience and religion" for all human beings. This includes the freedom, "either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

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.

INTERNATIONAL RESPONSE

Twenty-two governments sent a letter to the President of the HRC on 8 July 2019 calling upon China to halt its mass detention of ethnic Uighurs and other minorities in Xinjiang. In 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 to allow OHCHR and UN Special Procedures "immediate unfettered, meaningful access to Xinjiang."

During the opening of the 43rd session of the HRC, a number of governments, including Germany and the UK, expressed concern about the treatment of Uighurs and other Muslim minorities in China. On 26 February China's Ambassador told the HRC that his government was "looking forward to the visit of the High Commissioner, Mrs. Bachelet, to China including to Xinjiang this year."

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." 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.

Countries that receive asylum seekers from Xinjiang must ensure respect for the principles of non-refoulement and not force them to return to China, where they are at risk of further persecution. Multinational companies that use factories in China should conduct human rights due diligence and thoroughly investigate their supply chains.

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

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



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

MALI AND BURKINA FASO

Populations in Mali and Burkina Faso face potential atrocity crimes as a result of attacks by 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. Over the past year civilians in the Sahel – particularly in central Mali and neighboring parts of Burkina Faso – have endured increasing attacks by terrorist groups as well as inter-communal violence perpetrated by rival self-defense groups. 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.

A cycle of reprisal attacks in the Mopti region of Mali has also dramatically increased since early 2019. Significant violence has taken place between Dozos (traditional hunters mainly from the Dogon ethnic community) and ethnic Bambara fighters, against members of the predominantly Muslim Fulani community. In one of the largest attacks, on 23 March 2019 Dozos massacred at least 150 people, including 50 children, in the predominately Fulani village of Ogossagou. The attacks also included the burning of villages and destruction of food sources. Despite the government's commitment to increasing security in the area, on 14 February 2020 more than 30 people were killed during a raid on 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 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 these groups have perpetrated atrocities against populations in Burkina Faso, particularly in the regions bordering Mali. 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. Armed Islamist groups in Burkina Faso have also increased their attacks on Christian places of worship. Numerous attacks in Burkina Faso since January have resulted in the deaths of more than 125 civilians, including 24 people killed when armed men attacked a church in the village of Pansi on 16 February.

According to UNHCR, the violence in Burkina Faso has forced more than 700,000 people to flee their homes over the past 12 months, including an estimated 4,000 people per day since January. UNICEF also reported that close to 5 million children in Burkina Faso, Mali and Niger will need humanitarian assistance in 2020 and that more than 3,300 schools have closed due to violence.

ANALYSIS

Militias and self-defense groups continue to target civilian populations on the basis of their ethnic and/or religious identity. Historically, the Dogon, Bambara and Fulani communities have clashed over 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.

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. The Burkinabè government's recent announcement that it would arm civilian security "volunteers" presents numerous risks as the proliferation of arms and militias may inadvertently fuel further inter-communal violence.

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

INTERNATIONAL RESPONSE

Following a referral by the interim government of Mali, the ICC launched an investigation in January 2013. During August 2017

former Ansar Dine leader Ahmad al-Faqi al-Mahdi was sentenced for the war crime of partially destroying the UNESCO World Heritage Site at Timbuktu.

MINUSMA was authorized by the UNSC during April 2013 with a civilian protection mandate. On 28 June 2019 the UNSC renewed the mandate for an additional year. During January the UNSC also approved the extension of the mandate of UNOWAS.

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.

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.

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. International donors should also support efforts by UNHCR and other humanitarian agencies to provide shelter, resources and psychosocial support to those fleeing atrocities.

The governments of Mali and Burkina Faso, with the support of MINUSMA, UNOWAS and OHCHR, should investigate recent massacres 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.



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

MYANMAR (BURMA)

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

BACKGROUND

Two and a half years since the government of Myanmar launched so-called “clearance operations” in Rakhine State, populations remain at risk of genocide and other 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 had breached its obligations under the Genocide Convention and “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.

On 11 November The Gambia, on behalf of the OIC, filed a historic lawsuit with the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January the ICJ ordered Myanmar to comply with four provisional measures – prevent genocidal acts, ensure military and police forces do not commit genocidal acts, preserve all evidence of genocidal acts, and report on compliance with these measures. The ICJ case is ongoing.

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 100,000 Rohingya have been confined to camps since 2012. Although government officials recently announced the closure of several camps in Rakhine State that hosted over 10,000 internally displaced persons (IDPs), Rohingya civilians continue to experience lives of enforced segregation.

Since November 2018 a separate 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 OCHA, an estimated 50,000 people have been displaced in Rakhine State, while landmines and IEDs continue to pose a serious threat to civilians. The government is currently imposing an internet blackout on eight townships in Rakhine State and one township in Chin State.

ANALYSIS

The Myanmar government has failed to take serious steps towards ensuring the safety of the Rohingya and upholding their basic human rights. 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 failure of the UNSC to hold accountable those responsible for atrocities enables further attacks on other vulnerable populations.

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.” On 4 February 2020 the UNSC discussed the ICJ’s provisional measures order, but failed to agree on a joint product. However, the UNSC’s current European member states – Belgium, Estonia, France and Germany – subsequently issued a joint statement together with Poland urging Myanmar to comply with the ICJ order and create conditions for the return of the Rohingya refugees.

Since August 2017 individual states and regional organizations have responded to atrocities in Rakhine State with a number of measures. The 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 and Germany has suspended development

cooperation with Myanmar. A number of countries have also recognized the crimes against the Rohingya as constituting genocide, including the parliaments of the Netherlands and Canada. On 25 February the Republic of Maldives, which is a party to the Genocide Convention, announced its intention to file a written declaration of intervention at the ICJ “in support of the Rohingya people.”

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.

In addition to the ICJ case, during November 2019 the Burmese Rohingya Organisation UK, supported by Grandmothers of the Plaza de Mayo and the Fundación Servicio Paz y Justicia, also filed a case in an Argentinian court under the principle of universal jurisdiction, urging the prosecution of senior officials from 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, resulting in forced deportation across the Myanmar-Bangladesh border.

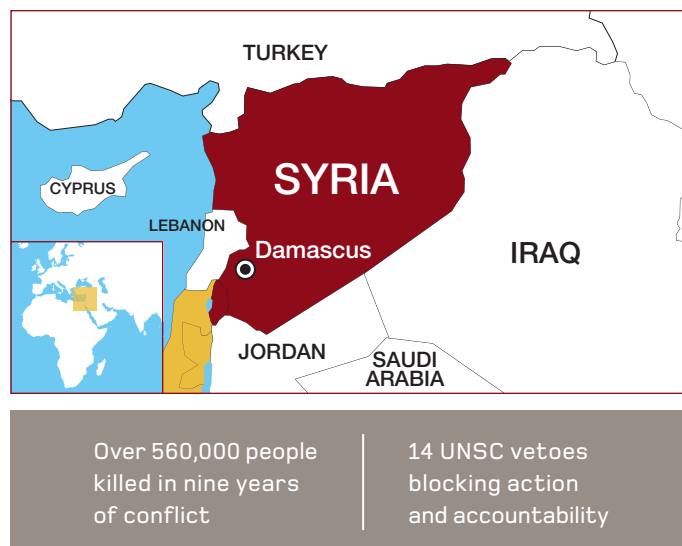
On 27 December the UNGA adopted a resolution on the “Situation of human rights of Rohingya Muslims and other minorities in Myanmar,” expressing support for the work of the IIM and requesting the Secretary-General “to call the continued attention of the Security Council to the situation in Myanmar.”

NECESSARY ACTION

Myanmar must fully comply with the ICJ order and address all underlying conditions that led to the genocide, including by repealing or amending all laws that systematically discriminate against the Rohingya. The government should urgently lift internet restrictions in Rakhine and Chin states and grant access for UN agencies and humanitarian organizations to all conflict-affected areas.

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.

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



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. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 12 million Syrians are in need of humanitarian assistance.

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 non-state armed groups such as Hayat Tahrir al-Sham. OHCHR has confirmed over 1,500 civilian deaths since the launch of the offensive, nearly all of which are attributable to Syrian government and Russian forces. Civilian objects, including schools, markets and evacuation routes, have been heavily shelled and there have been at least 68 documented attacks on healthcare facilities. The HRC-mandated Commission of Inquiry (CoI) on Syria found that Syrian government and Russian forces have perpetrated war crimes in Idlib and that there are “reasonable grounds to believe” that they are intentionally terrorizing civilian populations.

The situation in Idlib has dramatically escalated since the end of December as the Syrian government and Russian forces pushed to capture the strategic M5 highway linking Damascus with Aleppo. Entire villages have been razed and clashes with Turkish-backed non-state armed groups have also increased. The escalation has displaced over 948,000 Syrians in just three months. On 5 March Russia and Turkey reached a fragile ceasefire agreement and implemented a safety corridor along the M4 highway. Three previous ceasefires have failed.

Meanwhile, in northwest Syria the Turkish government announced on 1 March the launch of “Operation Spring Shield.” Although this is the fourth military operation Turkey has launched in northern Syria, the announcement marks the first time the Turkish government has effectively declared itself to be in direct conflict with the Syrian government.

During October 2019 the Turkish military launched “Operation Peace Spring” in northeast Syria against the Syrian Democratic Forces and the Kurdish People’s Protection Units, which Turkey regards as a terrorist organization. Prior to a 22 October ceasefire agreement, Operation Peace Spring caused widespread civilian casualties as a result of airstrikes, attacks on civilian objects, summary executions and other violations that may amount to war crimes. The Col has reported that the Syrian National Army, which receives support from Turkey, perpetrated the war crimes of pillage and murder against the Kurdish population during the offensive.

Since 2012 the Col 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 Col 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 reported by the Col, with the majority attributable to the Syrian government.

ANALYSIS

Ongoing fighting in Syria, particularly in the northwest, imperils the lives of millions of civilians. The grave situation facing civilians in Idlib is the result of ongoing war crimes and the inability of the UNSC to act to hold perpetrators accountable.

The Syrian government, with support from Russia and Iran, continues to utilize its military resources to retain power at all costs. The launch of the new Turkish offensive in northwest Syria amplifies the ongoing risk to civilians.

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

INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syrian government for its widespread violations of human rights. The UN Secretary-General has repeatedly called for the situation in Syria to be referred to the ICC.

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 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 UNSC 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 26 February nine members of the UNSC issued a demarche urging the Secretary-General to visit Idlib.

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. For the first time since the IIIM’s establishment, it was included in the UN’s regular budget for 2020. Germany and a number of other countries have initiated domestic legal 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.

The UN Special Envoy for Syria, Geir Pedersen, is currently facilitating political negotiations with some parties to the conflict under the auspices of UNSC Resolution 2254.

NECESSARY ACTION

All parties must uphold their obligations under IHL, including ending attacks on civilians and civilian infrastructure, and establish a timetable for 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” agreement of 2018 and “de-escalation zone” agreement of 2017.

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

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. The UNSC should immediately refer the situation in Syria to the ICC and help ensure that the findings of the Secretary-General’s Board of Inquiry are made public.



12,000+ 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 12,000 civilians since March 2015. The actual death toll is likely much higher. At least 3.6 million people have been displaced.

Despite the signing of the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, parties to the conflict continue to perpetrate widespread violations of IHL and IHRL. Hostilities are ongoing throughout Yemen, particularly in Al-Dhale, Hajjah, Sa'ada and Taizz governorates. According to the Armed Conflict Location and Event Data Project, 2019 was the second-most lethal year since the conflict first intensified in March 2015.

Violence escalated in mid-January 2020 in districts around Sana'a and Marib. This included the Saudi/UAE-led coalition launching airstrikes on 21 January in Nehm, Al-Jawf and Marib. Almost 5,000 families fled the violence after bombs hit residential homes, causing civilian casualties. Fighting also intensified between Houthis and forces loyal to President Abd-Rabbu Mansur Hadi. On 28 February the Houthis took control of Hazm, the capital of Al-Jawf governorate.

Since August 2019 clashes have taken place in southern Yemen between the UAE-supported STC and forces loyal to President Hadi. Mediation resulted in a power-sharing agreement signed

on 6 November, allowing the government to formally regain control over Aden and all armed groups in the south. However, very few of the agreement's provisions have been implemented and parties continue to perpetrate extrajudicial killings.

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

At least 24.1 million Yemenis need humanitarian assistance, and the GEE has reported that parties to the conflict may have used starvation of civilians as a method of warfare. Essential vaccines have also reportedly been blocked and the UNSC-mandated Panel of Experts reported in February 2020 that arrests and intimidation of humanitarian workers are increasing in Houthi-controlled areas in the north.

ANALYSIS

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

The protracted conflict in Yemen has been characterized by fragmenting coalitions and a multitude of fronts. Continued instability has also allowed al-Qaeda in the Arabian Peninsula and the so-called Islamic State of Iraq and the Levant (ISIL) to intensify their attacks on civilians. Ongoing fighting threatens to derail progress towards a negotiated settlement in Yemen. The dire humanitarian situation is a direct result of the armed conflict, including the systematic obstruction of humanitarian aid, and requires a political solution.

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 21 December 2018 the UNSC passed its first substantive resolution on the conflict in over three years, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team to oversee its implementation. On 16 January 2019 the UNSC established the UN Mission to support the Hodeidah Agreement.

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

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, however President Trump vetoed 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 prior to issuing licenses for arms exports to Saudi Arabia. The UK has suspended arms sales until an appropriate assessment is conducted.

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

NECESSARY ACTION

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

The distinction between military and civilian targets is central to IHL and must be adhered to at all times. In keeping with the Arms Trade Treaty, all UN member states should immediately halt the sale of weapons to parties to the conflict who routinely violate IHL, including Saudi Arabia and the UAE. The UNSC should adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance. Accountability must be prioritized as the warring parties negotiate a potential resolution of the conflict.

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.



5.1 million people
internally displaced

At least 80 armed
groups still operating
in eastern DRC

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, pose an imminent threat

to 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, violence continues. According to UNHCR, over 5.1 million Congolese are internally displaced while more than 886,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa.

Several provinces in eastern DRC – notably North Kivu, South Kivu, Ituri and Tanganyika – as well as the Kasai region, have been plagued by inter-communal violence and attacks by armed groups. The UN Joint Human Rights Office (UNJHRO) in the DRC documented 6,545 human rights violations during 2019. In conflict-affected provinces more than 332 people were extrajudicially executed by government security forces while 1,027 were killed by non-state armed groups. UNJHRO also documented more than 1,054 cases of conflict-related sexual violence, a 62 percent increase over 2018.

During January UNJHRO reported on conflict between the Hema and Lendu communities in Ituri province, alleging that armed groups may have perpetrated war crimes or crimes against humanity. At least 700 people were killed and 142 were subjected to sexual violence during several waves of violence between December 2017 and September 2019. The majority of victims were from the ethnic Hema community, although some Hema armed groups also engaged in reprisal violence. Ongoing inter-communal attacks, as well as fighting between the FARDC and armed militias, has resulted in an estimated 100,000 displaced since January.

Meanwhile, on 30 October the FARDC launched an offensive against the Allied Democratic Forces (ADF) armed group in North Kivu. Since then the ADF has carried out retaliatory attacks against villages in the Beni region, massacring more than 400 civilians. Those fleeing the violence have reported mass killings conducted with machetes, as well as sexual violence and abductions. According to UNHCR, more than 100,000 people have fled since the start of the FARDC offensive.

The offensive was partly prompted by the role of the ADF in inhibiting the government and international community from confronting cholera, measles and Ebola outbreaks that have claimed the lives of thousands of people. Since August 2018 Ebola treatment centers have been subjected to arson attacks by suspected members of the ADF and forced to close. The World Health Organization documented more than 390 attacks on health facilities in DRC during 2019.

ANALYSIS

For more than 20 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilians. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and stability.

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. Although the Hema and Lendu ethnic groups have a long history of conflict, they have coexisted relatively peacefully since 2007. The gravity of the recent attacks in Ituri demonstrates the need for inter-communal reconciliation to prevent further atrocities.

UNJHRO has reported that the FARDC continues to perpetrate crimes against civilians. Security forces have also recently been accused of failing to intervene to 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 8 July the ICC found former DRC warlord Bosco Ntaganda guilty of war crimes and crimes against humanity perpetrated in Ituri from 2002-2003. Ntaganda was subsequently sentenced to 30 years imprisonment.

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

NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The government should cooperate with UNJHRO and ensure all state agents found responsible for extrajudicial killings, sexual violence and other human rights violations and abuses are held accountable.

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions in eastern DRC, the Kasai region and Mai-Ndombe Province, and address structural issues of land access, resource allocation and poor governance. The government should conduct a thorough investigation of the 2018 and 2019 massacres in Ituri and Yumbi and hold the perpetrators accountable.

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

335,000 Burundians in neighboring countries

BURUNDI

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

BACKGROUND

Since President Pierre Nkurunziza announced that he would seek a third presidential term in 2015, Burundi has been trapped in a protracted political crisis. A failed coup and subsequent widespread protests and violence between 2015 and 2017 resulted in more than 1,200 people being killed and 10,000 arbitrarily detained. Since then the government has continued to persecute alleged government opponents, including civil society activists. More than 335,000 Burundian refugees also remain in neighboring countries.

The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed since April 2015, including extrajudicial killings and summary executions, 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 party, together with members of the National Intelligence Service and police.

The Col has warned that elections scheduled for May 2020 could trigger further violations and abuses that may amount to crimes against humanity. In recent months the Imbonerakure has intensified its persecution of alleged opponents. The government also intensified its repression of independent journalists and media outlets, further limiting civic space.

President Nkurunziza's decision to seek a third presidential term was regarded by many as violating the constitution and the 2000

Arusha Peace Agreement, which ended a civil war that claimed over 350,000 lives between 1993-2005 and was fought largely between ethnic Hutu armed groups and the Tutsi-dominated army. Since 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.

President Nkurunziza has indicated that he will not run for another term in 2020.

ANALYSIS

The current political environment, characterized by political intolerance, public threats and hate speech, is not conducive to holding free and fair elections. Utilizing the UN's "Framework of Analysis for Atrocity Crimes," during September 2019 the Col found that the government and its supporters have created an environment that could enable the commission of atrocities. On 9 March 2020 the Col reiterated this warning and said that risk factors had increased significantly since September.

Ongoing hostility 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. The lack of constructive engagement with regional mechanisms, including the AU and EAC, has contributed to further isolation.

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. On 27 September 2019 the HRC extended the mandate of the Col despite the refusal of the government to allow the Commissioners to enter Burundi.

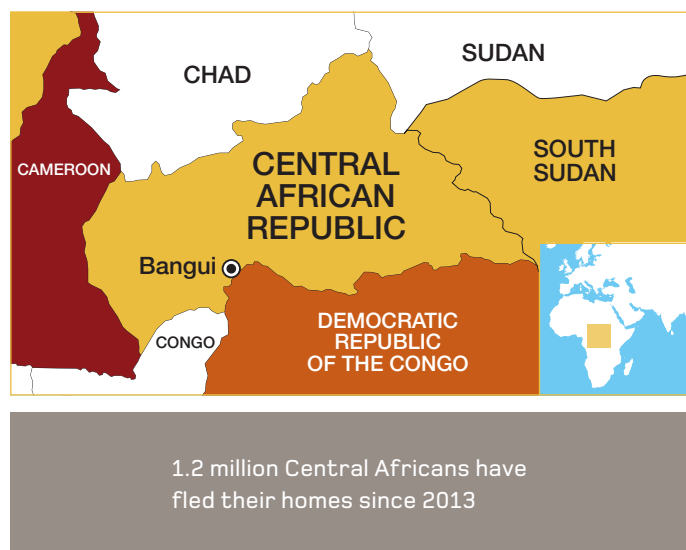
On 24 October 2019 the EU renewed travel bans and asset freezes on four Burundians for serious human rights violations and incitement to violence. On 16 January 2020 the European Parliament, referring to the findings of the Col, adopted a resolution condemning ongoing violations of human rights ahead of the elections.

NECESSARY ACTION

It is essential that the government ends the violent targeting of its political opponents and engages in inclusive dialogue with civil society and opposition parties. The Col should be granted immediate access to the country.

With elections scheduled to take place in two months' time, regional and international actors, including the EAC, AU and UN, should intensify mediation efforts and support measures to ensure free and fair elections. The AU should increase the number of human rights observers deployed to the country.

The UNSC should invite the Col to brief the Council and 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 produced by the Col in 2018.



CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

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

On 6 February 2019, under the auspices of the AU, the government and 14 armed groups signed a peace deal to bring an end to the armed conflict. Despite the historic agreement, populations remain at risk of atrocity crimes. According to a February 2020 report by the UN Secretary-General, signatories continue to violate the agreement, including by attacking

civilians. On 25 January armed clashes broke out in the eastern town of Bria between rival factions of the ex-Séléka Front Populaire pour la Renaissance de la Centrafrique, killing at least 40 people and forcibly displacing 11,000. Some signatory groups have also used the peace agreement to legitimize their de-facto control over territory.

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

Most perpetrators have not been held accountable. A hybrid judicial mechanism – the Special Criminal Court for CAR – opened its first session during October 2018, with trials expected to begin in late 2020. On 7 February the Bangui Court of Appeal sentenced five anti-Balaka leaders for war crimes and crimes against humanity committed in Bangassou in 2016 and 2017.

ANALYSIS

One year after the signing of the peace deal, there has only been limited implementation of its key provisions. Ongoing violence by armed groups, including parties to the 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 recent Bangui Court of Appeal decision is an important step towards justice. However, the promotion of leaders of armed groups that are responsible for past atrocity crimes into senior governmental roles undermines attempts to end the climate of impunity in the country.

While the UN peacekeeping mission in CAR (MINUSCA) has been mandated to support the implementation of the peace agreement and assist in preparations for 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 15 November the UNSC extended the mandate of MINUSCA for one year. A UNSC-mandated sanctions regime and arms embargo have also been in place since 2013, imposing travel bans and asset freezes on 11 individuals and 2 entities. Acknowledging the peace agreement, during September 2019 the UNSC approved measures to partially ease the arms

embargo. On 31 January 2020 the Council further eased the sanctions regime.

During May 2014 the government referred the situation in CAR to the ICC. 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 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 it can fully implement its mandate.

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

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



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, over the past year the armed extremist group and the so-called Islamic State in West Africa (ISWA) have intensified their attacks in the north-east of Nigeria. On 6 January at least 30 people were killed when an IED detonated in Gamboru, Borno State. Two days later, an attack by ISWA on the village of Monguno, Borno State, resulted in at least 20 soldiers being killed, 750 houses destroyed and 1,000 civilians displaced. In response to an increase in attacks since December 2019, the Nigerian military has forcibly displaced entire villages in the north-east and has reportedly arbitrarily detained individuals suspected of supporting armed extremist groups.

Since 2009 Boko Haram has pursued a violent campaign aimed at overthrowing Nigeria's secular government. According to OCHA, 35,000 people have been killed since 2009 and 1.8 million remain 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. In recent years Boko Haram's attacks have expanded into neighboring states in the Lake Chad Basin, killing and displacing civilians in Cameroon, Chad and Niger.

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" to accommodate pastoralist groups and their livestock. Due to strong criticism, the project was indefinitely postponed.

Since 2019 Nigeria has also experienced an increase in armed banditry in Zamfara, Kaduna and Katsina states despite efforts by the security forces to neutralize such groups. On 1 March at least 50 people were killed when armed men stormed into the villages of Kerawa, Zareyawa and Minda in Kaduna State in retaliation for villagers allegedly assisting the army in operations. More than 60,000 people remain displaced as a result of banditry in Zamfara State.

ANALYSIS

Although the "Middle Belt" region has experienced recurring inter-communal violence, growing desertification has increased 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. Arms proliferation has helped make these conflicts more deadly.

Since 2018 Boko Haram and ISWA have grown in power and influence. Although the regional Multinational Joint Task Force (MNJTF) has made significant progress in confronting these groups, civilians remain at risk of terrorist attacks and identity-based violence. Civilians also face the threat of human rights abuses committed by the Nigerian security forces during counter-terrorism operations.

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."

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

NECESSARY ACTION

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

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



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 in Venezuela. A catastrophic economic crisis has resulted in hyper-inflation, food shortages and the collapse of essential services. The government has responded to mass protests with disproportionate force as well as the mobilization of pro-government groups, including so-called armed "colectivos." During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of perpetrating crimes against humanity.

In addition to the government's crackdown on protests, Special Action Forces (FAES) have been accused of widespread extrajudicial killings. The Venezuelan government has reported that 6,856 people were killed in "security operations" between January 2018 and June 2019 alone. During 2019 the UN High Commissioner for Human Rights, Michelle Bachelet, warned that the FAES is being used as an instrument to maintain social control and instill fear.

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

In the midst of the ongoing political crisis, High Commissioner Bachelet warned about ongoing threats and intimidation directed against opposition members, media, civil society, human rights defenders and military defectors. This includes

the arbitrary detention of government opponents and their family members, often accompanied by allegations of torture, ill-treatment and sexual and gender-based violence.

According to OCHA, an estimated 7 million people are in need of humanitarian assistance. At least 4.6 million Venezuelans have left the country since 2016.

ANALYSIS

Ongoing state-led violence has created an environment that facilitates the commission of potential atrocity crimes in Venezuela. Despite growing international isolation, the Maduro government remains in control of key state institutions and the security forces.

Impunity for serious human rights violations committed by various state forces has emboldened the government to continue extrajudicial killings, torture and other crimes, as well as the systematic persecution of its alleged opponents. The government's announcement of plans to hold parliamentary elections during 2020 may result in further instability and violence.

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 government has imposed extensive sanctions on Maduro, his family and senior members of his government. On 3 December a number of regional governments also imposed targeted sanctions on 29 senior government officials.

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

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

NECESSARY ACTION

The government must end the systematic persecution of its opponents and ensure impartial investigations of all extrajudicial killings. The government should grant the FFM unrestricted access to the country.

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.



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