

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.



646,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

Civilians in the Anglophone regions of Cameroon continue to face atrocity crimes due to widespread violence between government forces and armed separatists.

BACKGROUND

In 2016 English-speaking lawyers, students and teachers in Cameroon began protesting against their cultural marginalization by the Francophone-dominated government, leading to a violent crackdown by security forces. In October 2017 Anglophone separatists proclaimed independence and declared a new state of “Ambazonia” in the north-west and south-west regions of Cameroon. Since then, armed separatists and Cameroonian security forces have continued to clash, resulting in widespread abuses against the civilian population by both sides to the conflict.

Security forces have perpetrated extrajudicial killings, burned Anglophone villages and subjected individuals with alleged separatist ties to torture and ill-treatment. Security forces have also been accused of widespread sexual and gender-based violence. Armed separatists have also perpetrated abuses, including kidnapping and killing civilians. Since 2016 more than 4,000 civilians and hundreds of members of the security forces have been killed in the Anglophone regions. Separatists have banned government education and frequently attack, threaten and abduct students and teachers, as well as burn, destroy and loot schools. Eighty percent of schools in the north-west and south-west regions are closed or destroyed, denying at least 700,000 children an education.

Armed separatist groups have also perpetrated attacks on Fulani communities, forcing 12,000 people to flee and killing 250 since 2016. Fulani vigilante committees, established in response to these attacks, have allegedly collaborated with the government's military operations against the separatists.

Since the start of 2021 the security situation has deteriorated due to increased fighting between government forces and armed separatist groups. Approximately 30 percent of health facilities are unable to operate, with at least 29 reported attacks on facilities in the north-west and south-west regions between January-June 2021. A significant increase in targeted attacks on humanitarian workers also restricted the delivery of vital aid. Meanwhile, the use of improvised explosive devices (IEDs) and kidnappings have increased. Between January-May 2021 separatists carried out at least 27 IED attacks in 13 towns, more than in all previous years of the crisis combined. During December humanitarian actors reported at least 11 IED explosions, including on markets and trade fairs, that resulted in civilian casualties.

Limited attempts have been made to find a solution to the conflict. During June 2019 Switzerland mediated peace talks which were followed by a national dialogue organized by President Paul Biya that October. In February 2021 Cardinal Pietro Parolin, Secretary of State of the Vatican, visited Cameroon and announced the readiness of the Catholic Church to facilitate a dialogue between the government and separatist groups. During October Cameroon's prime minister, Joseph Dion Ngute, visited the Anglophone regions to call for peace but added that those who refuse to lay down their weapons will be killed.

With more than 200 different ethnic communities living in Cameroon, there is a history of inter-communal tensions in some parts of the country. In the Far North region, at least 44 people were killed, 100,000 displaced and 112 villages burned down in December 2021 during a series of violent clashes between Arab Shoa cattle herders and Massa farmers and Mousgoum fishermen in Kousseri, Logone and Chari. During August similar clashes erupted in Kousseri, leaving 45 people dead and more than 23,000 forcibly displaced. In the north-west, tensions between the Muslim Mbororo/Fulani herders and Christian farming communities, particularly in the Bamenda Grassfields area, have led to violent clashes.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that at least 573,900 people have been internally displaced by violence in the north-west and south-west regions, while more than 72,900 have fled to Nigeria. According to OCHA, 2.2 million people are in need of humanitarian assistance.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone and Francophone civilians and may amount to war crimes and crimes against humanity. The government continues to deny the severity of the crisis and has failed to address the root causes of the conflict or provide a political means for resolving it. The increasing use of heavy weaponry, including IEDs and anti-tank rocket launchers, demonstrates a dangerous shift in the capacity of armed separatist groups to perpetrate atrocities.

The Anglophone and Francophone areas of Cameroon have been unified since 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. What began as a political dispute in the Anglophone regions is now a complex armed conflict and a major humanitarian crisis.

Inter-communal tensions and violence in the Far North region have been exacerbated by the climate crisis. In the last few decades, growing desertification has led to water scarcity and limited access to grazing land, fueling clashes and tensions between Arab Shoa cattle herders, Massa farmers and Mousgoum fishermen.

The government of Cameroon is failing to uphold its responsibility to protect and requires international assistance to mediate and end the armed conflict.

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 2021 Cameroon was re-elected to the UN Human Rights Council (HRC) for the 2022-2024 term.

On 13 May 2019 the UN Security Council (UNSC) held an Arria Formula meeting on the crisis in Cameroon, its first and only meeting on the situation.

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

On 25 November the European Parliament adopted a resolution on the situation in Cameroon, condemning human rights abuses and violations of International Humanitarian Law (IHL) and urging parties to the conflict to agree on a humanitarian ceasefire.

On 5 December the African Commission on Human and Peoples' Rights (ACHPR) adopted a Resolution on the "continuing Violation of Human Rights Situation in the Republic of Cameroon," calling upon the government to work towards a peaceful solution to the ongoing crises and to authorize a Fact-Finding Mission (FFM).

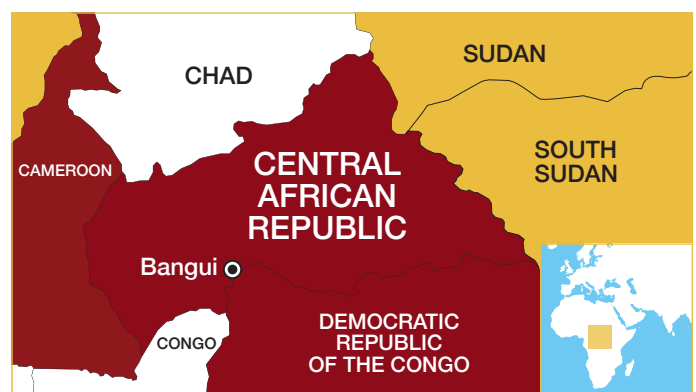
NECESSARY ACTION

Security forces must end all extrajudicial killings of unarmed civilians and ensure that the human rights of all Cameroonians are equally protected, regardless of cultural identity. Security forces implicated in violations of IHL and International Human Rights Law (IHRL) should be investigated and held accountable. Armed separatist groups must also halt attacks on civilians and civilian infrastructure.

In order to work towards a negotiated solution to the crisis in the Anglophone regions, the government should hold an inclusive

dialogue mediated by a neutral player on neutral territory. The government must also invest in programs that meaningfully address the root causes of inter-communal violence.

The government of Cameroon should grant the Office of the UN High Commissioner for Human Rights (OHCHR) immediate and unfettered access to the Anglophone regions to investigate potential violations and abuses of IHRL. Foreign governments and regional organizations should suspend all military assistance to Cameroon until its security forces have made demonstrable progress towards upholding the human rights of all Cameroonians. The African Union (AU) and Economic Community of Central African States (ECCAS) should work with the government to prevent any further deterioration of the armed conflict. The UNSC should add Cameroon to its formal agenda.



63 percent of the population needs humanitarian assistance and protection

CENTRAL AFRICAN REPUBLIC

Populations in the Central African Republic are facing possible atrocity crimes due to ongoing violence by armed groups and government and allied forces.

BACKGROUND

Populations in the Central African Republic (CAR) have faced a new wave of violence and atrocities since an alliance of predatory armed groups, known as the Coalition of Patriots for Change (CPC), launched an offensive against the government in December 2020. The Central African Armed Forces (FACA) – working closely with Russian security partners, including mercenary fighters from the private security company, Wagner Group – responded with counter-offensives and have recaptured territory. Despite the government's declaration on 15 October 2021 of a unilateral ceasefire, violence has persisted across the country. The UN peacekeeping mission in CAR (MINUSCA) has documented more than 500 conflict-related civilian deaths since February 2021. The actual figure is likely higher given that UN investigators have been prevented from accessing sites of various alleged crimes.

Since the CPC launched their offensive, affiliated armed groups have perpetrated widespread violations of IHL, including killing and abducting civilians, rape and the forcible recruitment of child soldiers, as well as attacks on schools, hospitals, humanitarian workers and MINUSCA. Throughout 2021 armed groups lost control of strategic areas, prompting some to retreat to rural areas where they continue to commit serious human rights abuses. Between January 2021 and February 2022, the UN recorded 55 incidents involving explosive devices, particularly in the west of the country, that killed 29 civilians. In January 2022 the UN reported that the Retour, réclamation et rehabilitation armed group has been deliberately targeting MINUSCA and FACA with IEDs.

During military operations, FACA troops and Russian mercenaries have perpetrated summary executions, arbitrary killings, torture, rape and forced disappearances and have occupied schools and looted humanitarian organizations and UN offices. These forces are also committing targeted attacks and ill-treatment against ethnic and religious minority communities, particularly Fulanis and Muslims, as well as hostile incidents against MINUSCA. According to the UN, FACA troops and mercenaries have allegedly recruited former anti-balaka combatants to fight the armed group Union pour la Paix en Centrafrique (UPC) and have killed dozens of civilians in Ouaka prefecture since October. MINUSCA is investigating the alleged killing of dozens of civilians by FACA troops and mercenaries during an operation against the UPC near Bria between 16-17 January 2022.

The protracted crisis in CAR has its origins in the overthrow of President François Bozizé in March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian anti-balaka militias and the collapse of state institutions. Anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity, however, most perpetrators have not been held accountable. On 19 November the Special Criminal Court (SCC) for CAR charged Hassan Bouba Ali, Minister of Livestock and former leader of the UPC, with war crimes and crimes against humanity, stemming from a 2018 massacre of more than 110 civilians. On 26 November the government released Bouba from detention in defiance of court orders.

Despite a 2019 peace deal that formally ended the 2013–2015 armed conflict, signatories continue to engage in violence and perpetrate widespread human rights abuses, leading to the collapse of the agreement in 2021.

Since 2013 violence has resulted in 652,000 internally displaced persons (IDPs) and 734,000 refugees. Approximately 3.1 million people need humanitarian assistance and protection. More than one security incident affecting humanitarian workers was recorded per day in 2021.

ANALYSIS

Unless all parties to the conflict adhere to the ceasefire, threats to populations will continue. The ongoing crisis and

increased hostility towards MINUSCA have impacted its ability to implement its civilian protection mandate and to conduct human rights investigations. Violence, shifting frontlines and the increasing presence of explosive devices have created new conflict dynamics and hampered humanitarian access.

The cross-border flow of foreign fighters, arms and natural resources are contributing to a thriving conflict-economy. Attacks by FACA and allied forces against certain marginalized populations, particularly the Muslim Fulani community, are bolstering support for armed groups, causing displacement and increasing inter-communal tensions. Although officially in CAR to serve as military instructors, Russian mercenaries have reportedly participated in active fighting and were implicated in human rights abuses and violations of IHL.

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

INTERNATIONAL RESPONSE

The UNSC has passed 15 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 12 individuals and two entities.

During May 2014 the government referred the situation in CAR to the International Criminal Court (ICC). The ICC currently has three individuals in custody, including two former anti-balaka leaders and one Séléka leader.

On 16 September 2021 the International Conference on the Great Lakes Region (ICGLR) adopted a roadmap for peace, which called for all armed actors to commit to a ceasefire.

On 27 October UN experts called on the CAR government to end all relationships with private military and security personnel and expressed their concern about intimidation and violent harassment by "Russian instructors" against civilians.

On 9 December the UN Independent Expert on the situation of human rights in CAR, Yao Agbetse, called upon authorities to return Bouba to the SCC, asserting that his release undermined the fight against impunity. The AU, ECCAS, European Union (EU), France, MINUSCA, US and World Bank released a joint statement on 10 December deploring Bouba's release.

On 13 December the EU imposed a set of sanctions on three companies and eight individuals associated with the Wagner Group, alleging it had sent private military personnel to conflict zones around the world, to "fuel violence, loot natural resources and intimidate civilians in violation of international law."

On 17 December the US imposed sanctions on Ali Darassa, stating that under his leadership, the UPC "has committed brutal atrocities against civilians."

NECESSARY ACTION

All armed actors must rigorously adhere to their obligations under IHL and IHRL. It is imperative that FACA and bilateral forces ensure the protection of all populations during military operations and that MINUSCA can effectively carry out its mandate. MINUSCA should increase its patrols and expand its early warning mechanisms where atrocity risks are heightened.

The international community must continue supporting MINUSCA to ensure the mission can strengthen its capacity to protect vulnerable populations. The UNSC should call on all armed actors to abide by the ceasefire and implement the ICGLR roadmap.

All perpetrators of atrocity crimes in CAR should be held legally accountable, regardless of their rank, affiliation or nationality. The government should prioritize accountability by continuing its cooperation with the ICC, supporting efforts of the national judiciary and ensuring that the SCC can fulfill its mandate by respecting the independence of the Court.



At least 2.1 million people displaced
in Burkina Faso, Mali and Niger

CENTRAL SAHEL

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

BACKGROUND

Violence and instability have been endemic in Mali since 2012 when Tuareg separatists and Islamist armed groups seized territory in the north following a military coup. Despite the presence of international forces, including a UN peacekeeping mission (MINUSMA), the conflict in Mali has shifted from a separatist rebellion into inter-communal and extremist violence. Since Islamist armed groups expanded their activities from northern to central Mali during 2015, violence has spilled into neighboring Burkina Faso and Niger, as well as parts of southern Mali. Between 2015–2021, violent attacks in the Central Sahel increased eight-fold while the number of fatalities grew more

than ten-fold. Nearly 2,000 civilians were killed between February 2021 to February 2022, with two-thirds of the deaths attributed to armed groups linked to al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL).

The porous tri-border area and absence of state authority have enabled the expansion of groups affiliated with al-Qaeda and ISIL. These groups have blockaded villages, isolating some areas under their control and enforcing repressive policies based upon their interpretation of Islam. During 2021 these groups increasingly used siege tactics, threats, kidnapping, IEDs and landmines as deliberate tactics of war.

The UN's Commission of Inquiry (CoI) on Mali has reported that between 2012–2018 Islamist armed groups committed crimes against humanity and war crimes, including murder, torture, recruitment of children, maiming, rape and sexual violence. These groups strategically attack and loot critical civilian objects, including places of worship, schools, health centers, food reserves and crops. Armed groups have targeted secular state education across the region, burning schools and threatening, abducting or killing teachers. More than 5,574 schools in the Central Sahel are closed due to insecurity, leaving 13 million children without access to education.

Armed groups have also perpetrated attacks targeting humanitarian workers and MINUSMA. Since July 2013 the UN has documented 154 MINUSMA peacekeepers killed in hostile acts, including 20 in 2021. In October 2021 alone, these groups carried out 42 attacks involving IEDs against MINUSMA, the highest monthly total since the mission's establishment.

During 2021 Islamist armed groups increasingly perpetrated targeted attacks against civilians. In the volatile Tillabéri and Tahoua regions of western Niger, more than 600 civilians were killed during 2021, over five times more than in 2020. In northern Burkina Faso, the so-called Group for the Support of Islam and Muslims perpetrated the deadliest attack in the country since 2015, killing over 130 people in Solhan, Yagha Province, on 5 June. In central Mali, a presumed Islamist armed group killed at least 30 civilians, mainly from the Dogon ethnic community, in the village of Songo during December.

Violence between rival ethnic militias and self-defense groups is also on the rise across the Central Sahel and has become one of the deadliest forms of violence. In Mali, violence between Dozos – traditional hunters that are mainly from the Dogon ethnic community – and ethnic Bambara fighters against members of the predominantly Muslim Fulani community has killed thousands since 2016. The establishment of communal self-defense groups, including the government-trained Volunteers for the Defense of the Homeland, has fueled violence in Burkina Faso. In Niger, self-defense militias were established during 2021 among ethnic Arab, Djerma and Tuareg communities in Tillabéri and Tahoua.

Some counterterrorism operations by Sahelian security forces, the G5 Sahel Joint Force (FC-G5S) and international forces have led to grave human rights violations and abuses against

populations they believe to be affiliated with Islamist armed groups. The Col has alleged that the Malian security forces have committed war crimes, including targeted killings, rape and torture. Niger's National Human Rights Commission has implicated Nigerien forces in grave abuses against civilians while Burkinabé security forces and pro-government militias have allegedly summarily executed hundreds of suspects since 2018.

The Central Sahel is one of the fastest growing displacement crises in the world with at least 2.1 million people internally displaced, including more than 1.6 million in Burkina Faso alone. Nearly 15 million people need humanitarian assistance.

ANALYSIS

Militias, self-defense groups and security forces continue to target and persecute populations on the basis of their ethnic and/or religious identity. The increased attacks against civilians are primarily in response to communities creating self-defense groups and resisting the punitive collection of “zakat” or alms.

Despite international military support, Sahelian security forces have been unable to adequately protect civilians. The proliferation of ethnic militias and self-defense groups is due in part to the inability of states to effectively protect their populations.

While Burkina Faso, Mali and Niger are heterogeneous and each face distinct challenges, these states also share a legacy of structural vulnerabilities, weak governance and limited state presence.

Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. However, weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict. These conditions have also been exploited by Islamist armed groups who have targeted young Fulani men for recruitment.

Impunity for human rights violations and abuses undermines confidence in state authority, heightens inter-communal tensions and fuels cycles of violence and recruitment into armed groups.

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

INTERNATIONAL RESPONSE

In January 2013, following a referral by the government of Mali, the ICC launched an investigation into alleged crimes committed since January 2012.

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violating human rights, including recruiting child soldiers and attacking UN personnel. On 29 June 2021 the UNSC renewed MINUSMA's mandate for an additional year. From 23–25 October the UNSC conducted a visiting mission to Mali and Niger.

France's Operation Barkhane has led the international military response in Mali since January 2013. During July 2017 the FC-G5S was established to combat border insecurity. In June 2020 the International Coalition for the Sahel was launched to coordinate efforts led by the FC-G5S and its partners, including Task Force Takuba – a counterterrorism force composed of European special forces. On 17 February 2022 France and its European partners, as well as Canada, announced their withdrawal from Mali.

On 6 October OHCHR and the government of Burkina Faso agreed to open a country office to promote and protect human rights in the country. The UN High Commissioner for Human Rights, Michelle Bachelet, visited Burkina Faso and Niger from 28 November to 4 December for an official mission.

On 12 November the UN Office for West Africa and the Sahel (UNOWAS) and the Nigerien government launched an initiative to strengthen social cohesion and national dialogue, particularly focused on the tri-border area.

Fourteen European countries issued a joint statement on 23 December condemning the deployment of the Wagner Group to Mali, stressing that their presence will aggravate the human rights situation.

Mali remains suspended from the AU and Economic Community of West African States (ECOWAS) following a coup on 24 May 2021. Following a military coup on 24 January 2022, ECOWAS and the AU suspended Burkina Faso.

NECESSARY ACTION

While countering violent extremism remains crucial in the Central Sahel, it is essential that all three governments and international forces establish civilian harm mitigation mechanisms and ensure that their efforts do not further exacerbate inter-communal tensions and fuel distrust of state authority. Authorities must protect the rights of suspects in counterterrorism operations. The FC-G5S must fully implement its Human Rights and IHL Compliance Framework, as well as finalize its Civilian Protection Strategy.

Additional measures must be implemented to end the proliferation of arms, militias and self-defense groups and improve land management and local governance. Disarmament, demobilization and reintegration efforts, as well as support for local reconciliation initiatives, need to be focused on areas where atrocity risks are greatest.

The governments of the Central Sahel, with the support of MINUSMA, OHCHR and UNOWAS, should investigate all violations and abuses of IHL and IHRL.



More than 1 million Uyghurs and people from other majority-Muslim ethnic groups detained in “re-education” or “de-extremification” facilities

CHINA

The systematic persecution of Uyghurs and other majority-Muslim ethnic groups in China may amount to crimes against humanity and genocide.

BACKGROUND

Under the guise of combatting religious extremism and terrorism, in recent years the government of China and authorities in the northwestern Xinjiang Uyghur Autonomous Region (XUAR) have increased their persecution of members of the ethnic Uyghur community, as well as Kazakhs, Kyrgyz and other majority-Muslim ethnic groups. China’s abuses include severe restrictions on religious practice, large-scale arbitrary detention and repressive population control policies.

More than 1 million people, mainly Uyghurs, have been arbitrarily detained in “re-education” or “de-extremification” facilities since around 2017. According to the Australian Strategic Policy Institute, more than 380 suspected detention facilities in XUAR have been built or expanded since 2017. There are reports of widespread rape, sexual abuse and torture of ethnic minorities in detention facilities. Meanwhile, an estimated 250,000 children under the age of 15 in XUAR have lost at least one parent to detention, with over 880,000 children placed in state-run orphanages or boarding schools.

Approximately 100,000 Uyghurs are also working under conditions that strongly suggest forced labor, with many transferred from detention camps to factories. At least 135 detention facilities in Xinjiang reportedly have on-site factories where detainees are forced to work. The factories are part of supply chains that allegedly provide goods for 82 global brands. According to the Center for Global Policy, hundreds of thousands of Uyghurs and other minorities are forced to work in Xinjiang’s cotton sector, which produces 20 percent of the world’s cotton. In November 2021 the Helena Kennedy Centre for International Justice reported that over 100 international brands may be tied to Uyghur forced labor-produced cotton.

According to the Coalition to End Forced Labour in the Uyghur Region, 45 percent of the world’s polysilicon comes from XUAR, supplying the global solar panel industry. Nearly the entire industry is implicated in Uyghur forced labor.

The Chinese government is also conducting a coercive campaign to reduce birth rates among Uyghurs and other majority-Muslim populations in XUAR. The campaign reportedly includes forced abortions and sterilizations. Chinese government statistics reveal that the 2020 birthrate in XUAR was only 8.14 per 1,000 people, nearly half the figure from 2017.

Chinese authorities have also engaged in the systematic destruction of Uyghur cultural heritage, including by demolishing shrines, cemeteries and pilgrimage sites. The government has destroyed or damaged 16,000 mosques in XUAR since 2017.

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. According to the Uyghur Human Rights Project, 1,046 imams and other religious figures from XUAR have been detained in camps or imprisoned since 2014.

ANALYSIS

China has perpetrated a repressive campaign against Uyghurs and other majority-Muslim ethnic groups in XUAR for several decades, but abuses have significantly escalated since 2017. Leaked government documents reveal that the crackdown in XUAR was a result of pressure from senior officials, including President Xi Jinping. The former Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uyghur persecution and expanded the detention camps.

Under customary international law and the Rome Statute of the ICC, the widespread or systematic persecution of Uyghurs and other majority-Muslim ethnic groups on religious, cultural, ethnic and gender grounds; enforced disappearances; forcible transfers; large-scale detention program; torture of detainees; forced sterilization and sexual violence; and denial of information regarding the fate of persons in state custody could constitute crimes against humanity.

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

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

INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested unfettered access to XUAR for over three years.

On 21 October 2021 the government of France delivered a statement on behalf of 43 countries on the situation in Xinjiang at the UN General Assembly's Third Committee. The statement urged China to end the arbitrary detention of Uyghurs and other Muslims and allow independent observers immediate access to Xinjiang. This was the third consecutive year that such a statement was delivered, but the first with signatories from all five UN regional groups.

On 19 January 2021 the US formally accused China of committing genocide and crimes against humanity against the Uyghur population and members of other majority-Muslim ethnic groups. Since then, the parliaments of Belgium, Canada, Czech Republic, France, Lithuania, Netherlands and United Kingdom (UK) have also recognized the situation in Xinjiang as constituting genocide and/or crimes against humanity. Citing the human rights crisis, a number of governments diplomatically boycotted the 2022 Beijing Olympic Games.

On 12 January 2021 Canada and the UK announced measures to prohibit products that profit from Uyghur forced labor from entering their countries. The governments of Canada, UK, US and the EU, have imposed sanctions against officials in China over human rights abuses in XUAR. On 23 December US President Joe Biden signed the Uyghur Forced Labor Prevention Act, which prevents the import of goods made "in whole or in part" in XUAR.

On 8 July the UK Parliament Foreign Affairs Committee published a report on atrocities in Xinjiang that cited evidence from experts, including the Global Centre for the Responsibility to Protect, and provided wide-ranging recommendations for the UK government to help end abuses in Xinjiang.

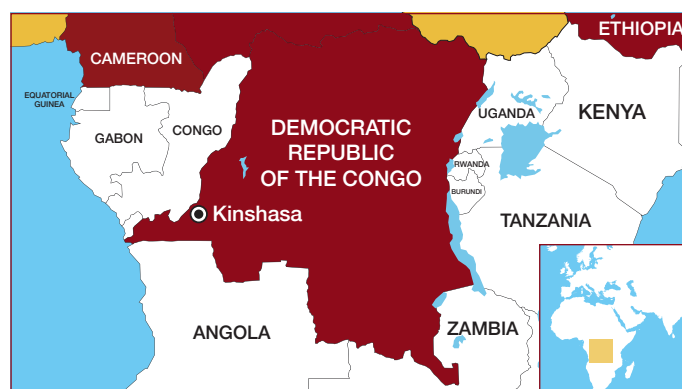
In the absence of formal legal measures, the London-based Uyghur Tribunal, an independent people's tribunal, conducted an investigation into allegations of mass atrocities in XUAR. The Tribunal concluded in its ruling on 9 December that the Chinese government is perpetrating genocide and crimes against humanity.

NECESSARY ACTION

The government of China should release all persons being arbitrarily detained in "re-education camps" and related facilities, stop the practice of forcibly preventing births and separating Uyghur children from their families, cease the deliberate destruction of Uyghur cultural heritage, and repeal the "Regulation on De-extremification." Chinese authorities should grant High Commissioner Bachelet immediate and unfettered access to Xinjiang, and OHCHR must publicly release its report on human rights violations in XUAR.

The HRC should mandate a Special Rapporteur on the situation of human rights in China or an FFM to investigate systematic human rights violations in XUAR.

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



5.6+ million IDPs

At least 120 armed groups
still operating in eastern DRC

DEMOCRATIC REPUBLIC OF THE CONGO

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

BACKGROUND

Attacks by armed groups and recurring inter-communal violence continue to threaten populations in the eastern provinces of the Democratic Republic of the Congo (DRC). Despite military offensives conducted by the government's armed forces (FARDC), with assistance from the UN peacekeeping mission (MONUSCO), violence continues to escalate. More than 120 militias and armed groups are active in eastern DRC.

According to the UN Joint Human Rights Office (UNJHRO) in the DRC, during 2021 at least 2,024 civilians were killed by armed groups in North Kivu, South Kivu, Tanganyika and Ituri provinces. The majority of victims were in Ituri and North Kivu, where inter-communal violence, as well as fighting between the FARDC and various militias, escalated throughout 2021. According to the UN Refugee Agency (UNHCR), over 5.6 million Congolese are currently internally displaced, including an estimated 3 million children, while more than 960,000 refugees

have fled to neighboring countries, making this the largest displacement crisis in Africa. In 2021 alone, approximately 1.5 million people fled due to attacks, armed clashes or inter-communal conflicts.

The Allied Democratic Forces (ADF) armed group has been perpetrating atrocities in the Beni region of North Kivu for more than six years. Since the FARDC launched an offensive against the group in October 2019, the ADF have carried out retaliatory violence against civilians. UNJHRO reported that attacks by the ADF have been “systematic and brutal” and may amount to crimes against humanity and war crimes. Throughout 2021 the ADF expanded its attacks into Ituri, particularly in Mambasa and Irumu territories.

The UN documented 738 human rights violations committed by ADF fighters in 2021, an increase of 50 percent compared to 2020. The group was responsible for the summary execution of more than 1,259 people in 2021. From 11-12 November suspected ADF fighters perpetrated one of the deadliest attacks in North Kivu during 2021, killing at least 38 civilians and destroying the only health center in the village of Kisunga

In Ituri other armed groups, particularly factions of the Cooperative for the Development of Congo (CODECO), a predominantly ethnic Lendu armed group, have perpetrated widespread attacks on villages. CODECO fighters have killed hundreds of mostly ethnic Hema villagers. Since November 2021 CODECO fighters have committed a series of unprecedented attacks on IDP sites in Djugu territory that are characterized by killings, kidnappings, looting of livestock and food, and torching of homes. These attacks have killed at least 135 IDPs from the Hema community and forced tens of thousands to flee.

On 30 April 2021 President Félix Tshisekedi announced a “state of siege” for North Kivu and Ituri provinces to increase FARDC presence and improve civilian security. Since that time, the ADF, CODECO and other armed groups have continued to perpetrate violent attacks and some state security forces have been implicated in violations that may amount to crimes against humanity and war crimes. In November the FARDC and Ugandan People’s Defense Forces (UPDF) launched joint ground and air operations against the ADF in eastern DRC.

Meanwhile, rival armed groups and militias, who are competing for control of mining areas or retaliating against recent government offensives, have perpetrated violence in Tanganyika. In South Kivu inter-communal violence displaced at least 10,000 people during February 2022.

ANALYSIS

For more than 20 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilians. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and stability. The volume of attacks by armed groups in Ituri, North Kivu and South Kivu provinces, combined with inter-communal

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

The Hema and Lendu have a longstanding history of disputes over access to land and resources, including fighting that started in the late 1990s and resulted in thousands of deaths. The escalation of ethnically motivated and deliberate attacks by armed groups against IDPs in Ituri has led to new waves of displacement and exacerbated the humanitarian situation.

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias, groups like the ADF have a history of violent reprisals targeting civilians. Although the FARDC and UPDF have seized strategic positions in Beni, ADF fighters have dispersed to peripheral villages, where they are perpetrating attacks and abuses against populations. The FARDC and police have also been implicated in widespread violations of IHL and IHRL, including sexual violence and arbitrarily killing civilians, while combatting armed groups.

The DRC government is struggling to uphold its responsibility to protect, and government forces have at times been complicit in atrocity crimes.

INTERNATIONAL RESPONSE

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

On 20 December 2021 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 jurisdiction, including protection from crimes against humanity and war crimes.”

On 4 February 2022 the UNSC issued a Press Statement condemning the attacks by CODECO combatants on IDPs and expressing concern at the continuing inter-communal violence and armed group activity in eastern DRC.

NECESSARY ACTION

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

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

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions in eastern DRC and address structural issues of land access, resource allocation and poor governance. The DRC government

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



9.4 million people in need of aid
in Tigray, Amhara and Afar

ETHIOPIA

Parties to the conflict in the Tigray, Amhara and Afar regions have perpetrated possible war crimes and crimes against humanity. Populations across Ethiopia are also at risk as a result of ethnic violence.

BACKGROUND

Since the federal government of Ethiopia launched a military offensive in the Tigray region against forces loyal to the governing Tigray People's Liberation Front (TPLF) during November 2020, clashes have continued in Tigray and subsequently spread to the neighboring Afar and Amhara regions in July 2021. The fighting between the Ethiopian Defense Forces (ENDF) and the Tigray Defense Forces (TDF) – a TPLF-aligned armed group – has killed thousands of people and internally displaced over 2.1 million in Tigray and 840,000 in Afar and Amhara.

In December 2021 TDF troops retreated from Afar and Amhara in a reported attempt to facilitate peace and the flow of humanitarian aid. Despite this announcement, the ENDF carried out air and drone strikes in Tigray during the first two weeks of 2022, killing at least 108 civilians and forcing aid agencies to halt their work.

In Afar fighting forcibly displaced over 300,000 people to remote areas between January-February 2022, according to regional authorities. Sporadic, heavy clashes have also continued to erupt along the Amhara and Tigray regional borders. The clashes have blocked aid workers from accessing northern Afar and Tigray since 15 December.

Amidst the expansion of the conflict, there has been an alarming rise in ethnic-based hate speech and profiling, particularly against Tigrayans. Authorities in Addis Ababa conducted house-to-house searches for anyone deemed "sympathetic" to the TPLF, targeting Tigrayan residents. According to OHCHR, from 9-16 November 2021 more than 1,000 Tigrayans were arrested, including dozens of UN staff and subcontractors delivering aid.

Widespread violations of IHL and IHRL have been committed throughout the conflict, including indiscriminate bombings and attacks on civilians, ethnic-based killings, sexual violence, forced displacement, use of child soldiers, and the systematic destruction of food, water and healthcare systems. Numerous cultural heritage sites, as well as camps in Tigray hosting Eritrean refugees, have been destroyed and looted. On 3 November OHCHR and the Ethiopian Human Rights Commission (EHRC) released a joint report, finding that all parties to the conflict – the ENDF and allied Eritrean forces, the TDF, Amhara regional forces and affiliated militias – have committed violations of international law that may amount to war crimes and crimes against humanity.

The conflict has caused a humanitarian catastrophe to unfold across northern Ethiopia, with at least 9.4 million people in Tigray, Afar and Amhara in urgent need of aid. Humanitarian aid convoys have routinely been blocked, attacked and looted by parties to the conflict and 23 aid workers have been killed. Fuel trucks have not been allowed entry into Tigray since August, compromising critical and life-saving humanitarian aid. In January 2022 the World Food Programme warned that fighting is keeping food distributions at an all-time low. UN officials have asserted that access to food is being used as a weapon of war while aid groups have reported a growing number of starvation-related deaths.

Ethnically motivated attacks, inter-communal violence and regional border disputes have also become increasingly frequent in Ethiopia. On 18 January 2022 fighting reportedly erupted between armed groups and the ENDF in the town of Tongo in Benishangul-Gumuz region, resulting in the burning and looting of a refugee camp and the displacement of 22,000 people. In Oromia, regional security forces and the Oromo Liberation Army (OLA) armed group have allegedly committed enforced disappearances and attacks on civilians, including ethnic Amharas. To address the increasing polarization between ethnic groups, on 29 December the Federal Parliamentary Assembly voted to establish a commission to hold a national dialogue. The process does not currently include the TPLF or OLA.

ANALYSIS

All parties to the conflict bear responsibility for potential war crimes and crimes against humanity. Civilians in Tigray, Afar and Amhara remain at risk of further atrocities due to repeated violations of IHL and IHRL. Inflammatory statements by regional and federal government leaders, including Prime Minister Abiy Ahmed, may fuel further ethnic conflict.

Ethiopia's ethnic-based federalist system has resulted in widespread allegations of ethnic favoritism. Under the former TPLF-dominated ruling coalition, which controlled the government for 27 years prior to Prime Minister Abiy coming to power in 2018, many groups felt marginalized. A history of impunity for past human rights abuses by security forces has also deepened distrust between ethnic groups. This history, coupled with increasing political and social polarization, could lead to further ethnically motivated violence across Ethiopia.

The Ethiopian government has failed to uphold its responsibility to protect all populations in Ethiopia, regardless of ethnicity.

INTERNATIONAL RESPONSE

Since November 2020 the UN, Intergovernmental Authority on Development (IGAD) and AU have condemned the violence in Tigray. The federal government has rejected multiple offers by the AU and IGAD to mediate the conflict. Both the UNSC and the AU's Peace and Security Council have called for an urgent ceasefire and an end to incitement and hate speech.

The EU has withheld 88 million euros in budgetary aid to Ethiopia due to the human rights situation in Tigray. On 17 September 2021 US President Joe Biden signed an executive order allowing the government to impose sanctions on those obstructing humanitarian aid and committing grave abuses against civilians in Tigray. On 12 November the US imposed sanctions on Eritrean officials and entities. On 1 January 2022 the US suspended Ethiopia from preferential trade status for gross human rights violations.

On 15 June the ACHPR announced the launch of a Col on the situation in Tigray.

On 13 July the HRC adopted Resolution 47/13, mandating the UN High Commissioner for Human Rights to update the Council on serious human rights violations in Tigray. On 17 December the HRC held a special session on the situation in Ethiopia and adopted Resolution S-33/1 establishing an International Commission of Human Rights Experts on Ethiopia (ICHREE) to investigate allegations of violations and abuses of IHL and IHRL during the conflict.

The UN Special Adviser on the Prevention of Genocide released multiple statements throughout 2021, expressing alarm at the continued deterioration of ethnic violence in the Tigray, Afar, Somali, Oromia and Amhara regions and has called on government officials to end the use of hate speech.

NECESSARY ACTION

All parties to the conflict in northern Ethiopia must operate in strict adherence with IHL and ensure the protection of civilians and refugees. Parties to the conflict should agree to an immediate ceasefire with no preconditions and allow unfettered delivery of emergency aid. National dialogue is urgently needed to address the root causes of inter-communal and ethnic conflicts across the country.

The international community must support AU efforts to negotiate a ceasefire. The UNSC should impose an arms embargo and sanctions on those prolonging the conflict and committing atrocities. Eritrean forces should immediately withdraw from Ethiopia.

All parties to the conflict should cooperate with the ICHREE and allow it to carry out its mandate. Member states should ensure the swift staffing and funding of the ICHREE.



At least 270 Palestinians and 12 Israelis killed from 10–21 May

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

Despite a 21 May 2021 ceasefire, populations in Israel and the Occupied Palestinian Territory remain at risk of recurring war crimes and crimes against humanity.

BACKGROUND

Palestinian territory – encompassing the Gaza Strip and West Bank, including East Jerusalem – has been illegally occupied by Israel since 1967. According to a July 2021 report of the UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory (OPT), Israel's 55-year occupation has been characterized by widespread human rights violations and settler violence, a two-tier legal system that subjugates Palestinians, and settlement expansion aimed at permanently altering the ethnic demographics of East Jerusalem. The report further determined that expanding Israeli settlements amounts to a war crime.

There are close to 300 illegal settlements in Occupied East Jerusalem and the West Bank with approximately 700,000 Israeli settlers. According to OCHA, at least 902 Palestinian-owned structures were demolished or seized by Israeli government authorities in 2021, and an additional 72 in 2022 so far. Hundreds of Palestinians, including entire Bedouin communities, have been forcibly displaced after their land was confiscated. In 2021 violence perpetrated by Israeli settlers against Palestinians

reached the highest level ever recorded, with over 490 attacks directed against rural Palestinian families. The attacks included physical violence, shooting with live ammunition, torching of fields and livestock, theft and vandalization of property.

Meanwhile, Israel's ongoing air, sea and land blockade of Gaza has been in place for 15 years and has inflicted collective punishment on 2 million Palestinians, facilitating a humanitarian crisis. Hamas' security forces have also committed grave abuses against Palestinian civilians in Gaza, including arbitrary arrests, summary executions and torture.

Armed conflict broke out from 10–21 May 2021 after weeks of tensions and protests against the possible forced eviction of several Palestinian families in the Sheikh Jarrah neighborhood of Occupied East Jerusalem. Israeli authorities carried out violent raids on the Al-Aqsa Mosque compound between 7–10 May, injuring over 1,000 Palestinians. Hamas responded by indiscriminately firing rockets into Israel, prompting retaliatory airstrikes. More than 270 Palestinians, including 66 children, were killed and 1,900 injured by Israeli airstrikes on Gaza. At least 12 people were killed and civilian property was damaged by indiscriminate rockets fired towards civilian areas in Israel by Hamas and other Palestinian armed groups. Approximately 90 percent of the rockets were intercepted by Israel's "Iron Dome" defense system. A ceasefire, brokered by Egypt, was eventually reached between Israel and Hamas on 20 May.

Since the ceasefire, demonstrations have occurred against illegal Israeli settlement expansion throughout the OPT, including in East Jerusalem. Israeli forces have responded with live ammunition, stun grenades and arbitrary arrests. Many detainees have allegedly been subjected to torture and other ill-treatment. Since June 2021 OHCHR has documented assaults, intimidation, gender-based violence, harassment, excessive use of force, arbitrary arrests and censorship of Palestinian journalists and human rights defenders. On 19 October the Israeli Defense Ministry issued a military order designating six Palestinian civil society organizations as "terrorist organizations."

ANALYSIS

Though the fragile 21 May ceasefire was a welcome step to reduce civilian suffering, violations of international law directed against Palestinians persist. The systematic nature of human rights violations in the OPT may amount to crimes against humanity, while the collective punishment of Palestinians as a coercive measure of population control may amount to a war crime. Article 49 of the Fourth Geneva Convention also prohibits an occupying power from transferring parts of its civilian population into occupied territory, also known as "settler implantation."

A growing number of human rights organizations have concluded that the Israeli government is implementing laws, practices and policies to entrench the supremacy of its Jewish population over

Palestinians, amounting to the crime of apartheid. Under the Rome Statute of the ICC, apartheid is a crime against humanity.

Israeli airstrikes during the 10–21 May escalation appear to have deliberately ignored the principles of proportionality and distinction and may amount to war crimes under international law. Indiscriminate rockets fired by Palestinian armed groups also violated IHL.

Impunity for cycles of violence has entrenched a system of structural oppression against Palestinians in Gaza and the Occupied West Bank. There has been no accountability for potential war crimes committed during the 2014 Gaza war between Hamas and Israel, nor for the disproportionate and deadly use of force by Israeli soldiers in response to protests along the Gaza border during 2018–2019.

Israel, the Hamas de-facto administration and the Palestinian Authority are all obligated to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

On 23 December 2016 the UNSC adopted a resolution reaffirming that Israeli settlements in the OPT violate international law. This was the first and only UNSC resolution adopted on Israel and the OPT since 2009. Between 10–21 May the UNSC made three attempts to condemn the latest war and call for a ceasefire, but the US blocked each effort.

Following a May 2018 referral by the Palestinian Authority, on 5 February 2021 the Pre-Trial Chamber of the ICC confirmed that the Court's jurisdiction extends to Gaza and the West Bank, including East Jerusalem. On 4 March 2021 the ICC officially opened its investigation.

On 27 May 2021 the HRC voted to establish a CoI with an unprecedented open-ended mandate to investigate violations of international law in the OPT and in Israel and identify the root causes of recurring conflict.

NECESSARY ACTION

The ICC should investigate all potential war crimes or crimes against humanity committed during the May conflict.

Israel must lift the blockade on Gaza and cease illegal settlement-related activity and apartheid policies. It should also end the occupation of Palestinian territory and collective punishment of Palestinians. Israeli authorities must cooperate with all UN-mandated investigative mechanisms. All parties should condemn anti-Semitic and anti-Arab hate speech and cooperate fully with the investigations of the ICC and CoI.

The international community should impose accountability measures for violations of international law in Israel and the OPT. All parties to the Israeli-Palestinian conflict must work towards a sustainable political solution consistent with

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



Over 1,500 people have been killed and at least 9,000 remain detained since the 1 February 2021 coup

MYANMAR (BURMA)

Populations in Myanmar are facing crimes against humanity and war crimes perpetrated by the military following the 1 February 2021 coup.

BACKGROUND

On 1 February 2021 Myanmar's military – the Tatmadaw – led by Commander-in-Chief Min Aung Hlaing, overthrew the country's civilian-led government and declared a state of emergency. Over the past year, hundreds of thousands of people have participated in peaceful protests and strikes against the reimposition of military rule, while numerous civilian militias known as People's Defence Forces (PDFs) have also formed as part of an armed resistance. According to the Assistance Association for Political Prisoners, more than 1,500 people have been killed by the security forces since 1 February and over 9,000 people remain detained for resisting the coup. At least 82 people have been sentenced to death by military tribunals.

On 16 April a coalition of democratic opponents to military rule formed the National Unity Government (NUG), which includes members of parliament ousted by the military. The military has charged their members with high treason and pronounced that the NUG and PDFs are terrorist organizations. On 1 August General Min Aung Hlaing declared himself prime minister and extended the state of emergency until August 2023. The NUG subsequently announced war against the military junta, urging a nation-wide revolt.

The Tatmadaw has increasingly targeted civilian areas, including in Magway and Sagaing regions and Chin, Kachin, Shan, Kayah,

and Karen states, with airstrikes and other attacks, resulting in civilian casualties and mass displacement. Since December the military has intensified offensives against the armed resistance and civilians, particularly in northwest and southeast Myanmar, threatening to plunge the country into a protracted civil war. The military's assault on Loikaw, Kayah State – which began on 6 January – is ongoing and has contributed to the displacement of approximately half the region's population.

The UN High Commissioner for Human Rights, Michelle Bachelet, and the Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, have indicated that abuses committed by the military since the coup may amount to crimes against humanity and war crimes. According to the UN's Independent Investigative Mechanism for Myanmar (IIMM), the "security forces have carried out a widespread and systematic attack on the civilian population," and "the reports of murders, sexual assaults, arbitrary detentions, enforced disappearances, torture and persecution collected by the Mechanism, if substantiated, would amount to crimes against humanity."

According to OCHA, 3 million people are currently in need of humanitarian assistance. Nearly 440,000 people have been newly displaced since the coup, bringing the estimated total number of IDPs to over 800,000.

In 2018 the HRC-mandated FFM on Myanmar concluded that senior members of the military, including General Min Aung Hlaing, should be prosecuted for genocide against the Rohingya ethnic group, as well as for crimes against humanity and war crimes in Kachin, Rakhine and Shan states. In 2019 the FFM also asserted that Myanmar breached its obligations under the Genocide Convention and "continues to harbor genocidal intent" towards the Rohingya.

The majority of Myanmar's Rohingya population were forced to flee the country after the military launched "clearance operations" in Rakhine State in August 2017, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. The estimated 600,000 Rohingya who remain in Rakhine State face severe violations of their universal human rights. The 1982 Citizenship Law rendered most Rohingya stateless.

ANALYSIS

Myanmar's armed forces previously ruled the country from 1962–2011, overseeing the violent repression of the democracy movement and waging war against several ethnic armed groups.

Impunity for past atrocities has enabled the military to commit widespread and systematic human rights violations and abuses against civilians, particularly those from ethnic minority populations. The risk of further atrocities remains extremely high as the Tatmadaw continues to target civilians and the armed resistance in what appears to be a widespread and systematic scorched earth campaign.

The coup also complicates the prospects for the safe, dignified and voluntary repatriation of Rohingya refugees

from Bangladesh. Given its history, the military regime is unlikely to address the denial of citizenship for the Rohingya or accountability for past atrocities.

Myanmar's military has manifestly failed to uphold its responsibility to protect and bears responsibility for the commission of war crimes, crimes against humanity and genocide.

INTERNATIONAL RESPONSE

The only formal response by the UNSC to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017 that stressed the "primary responsibility of the Myanmar government to protect its population." Since the coup, the UNSC has privately met ten times on Myanmar and adopted nine statements. The UNSC has taken no substantial action.

In September 2018 the HRC created the IIMM to "collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law" committed in Myanmar.

In November 2019 Pre-Trial Chamber III of the ICC authorized the Chief Prosecutor to proceed with an investigation into crimes against humanity that may have been committed against the Rohingya, resulting in their forced deportation across the Myanmar-Bangladesh border. On 11 November 2019 The Gambia filed a lawsuit at the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January 2020 the ICJ ordered Myanmar to comply with four provisional measures.

A number of governments have imposed targeted sanctions in response to the coup, including Canada, the EU, UK and US. The EU also suspended development funds. Oil conglomerates TotalEnergies and Chevron announced in January 2022 their withdrawal over the human rights crisis, and TotalEnergies has endorsed targeted sanctions. The EU, UK and US have also sanctioned several military-run conglomerates. In February the EU sanctioned the state-owned Myanmar Oil and Gas Company. The Republic of Korea restricted military exports and suspended defense exchanges.

On 24 April 2021 the Association of Southeast Asian Nations (ASEAN) agreed to a "Five-Point Consensus," however, it has not been effectively implemented. ASEAN blocked the junta from attending its October and February meetings.

On 18 June the UN General Assembly adopted a resolution calling for the immediate release of all political detainees and for all member states to prevent the flow of arms into Myanmar.

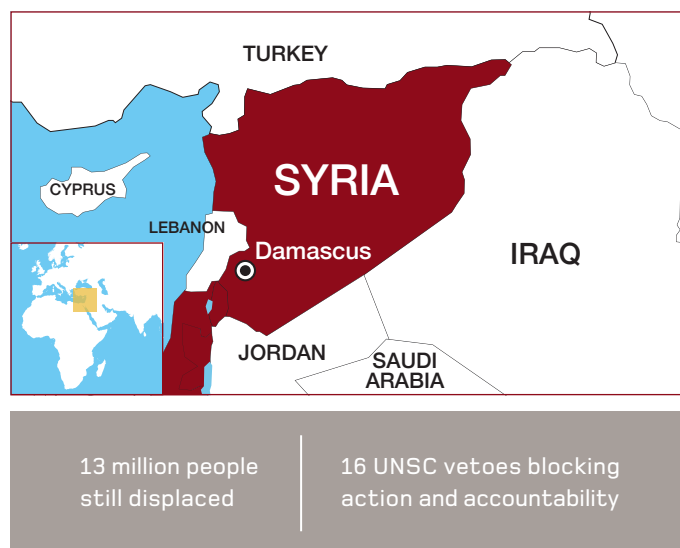
On 26 November Argentina's judiciary opened a case under the principle of universal jurisdiction against senior Myanmar officials who are responsible for the Rohingya genocide.

NECESSARY ACTION

The UNSC should impose a comprehensive arms embargo on Myanmar and refer the situation to the ICC. China, Russia, Serbia and India must halt their weapons transfers to Myanmar's military. All UN member states and regional organizations should impose economic sanctions on Myanmar's oil and gas sector. The military junta should not be diplomatically recognized as the legitimate representatives of Myanmar. Foreign companies should immediately divest and sever ties with all businesses linked to Myanmar's military.

The new ASEAN Special Envoy, Prak Sokhonn, and UN Special Envoy on Myanmar, Noeleen Heyzer, should promptly travel to Myanmar and engage with both the junta and the NUG.

General Min Aung Hlaing and other senior military leaders who bear responsibility for atrocity crimes should face international justice.



SYRIA

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

BACKGROUND

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. The HRC-mandated Col on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. 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 13.4 million Syrians remain in need of humanitarian assistance.

While various parties to the conflict continue to perpetrate serious violations and abuses of international law, over the last two years the conflict has shifted away from large-scale

military hostilities along major frontlines to localized clashes between armed groups and government forces.

In southern Syria, particularly in Dara'a governorate, clashes have been ongoing since July 2021 between government forces and armed opposition groups. A ceasefire was reached on 1 September, but quickly unraveled as Syrian government forces continued to launch raids, airstrikes and missile attacks. Violent clashes resulted in dozens of civilian deaths in January 2022 alone. The government has also besieged towns and imposed heavy restrictions on civilians attempting to flee and on the delivery of humanitarian aid. More than 35,000 civilians have been displaced since late July. Government forces also continue to commit murder, torture and sexual violence as a matter of state policy. The Col recorded over 130 targeted killings of medical workers, former judges and "reconciliation leaders" between July 2020 and April 2021.

Despite a ceasefire in northwest Syria brokered in March 2020 between Russia and Turkey, hostilities and violations have continued in Idlib governorate. Ground fighting, shelling and airstrikes – perpetrated by forces loyal to the Syrian government – have damaged medical facilities, markets, schools and displacement camps. According to the Col, the attacks have caused dozens of civilian deaths and greatly reduced access to food, water, healthcare and adequate housing. The armed extremist group Hay'at Tahrir al-Sham also continues to perpetrate abuses, including arbitrarily detaining activists and journalists. In northwest Syria, approximately 3.4 million people are in need of humanitarian aid and 2.7 million are internally displaced.

Elsewhere in northern Syria, the Syrian National Army and other Turkish-backed armed groups have perpetrated torture, sexual violence, systematic looting and arbitrary detention. IEDs are frequently detonated in crowded areas and have killed and wounded hundreds of civilians over the past year. Meanwhile, indiscriminate shelling and government airstrikes have hit civilian objects and caused dozens of casualties in recent months.

The UN Secretary-General's report on children and armed conflict confirmed more than 4,724 grave violations across Syria in 2020, including killing, maiming and the recruitment and use of children in hostilities. Additionally, at least 40,000 children of alleged ISIL fighters from 57 countries remain trapped in squalid detention camps run by the Kurdish-backed Syrian Defense Forces.

The government is also imposing arbitrary restrictions on freedom of movement and depriving individuals of their property in areas previously held by the opposition, which the Col alleges may amount to the war crime of collective punishment. Government forces have reportedly subjected civilians returning to Syria after fleeing abroad to arbitrary detention, enforced disappearances, extrajudicial killings and torture.

ANALYSIS

For over a decade the government of Syria, its allies and armed opposition groups have all perpetrated attacks on civilians and civilian infrastructure, blatantly disregarding international law. The Organisation for the Prohibition of Chemical Weapons has also documented the illegal use of chemical weapons by the Syrian government and some armed groups since 2013. All parties to the conflict have committed acts that may amount to war crimes and crimes against humanity.

As various armed groups attempt to consolidate their control over territory in a fragmented Syria, civilians are facing systematic human rights violations. The Syrian government and other parties to the conflict continue to perpetrate detention and disappearance as a strategy to control and intimidate civilians. Ongoing violations of various ceasefire agreements greatly increase the risk of recurrence of large-scale conflict.

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

The government of Syria has manifestly failed to uphold its responsibility to protect and 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 censured the Syrian government for its widespread violations of human rights. The UN Secretary-General has also 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 27 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed ten draft resolutions and Russia has independently vetoed an additional six. On 11 January 2022 the UNSC extended authorization for cross-border aid through one crossing until July.

On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have also initiated domestic legal proceedings against suspected Syrian perpetrators under universal jurisdiction. On 24 February 2021 a German court delivered the first conviction of a member of Syria's intelligence services, Eyad A., for complicity in crimes against humanity. Nearly a year later, on 13 January 2022, the same court convicted Anwar R., a high-ranking former Syrian government official, of crimes against humanity. On 19 January another German court opened a trial involving allegations of torture and murder by a Syrian state agent.

On 18 September 2020 the government of the Netherlands formally requested negotiations with the Syrian government as a first step towards holding Syria accountable for violations of the UN Convention against Torture. The government of Canada issued a similar request on 4 March 2021.

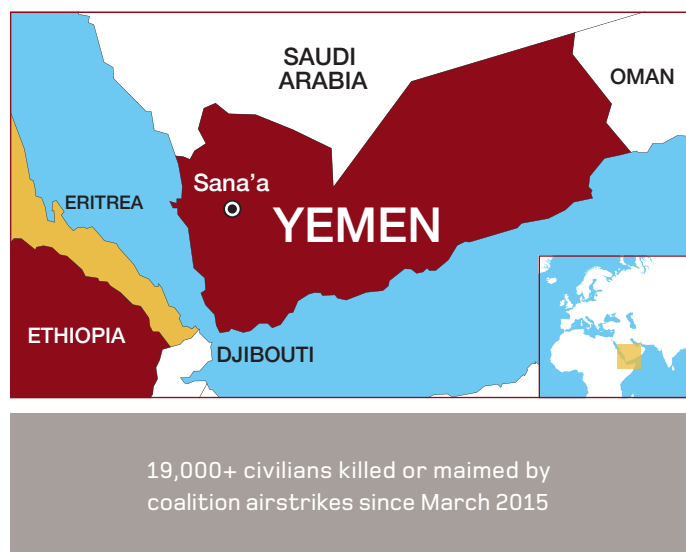
On 21 April 2021 a majority of States Parties to the Chemical Weapons Convention voted to suspend Syria's rights and privileges under the treaty.

NECESSARY ACTION

All parties to the conflict must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting. A timetable for the release of all detainees and abductees should be established. All parties should also uphold the ceasefire agreements in the northwest, northeast and south.

All returns of refugees and other displaced Syrians must be in accordance with the principle of non-refoulement. Syrian authorities must ensure the protection of all returnees.

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under universal jurisdiction. The UNSC must work towards the establishment of an independent international mechanism to clarify the fate and whereabouts of those missing and disappeared in Syria. The UNSC should also refer the situation in Syria to the ICC.



YEMEN

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

BACKGROUND

For seven years civilians in Yemen have suffered from ongoing war crimes and crimes against humanity. Fighting between

Houthi forces, the Southern Transitional Council (STC), and forces loyal to the internationally recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has resulted in the deaths of thousands of civilians since March 2015. More than 19,000 civilians have been killed or maimed as a result of coalition airstrikes alone, including over 2,300 children. The conflict has displaced at least 4 million people and created the world's largest humanitarian crisis.

Armed hostilities and indiscriminate bombing have dramatically escalated throughout Yemen, with at least 49 active frontlines across the country. More than 2,500 civilians were killed or maimed during 2021 as a result of violence, including 956 from October–December 2021 alone. The Yemen Data Project reported that air raids by the Saudi/UAE-led coalition have increased by more than 50 percent since October 2021. Coalition air raids caused 426 civilian casualties in January 2022, the highest monthly total since March 2018.

In mid-November hostilities escalated in Hodeidah when forces loyal to the government withdrew and Houthi forces took over, significantly shifting frontlines and causing mass displacement. An increase in indiscriminate coalition airstrikes since October has resulted in the highest rate of air raids and a record number of civilian casualties in Hodeidah governorate since the December 2018 Stockholm Agreement.

Since the Houthis launched an offensive in Marib during February 2021, indiscriminate missile and artillery fire, as well as airstrikes, have regularly hit markets, displacement camps, residential areas and other civilian objects throughout the governorate. According to the International Organization for Migration (IOM), nearly 100,000 people were displaced in the region by fighting in 2021, almost half of whom were displaced since September.

Meanwhile, escalating hostilities in Taizz, Shabwah, Aden and Sa'dah governorates have caused civilian casualties and displacement and restricted freedom of movement and humanitarian access. Missiles and airstrikes across these areas have targeted and destroyed civilian objects and critical infrastructure, including water reservoirs, hospitals and telecommunications towers. A coalition air raid on a detention center in Sa'dah governorate on 21 January 2022 caused 91 civilian deaths and 236 injuries.

From 2018–2021, the HRC-mandated Group of Eminent Experts (GEE) on Yemen documented a pattern of violations and abuses of international law perpetrated by parties to the conflict that may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention, and sexual and gender-based violence. The GEE has alleged that Canada, France, Iran, UK and US may be complicit in these violations due to their provision of military intelligence, arms and logistical support to some parties to the conflict.

The UNSC-mandated Panel of Experts on Yemen has reported since 2015 that arbitrary arrests and detention, enforced disappearances, ill-treatment and torture of detainees have been conducted by the governments of Yemen and Saudi Arabia, as well as the Houthis, STC and forces affiliated with the UAE. The Panel reported in January 2022 that over 2,000 children recruited by the Houthis have died in combat since 2020. The Panel has also warned of ongoing arrests of humanitarian workers in Houthi-controlled areas in the north.

More than 20 million Yemenis need humanitarian assistance and 16.2 million are facing acute food insecurity. The GEE and civil society organizations have reported that parties to the conflict may have used starvation of civilians as a military tactic. The distribution of essential vaccines and other humanitarian aid has been systematically blocked by parties to the conflict.

ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian objects, amounting to war crimes and crimes against humanity. The protracted conflict is characterized by fragmenting coalitions and a multitude of fronts, as well as a pervasive climate of impunity that has fueled lawlessness and resulted in extensive civilian harm.

Attempted negotiations between parties to the conflict have been unsuccessful. Although parties signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah, escalating violence in Hodeidah, Marib and other governorates puts hundreds of thousands of civilians and IDPs at risk. The surge in civilian casualties, hostilities and airstrikes since October coincides with the abrupt termination of the GEE.

The dire humanitarian situation is a direct result of the armed conflict and requires a political solution complemented by effective accountability and justice mechanisms.

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

INTERNATIONAL RESPONSE

The UNSC imposed financial sanctions and travel bans on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo on Houthi leaders and individuals acting on their behalf or under their direction. On 28 February 2022 the UNSC altered the arms embargo to include the Houthis as an entity subject to the embargo measures.

On 21 December 2018 the UNSC passed a resolution endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team. On 14 July 2021 the UNSC renewed the mandate of the UN Mission to support the Hodeidah Agreement.

On 25 October 2019 the European Parliament called on all EU member states to halt weapons exports to Saudi Arabia. On 4 February 2021 the US government announced an end to its support for Saudi Arabia's operations in Yemen. However, arms transfers to the UAE continue.

On 11 February 2021 the European Parliament passed a landmark resolution urging EU member states to use all available tools to hold accountable perpetrators of violations of international law in Yemen, including through universal jurisdiction.

On 7 October the HRC failed to renew the mandate of the GEE, terminating the only international independent mechanism dedicated to monitoring international law violations in Yemen. The vote followed heavy diplomatic and political pressure from Saudi Arabia.

NECESSARY ACTION

All parties to the conflict should fully implement the terms of the Stockholm Agreement and extend the Hodeidah ceasefire to all conflict-affected areas. The UN Special Envoy for Yemen, Hans Grundberg, should broaden negotiations to include all relevant parties to the conflict, as well as ensure that accountability and justice feature prominently in the peace process. The government of Yemen should allow access to 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 UN General Assembly should urgently establish a new criminal justice-focused mechanism to advance accountability. The UNSC should adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance, as well as refer the situation in Yemen to the ICC.

IMMINENT RISK

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



More than 110 extrajudicial killings since 15 August 2021

AFGHANISTAN

Populations in Afghanistan face an imminent risk of further mass atrocity crimes under Taliban rule. Other armed extremist groups also continue to pose a threat to civilians.

BACKGROUND

On 15 August 2021 Taliban forces entered Kabul, effectively overthrowing the Afghan government. Since then, the Taliban have perpetrated human rights abuses targeting vulnerable populations, including religious minorities and women and girls. The UN Assistance Mission in Afghanistan (UNAMA) and OHCHR have received over 110 credible reports of extrajudicial killings of former Afghan security personnel and 50 credible reports of arbitrary detentions, beatings and threats of previous Afghan government officials, political opponents, journalists, civil society activists and human rights defenders. According to Human Rights Watch, Taliban officials have forcibly displaced residents in several provinces, including Shia Hazara and people associated with the former government, as a form of collective punishment.

The Taliban have severely restricted fundamental rights, including freedom of religion and expression. The Taliban have also dissolved key government agencies, including the Independent Election Commission, the Ministry of Peace and the Ministry of Parliamentary Affairs. Reports also indicate a pattern of institutionalizing large scale and systematic gender-based discrimination and violence against women and girls, including forced marriage, as well as restrictions on freedom of movement, freedom of expression, employment opportunities and access to education and healthcare.

When the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization coalition of military forces, they conducted a prolonged insurgency against the internationally recognized Afghan government. During two decades of war, the Taliban perpetrated likely crimes against humanity and war crimes. Meanwhile, Afghan security forces, members of the US military and Central Intelligence Agency (CIA) may have also committed war crimes, including the torture of detainees and summary executions. From 2009–2019 UNAMA recorded more than 10,000 civilian casualties per year.

During the Taliban offensive between May–August 2021, more than 3,750 civilians were killed or maimed in Taliban attacks and retaliatory airstrikes by the former Afghan government, according to OHCHR and UNAMA. The Taliban, US armed forces and Afghan national security forces all perpetrated attacks that likely amount to war crimes and crimes against humanity.

Attacks and bombings by non-state armed groups, such as the so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K), also pose a threat to civilians in Afghanistan. In October 2021 ISIL-K carried out a series of attacks targeting the Shia minority, particularly the Hazara, including bombings at Shia mosques in Kunduz, Kabul and Kandahar that killed more than 90 civilians. Since then, ISIL-K has carried out sporadic targeted attacks on religious institutions and residential areas, including with shootings and IEDs. ISIL-K and Taliban forces have also engaged in a series of violent tit-for-tat attacks.

The people of Afghanistan are facing a growing humanitarian crisis, compounded by the impact of sanctions and the freezing of state assets. According to OCHA, more than half the population is currently in need of humanitarian aid, with 1 million Afghan children facing acute hunger. In 2021 around 700,000 Afghans were forced to flee their homes as a result of hostilities, adding to the already 5 million who have been displaced since 2012.

ANALYSIS

Despite assurances from the Taliban, the risk of further war crimes and crimes against humanity persists. Women and girls, minorities, journalists, civil servants, human rights defenders, and those affiliated with the former Afghan government are at high risk of targeted attacks by the Taliban. Meanwhile religious minorities, particularly the Shia Hazara, continue to be threatened by ISIL-K. Tit-for-tat attacks between the Taliban and ISIL-K throughout the country pose an imminent risk to civilians.

Continued restrictions on fundamental freedoms could lead to more severe violations of international law and possible atrocities. Systematic efforts by the Taliban to exclude women and girls from the social, economic, and political spheres put them at increased risk of further abuses.

The Taliban must honor their obligations under international law and uphold their responsibility to protect the people of Afghanistan.

INTERNATIONAL RESPONSE

Since 2011 the UNSC has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. On 30 August 2021 the UNSC adopted Resolution 2593, calling for safe passage of those wishing to leave, unhindered humanitarian access and respect for human rights, particularly of women and girls. On 22 December 2021 the UNSC adopted Resolution 2615, allowing for the flow of humanitarian aid into Afghanistan for one year without violation of UN sanctions against the Taliban.

On 24 August the HRC adopted a resolution on Afghanistan during an emergency special session, but failed to establish a proposed investigative mechanism. On 7 October the HRC appointed a Special Rapporteur to monitor and report on the situation of human rights in Afghanistan.

On 5 March 2020 the Appeals Chamber of the ICC authorized the Office of the Prosecutor (OTP) to investigate alleged atrocity crimes perpetrated in Afghanistan by all parties since 1 July

2002. Although the OTP had paused the investigation following a request from the Afghan government to conduct investigations nationally, on 27 September 2021 Chief Prosecutor Karim Khan requested authorization to resume due to the Taliban's takeover. Chief Prosecutor Khan also announced the decision to focus on crimes allegedly perpetrated by the Taliban and ISIL-K, and to de-prioritize other aspects of the investigation, including likely war crimes and crimes against humanity committed by Afghan national security forces, US forces and the CIA.

NECESSARY ACTION

The Taliban and all international actors engaging with their representatives must ensure respect for international law, as well as the promotion and protection of human rights for all Afghans. Recognition of a new government in Afghanistan, as well as acceptance of the Taliban's UN credentials must be contingent upon respect for human rights, severance of all terrorism ties and adherence to Afghanistan's international treaty obligations. The Taliban must cooperate with and facilitate access for the UN Special Rapporteur and any other human rights monitoring mechanisms, as well as ensure the safety of all humanitarian workers and organizations.

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. The OTP should reconsider its decision to exclude likely atrocity crimes perpetrated by Afghan national security forces, US forces and the CIA from its investigations.

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 5,000 people killed in the north-west by armed bandits since 2018

NIGERIA

Increased attacks by armed bandit groups, as well as continued attacks by Boko Haram and the Islamic State in West Africa, leave civilians at risk of mass atrocity crimes.

BACKGROUND

Multiple security threats in Nigeria leave civilians at serious risk, including growing attacks by armed groups commonly referred to as “bandits,” as well as by the armed extremist groups Boko Haram and the so-called Islamic State in West Africa (ISWA). According to OCHA, the deteriorating security situation has resulted in a humanitarian emergency, with more than 8.7 million people requiring urgent assistance.

Since 2011 inter-communal violence, rooted in competition over scarce resources, has escalated in central and north-west Nigeria. Violence between herding and farming communities has become increasingly deadly as a result of the proliferation of armed groups and gangs who engage in organized cattle-rustling, kidnapping, plunder, murder and rape. The emergence and expansion of armed banditry in the north-west resulted in at least 4,900 people killed between 2018–2020 and has displaced hundreds of thousands. Between 4–6 January 2022 more than 200 people were killed and 10,000 displaced following attacks by armed bandits on several villages in Zamfara State.

At least 35,000 people have been killed in northern Nigeria since 2009 when Boko Haram launched its insurgency aimed at overthrowing Nigeria’s secular government and establishing an Islamic state. There are at least 2.2 million IDPs in Adamawa, Borno and Yobe states while health services and education have been severely disrupted. These groups have also perpetrated attacks in neighboring countries, killing and displacing civilians

in Cameroon, Chad and Niger. Since early 2021 the group has expanded into north-central Nigeria.

Kidnappings of students and abductions for ransom by armed extremist groups and bandits have become endemic in northern Nigeria, with more than 1,000 children kidnapped during 2021.

Responding to the multiple security crises, in April 2021 Nigeria’s House of Representatives called upon President Muhammadu Buhari to immediately declare a state of emergency and impose measures to restore peace in the country. In September the government launched renewed campaigns in the north-west to curb armed banditry. In January 2022, under the Terrorism Prevention Act, the government of Nigeria designated bandit groups as “terrorists.”

ANALYSIS

Nigeria’s armed forces have been deployed in two-thirds of the states in the country and are overstretched. Despite notable progress by the regional Multinational Joint Task Force (MNJTF) against Boko Haram, civilians remain at risk of terrorist attacks and identity-based violence.

During counterterrorism operations security forces have reportedly committed human rights violations and used excessive force, including extrajudicial killings, against suspected Boko Haram and ISWA members.

While parts of Nigeria have experienced recurring inter-communal violence, growing desertification has exacerbated the situation and arms proliferation has made these conflicts deadlier. The loss of grazing land in the north has driven many ethnic Fulani herdsman, who are mainly Muslim, southward into areas farmed by settled communities that are predominantly Christian. Many of Nigeria’s bandit groups have formed in response to growing inter-communal conflict over land and resources. While these groups are driven largely by criminal motives, many bandits are ethnic Fulani and prey on settled farming communities, increasing ethnic tensions.

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

INTERNATIONAL RESPONSE

The MNJTF was established in 2015 to combat armed extremism.

On 11 December 2020 the Chief Prosecutor of the ICC announced the completion of a preliminary examination into the situation in Nigeria, concluding that Boko Haram and Nigerian forces committed war crimes and crimes against humanity.

On 10 January 2022 UN Secretary-General António Guterres issued a statement condemning bandit attacks in Zamfara State and urged the Nigerian authorities to bring those responsible to justice.

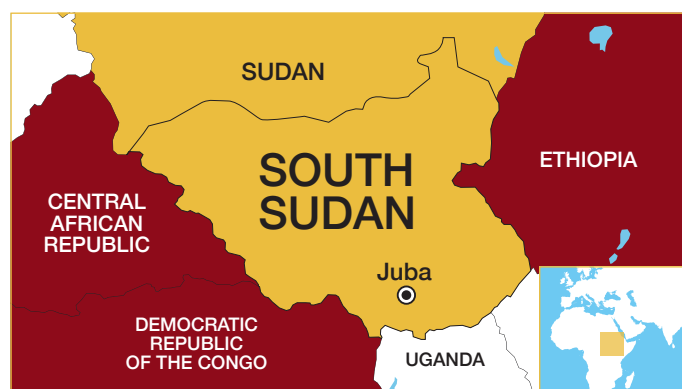
During January the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, visited Nigeria to raise awareness about the conflict affecting the Lake Chad Basin.

NECESSARY ACTION

While the lack of adequate military protection for vulnerable populations needs to be urgently addressed, social initiatives and political reforms remain crucial to confronting the root causes of conflict, including poor governance, corruption, poverty, youth unemployment and environmental degradation.

Local peace commissions established to mediate inter-communal tensions and build early warning systems, such as those in Adamawa, Kaduna and Plateau states, need to be duplicated in other high-risk regions. In keeping with its commitment to the Safe Schools Initiative, Nigeria's federal government should also work with local communities to enhance security and bring an end to mass kidnappings of children.

Utilizing ECOWAS' Early Warning System, the government should increase police and military deployments to vulnerable areas, while ensuring strict adherence to IHRL and IHL during operations. The government also needs to urgently reform the security sector, including by incorporating IHL and IHRL into all military and police training, and ensure accountability for human rights violations.



75 percent of South Sudan's population
in need of humanitarian assistance

SOUTH SUDAN

Ongoing localized and inter-communal violence, as well as political infighting, poses a threat to civilians in South Sudan.

BACKGROUND

Populations in South Sudan continue to suffer as a result of ongoing conflict at the subnational level, particularly in Upper Nile, Unity, Jonglei, Warrap, Lakes, Central Equatoria and Western Equatoria states. Growing discontent within the main political parties in South Sudan – the Sudan People's Liberation Movement of President Salva Kiir and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) of Vice President Riek Machar – have led to increased instability. In several parts of the country, tensions between the two political parties over access to resources and political appointments have sporadically culminated in violent clashes.

Between June-August 2021 the SPLM/A-IO splintered into two rival factions – those loyal to Machar and those loyal to the Chief of General Staff, Simon Gatwech Dual, resulting in violence and exacerbating inter-communal tensions. The security situation in Upper Nile continues to be impacted by the split within the SPLM/A-IO.

Although the overall level of violence against civilians reduced significantly during 2021, subnational and localized violence remained pervasive, according to the HRC-mandated Commission on Human Rights in South Sudan (CHRSS). Hundreds of people have been killed as a result of ongoing inter-communal violence and attacks by community-based militias, including revenge killings, cattle raiding, abductions and attempted robbery, in Unity, Jonglei, Lakes, Warrap and Western Bahr el Ghazal states. The UN reported that between 1 September and 31 October 2021, an estimated 66 people were killed by inter-communal clashes and revenge attacks in the northwestern region of Greater Bahr el Ghazal alone.

According to the UN, humanitarian needs are at their highest level since the formation of South Sudan in 2011, with 8.3

million people – almost 75 percent of the population – in need of humanitarian assistance. In December OCHA reported an increase in the number of armed attacks against humanitarians and humanitarian assets across the country since March 2021. An estimated 2 million people remain internally displaced and 2.3 million have fled to neighboring countries.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its almost 11 years of independence. Between December 2013 and April 2018 an estimated 400,000 people were killed as the army and SPLA-IO perpetrated war crimes and crimes against humanity. The CHRSS alleges that between 2017-2019 government troops and opposition forces deliberately used the starvation of civilians as a method of warfare, particularly in Western Bahr el Ghazal and Jonglei states. There has been no substantive attempt to hold perpetrators accountable.

While there is a history of seasonal inter-communal violence in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by climate change and arms proliferation. The rise in political infighting and localized violence, as well as the COVID-19 pandemic and severe weather conditions, have aggravated the humanitarian situation.

Although the formation of the Transitional Government of National Unity (TGoNU) in 2020 was supposed to provide an opportunity to address divisions in the country and the underlying causes of localized conflicts, senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities. Bitter disagreements between and within parties of the TGoNU on how to implement the peace agreement have led to widening divisions that threaten the future security of the country. Armed groups that remain outside of the peace agreement, such as the National Salvation Front, also continue to engage in violent attacks, forced recruitment, harassment and abductions.

The TGoNU is struggling to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has subjected eight people to targeted sanctions since 2015 and imposed an arms embargo since 2018. On 12 March 2021 the UNSC extended the mandate of the UN Mission in South Sudan (UNMISS), emphasizing that, “South Sudan’s government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.”

Between 13-15 December 2021, the CHRSS, in collaboration with OHCHR and UNMISS, convened a high-level conference on Sustaining Momentum for Transitional Justice in South Sudan. The CHRSS conducted a five-day visit to South Sudan in February 2022.

NECESSARY ACTION

The international community should exert increased diplomatic pressure on all parties to the 2018 peace agreement to ensure its full implementation. The UNSC should impose further targeted sanctions against any individuals who undermine the peace process. The AU, IGAD and neighboring countries should actively enforce the existing arms embargo.

The AU and the government should expeditiously establish the Hybrid Court and prosecute individuals responsible for past atrocities, regardless of their affiliation or position. The HRC should renew the mandate of the CHRSS in full during its 49th session.



80+ people killed and hundreds detained since the 25 October coup

SUDAN

Populations in Sudan are at risk of atrocity crimes due to ongoing political instability and use of lethal force against civilians by security forces and affiliated militias. Inter-communal and localized violence also pose a threat to populations.

BACKGROUND

On 25 October the military in Sudan, under the leadership of General Abdel Fattah al-Burhan, head of the joint civilian-military Sovereign Council, seized power by dissolving the transitional body and declaring a state of emergency. Several civilian leaders, including then Prime Minister Abdalla Hamdok, were arrested or placed under house arrest. Since then, hundreds of thousands of protesters continue to demonstrate across the country, demanding the reinstatement of a genuine civilian-led government. More than 80 people have been killed and hundreds injured by security forces during protests. In December the UN reported a sharp increase in sexual and gender-based violence, including rape, during mass demonstrations.

Sudan’s transitional authorities preceding the coup came to power after country-wide protests brought an end to then President Omar al-Bashir’s thirty-year rule in April 2019. The Sovereign Council was established in August 2019 to lead the

transition to democracy and prepare for elections in July 2023. However, the power-sharing agreement remained fragile, and prior to the military takeover, there were increasing tensions between and within Sovereign Council members.

On 21 November ousted Prime Minister Hamdok signed a new political agreement with General Burhan. On 2 January 2022 he announced his resignation amid continuing political deadlock and mass protests.

Meanwhile, there has been a renewed escalation in inter-communal and localized violence since October 2021 in the Darfur and Kordofan regions, resulting in civilian casualties, destruction of property and human rights violations. According to the IOM, inter-communal conflict has displaced over 83,000 people in Central, North and West Darfur and thousands in Kordofan since October. Violence escalated throughout 2021 despite the Sovereign Council and the leaders of the Sudan Revolutionary Front, a coalition of armed groups from Darfur, South Kordofan and Blue Nile, signing a historic peace agreement in October 2020 aimed at ending almost two decades of armed conflict between the Bashir government and armed rebel groups.

ANALYSIS

There is a risk of atrocities due to the deployment of security forces in the capital, Khartoum, to patrol ongoing protests. The Rapid Support Forces (RSF) and other security forces in Sudan have a history of violent crackdowns on protests and dissent. During mass demonstrations against military rule between December 2018 and August 2019, security forces killed more than 200 people and arrested thousands.

The political instability in Khartoum and other cities has negatively impacted populations in Darfur and other peripheral regions. Not only are inter-communal tensions exploited by political actors, but armed forces are being re-deployed from Darfur to Khartoum, leaving communities vulnerable to attacks.

During his 30-year dictatorship, former President Bashir and other government officials were responsible for crimes against humanity, war crimes and acts of genocide while fighting armed groups in Darfur, South Kordofan and Blue Nile. Bashir has not been held accountable for past atrocity crimes. Mohamed Hamdan “Hemedti” Dagolo, a member of the Sovereign Council involved in the 25 October coup, is also implicated in atrocities committed as commander of the RSF.

Prior to the coup, the Sudanese cabinet had unanimously passed a bill on 4 August to become a state party to the Rome Statute of the ICC, pending approval by the Sovereign Council. Disagreement over justice for past atrocities contributed to tensions between Sovereign Council members.

The Sudanese military must uphold its responsibility to protect and refrain from using excessive and deadly force.

INTERNATIONAL RESPONSE

The UNSC has imposed an arms embargo on Darfur since 2004 and sanctions on three individuals since 2006. Following a UNSC referral, the ICC issued arrest warrants for three Sudanese officials, including Bashir and two anti-government militia leaders, for atrocities perpetrated in Darfur.

On 3 June 2021 the UNSC extended the mandate of the UN Integrated Transition Assistance Mission in Sudan (UNITAMS), tasked to assist the Sudanese authorities during the transition to democracy, until June 2022. On 8 January 2022 UNITAMS launched intra-Sudanese consultations to end the current political impasse.

Following the coup, the AU suspended Sudan. Several states and multilateral organizations, including Germany, US and the International Monetary Fund, paused foreign aid and halted disbursements. On 28 October the UNSC adopted a Press Statement on the situation.

On 5 November the HRC adopted a resolution during a special session that designated an Expert on Human Rights to monitor and report on the developing situation in Sudan since the coup. Adama Dieng, former UN Special Adviser on the Prevention of Genocide, was appointed as the designated Expert.

NECESSARY ACTION

Security forces should protect the fundamental right to peaceful assembly and refrain from using excessive and deadly force against protesters. All those unlawfully detained or placed under house arrest should be released immediately.

The international community should call for and support a credible political transition that respects the people's desire for democracy.

The UNSC must continue to closely monitor the precarious security situation in Sudan.



More than 6 million people have left the country since 2014

VENEZUELA

Ongoing state-sanctioned persecution in Venezuela leaves civilians at risk of crimes against humanity.

BACKGROUND

Since 2014 Venezuelan security and intelligence forces have been accused of widespread torture, sexual and gender-based violence, arbitrary detention and enforced disappearances in an attempt to silence political dissent. State agents, including the Special Action Forces (FAES), have also allegedly perpetrated thousands of extrajudicial killings in the name of combatting crime.

For nearly eight years, Venezuela has experienced an unprecedented humanitarian, economic and political crisis. When mass protests erupted in response to insecurity, hyperinflation and a lack of essential services in 2014, security forces reacted with disproportionate force, torture and sexual violence. State agents responded with similar patterns of violations and abuses during other mass protests, including in 2017 and 2019. Throughout the crisis, civil society, independent media and opposition members, as well as human rights and humanitarian actors have faced persecution by the government.

In September 2020 the HRC-mandated FFM on Venezuela warned that patterns of violations and abuses between 2014–2020 were authorized at the highest level of government and committed as part of a “widespread and systematic attack” against the civilian population that may amount to crimes against humanity. In December 2020 the Chief Prosecutor of the ICC asserted that there are reasonable grounds to believe that crimes against humanity have been committed since at least April 2017. In September 2021 the FFM warned that Venezuela’s judicial system is perpetuating impunity for possible crimes against humanity, and that previously identified patterns of serious violations and abuses persist.

In August 2021 representatives of the government and opposition began a dialogue process to address the protracted

political crisis. The government suspended its participation in October following the extradition of a close ally of President Nicolás Maduro to the US.

Millions of Venezuelans are suffering from a complex humanitarian emergency, including a collapsed healthcare system, widespread malnutrition and food insecurity. More than 6 million have left the country since 2014 in what has become the largest migration crisis in Latin America.

Communities along Venezuela’s border with Colombia and other areas of the country, including mining areas, are also at heightened risk of egregious abuses, violence and exploitation by non-state armed groups or criminal gangs, acting at times with the consent of state agents.

ANALYSIS

Extrajudicial killings appear to be part of a systematic strategy to combat crime and reinforce social control. Government-linked media outlets play a key role in state repression and persecution. The judicial system emboldens state agents to continue perpetrating possible crimes against humanity.

The ICC’s December 2021 decision to open an investigation is an important step in advancing accountability efforts and exerting pressure on the government to investigate all perpetrators within the security and intelligence forces, regardless of rank.

Venezuela is facing a humanitarian catastrophe as a result of endemic corruption, economic collapse, erosion of the rule of law and political conflict and repression. The absence of accountable state authority along Venezuela’s borders and other areas across the country has facilitated violent organized crime and the proliferation of non-state armed actors.

Despite being a current member of the HRC, the government refuses to commit to system-wide human rights reform and is failing to uphold its responsibility to protect all Venezuelans.

INTERNATIONAL RESPONSE

Since November 2017 the EU has imposed asset freezes on 55 individuals, including senior government officials. The US government has imposed targeted sanctions against the government, as well as broader sanctions that have exacerbated the humanitarian crisis.

The HRC established the FFM in September 2019 and renewed its mandate for an additional two years in October 2020.

On 3 November 2021 the Chief Prosecutor of the ICC signed a Letter of Understanding with the Maduro government, declaring the opening of an investigation on 16 December.

NECESSARY ACTION

Venezuelan authorities must end the systematic persecution, criminalization and harassment of actual or alleged opponents and civil society. The government should also commit to security sector reform, fully dissolve the FAES and ensure impartial

investigations of all serious violations and abuses of human rights committed by various state agents and agencies, including at the highest level. The government should grant the FFM unrestricted access to the country and implement its recommendations, including by overhauling the judiciary. The UNSC should invite the FFM to brief the Council on necessary action to ensure accountability for ongoing crimes against humanity.

States should actively push for renewed negotiations between the government and the wider opposition and exert diplomatic pressure to ensure the government commits to system-wide reform.

Complementary to the ICC's investigation, other states should consider taking legal action, including under universal jurisdiction, against those responsible for possible crimes against humanity in Venezuela.



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