

# R2P MONITOR

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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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\*Updates for DPRK and Eritrea are available on our website.

[globalr2p.org](http://globalr2p.org)

## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



648,000+ 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 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 and widespread sexual and gender-based violence, burned Anglophone villages, and subjected individuals with suspected separatist ties to arbitrary detention, torture and ill-treatment. 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 Anglophone regions are closed or destroyed, denying at least 700,000 children an education.

Targeted attacks on health facilities and humanitarian workers have restricted the delivery of vital aid. Approximately 30 percent of health facilities are unable to operate. During March 2022 Médecins Sans Frontières suspended its activities in south-west Cameroon due to the dangerous operating environment

and increased risk of being arrested or persecuted for providing humanitarian assistance.

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.

Inter-communal violence has also escalated elsewhere in Cameroon. 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. 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 74,400 have fled to Nigeria. According to OCHA, more than 3.9 million people are in need of humanitarian assistance across the country.

### ANALYSIS

What began as a political dispute in the Anglophone regions is now a complex armed conflict and a major humanitarian crisis. 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. Limited attempts have been made to find a solution to the conflict. 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.

With more than 200 different ethnic communities living in Cameroon, there is also a history of inter-communal tensions in parts of the country. In the Far North region such tensions 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 cattle herders, farmers and fishermen.

The government of Cameroon is failing to uphold its responsibility to protect and requires international assistance to mediate an end to 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 5 December 2021 the African Commission on Human and Peoples' Rights adopted a resolution on Cameroon, calling upon the government to work toward a peaceful solution to the crises in the Anglophone regions and to authorize a fact-finding mission (FFM).

On 21 March 2022 the Council of the European Union (EU) approved conclusions on Cameroon, expressing serious concern about the ongoing crisis in the north-west and south-west regions and appealing for an immediate end to the violence as well as for respect of human rights and humanitarian principles.

On 29 April the UN Committee on the Elimination of Racial Discrimination (CERD) issued findings on Cameroon, expressing deep concern about widespread violent attacks and clashes between security forces and armed separatist groups. CERD urged the government to prioritize national reconciliation and transitional justice, as well as ensure accountability.

## 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 International Humanitarian Law (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.

The government should hold an inclusive dialogue with parties to the Anglophone crisis, 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 toward 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 escalated 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 a private security company, Wagner Group – responded with counter-offensives. Despite the government's declaration of a unilateral ceasefire on 15 October 2021, violence has persisted, particularly in the northeast, west and center of the country. The UN peacekeeping mission in CAR (MINUSCA) has documented more than 525 conflict-related civilian deaths since February 2021. The actual figure is likely higher as UN investigators have been prevented from accessing sites of various alleged crimes.

The CPC and affiliated armed groups have perpetrated widespread violations of IHL, including killing and abducting civilians, the forcible recruitment of child soldiers, and attacks on schools, hospitals, humanitarian workers and MINUSCA. After security forces recaptured territory in the northeast, some armed groups have carried out violent reprisals against local populations. Since the CPC launched their offensive, conflict-related sexual violence has also significantly increased, with the number of cases doubling during 2021 as compared to the previous year.

During military operations, FACA troops and Russian mercenaries have perpetrated summary executions, arbitrary killings, torture, rape and forced disappearances, and have also 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 also killed dozens of civilians for their perceived support of the armed group Union pour la Paix en Centrafrique (UPC) in Ouaka prefecture since October 2021.

In March the UN High Commissioner for Human Rights, Michelle Bachelet, warned that the pattern of violations against minority communities risks triggering a new cycle of violence along communal, religious and ethnic lines. During April and May, inter-communal violence between farmers, herders and armed groups escalated, leaving approximately 38 people killed.

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 between 2013–2015. Despite a 2019 peace deal that formally ended the armed conflict, signatories continue to perpetrate widespread human rights abuses.

In 2015 the Special Criminal Court (SCC) in CAR was mandated to try grave crimes committed in the country since 2003. On 19 November 2021 the SCC charged Hassan Bouba Ali, CAR's 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. In April 2022 the SCC opened a trial concerning war crimes and crimes against humanity allegedly committed in May 2019 by three suspected members of the Retour, réclamation et réhabilitation armed group.

More than 1.4 million people have been forced to flee successive crises since 2013. Approximately 3.1 million people need humanitarian assistance and protection and 50 percent of the population is critically food insecure.

## ANALYSIS

Unless all parties to the conflict adhere to the ceasefire, threats to populations will continue. The increased presence of explosive devices has created new conflict dynamics and hampered humanitarian access. Targeted attacks by FACA and allied forces against marginalized populations are increasing inter-communal tensions. The cross-border flow of foreign fighters, arms and natural resources is contributing to a thriving conflict-economy. The ongoing crisis and hostility toward MINUSCA have impacted its ability to implement its civilian protection mandate and to conduct human rights investigations.

Russian mercenaries operating in CAR have a history of perpetrating atrocities, including in Libya, Mozambique and Syria. The EU has imposed sanctions on companies and individuals associated with Wagner Group, alleging it has sent private

military personnel to conflict zones around the world to “fuel violence, loot natural resources and intimidate civilians in violation of international law.”

Despite the creation of the SCC and trials at the International Criminal Court (ICC), accountability for atrocities perpetrated since 2013 remains limited.

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

## INTERNATIONAL RESPONSE

The UNSC has passed 13 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. 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 ICC. The ICC currently has three individuals in custody, including two former anti-balaka leaders and one Séléka leader. On 14 March 2022 Chad surrendered Makime Mokom, a former anti-balaka leader, to the ICC for crimes against humanity and war crimes allegedly committed in 2013 and 2014.

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 9 December the UN Independent Expert on the situation of human rights in CAR, Yao Agetse, called upon authorities to return Bouba to the SCC. The AU, ECCAS, EU, France, MINUSCA, United States (US) and World Bank released a joint statement on 10 December deploring Bouba's release.

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 allied forces ensure the protection of all populations during military operations and that MINUSCA can effectively carry out its mandate. The UNSC should call on all armed actors to abide by the ceasefire and implement the ICGLR roadmap.

The international community must continue supporting MINUSCA to ensure that the mission can strengthen its capacity to protect vulnerable populations by increasing its patrols and expanding its early warning mechanisms.

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 and respecting the independence of

the SCC. The international community should provide additional financial and political support to the SCC to ensure it can deliver justice for grave crimes.



At least 2.3 million people internally 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 shifted from a separatist rebellion into inter-communal violence and attacks by Islamist armed groups. Since these groups expanded their activities from northern to central Mali during 2015, violence has spilled into neighboring Burkina Faso and Niger. At least 3,100 civilians have been killed in the region since March 2021, including at least 335 civilians – mostly from the Daoussak (or Dawsahak) ethnic group – who died in the Ménaka and Gao regions of Mali during March 2022 when heavy fighting broke out between armed groups and the so-called Islamic State Sahel Province.

The Central Sahel's porous tri-border area and absence of state authority have enabled the expansion of groups affiliated with al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL). The UN's Commission of Inquiry (CoI) on Mali 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. The groups use siege tactics, threats, kidnapping, improvised explosive devices (IEDs) and landmines as deliberate tactics of war and also strategically attack and loot civilian objects, including places of worship, health centers, food reserves, crops and water services. Armed groups have targeted secular state

education across the region, burning schools and threatening, abducting or killing teachers. The number of schools affected by violence has tripled in three years, with more than 5,000 schools currently closed or non-operational.

Armed groups have also perpetrated attacks targeting humanitarian workers and MINUSMA. Since July 2013 the UN has documented 158 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.

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. The CoI has alleged that the Malian defense and security forces have committed war crimes, including targeted killings, rape and torture. An estimated 300 men – some suspected Islamist fighters – were reportedly summarily executed in Moura, central Mali, during military operations conducted from 27–31 March by the Malian Armed Forces (FAMA) and suspected Russian mercenaries from Wagner Group. The majority of victims were members of the Fulani ethnic group. Niger's National Human Rights Commission has implicated Nigerien forces in grave abuses against civilians. Burkinabé security forces and state-sponsored pro-government militias, notably the Volunteers for the Defense of the Homeland, have been implicated in grave crimes, including unlawful killings, torture and enforced disappearances of hundreds of civilians and suspected Islamist fighters.

Civilians are also at risk due to violence between rival ethnic militias and self-defense groups. 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, such as the Koglweogo, has led to numerous abuses and fueled violence along ethnic lines in Burkina Faso. In Niger, self-defense militias established during 2021 among ethnic Arab, Djerma and Tuareg communities in Tillabéri and Tahoua perpetrated numerous attacks causing civilian casualties.

The Central Sahel is one of the fastest growing displacement crises in the world, with at least 2.3 million people internally displaced, including more than 1.8 million in Burkina Faso alone. Nearly 15 million people need humanitarian assistance.

### ANALYSIS

Parties to the conflict 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/or resisting the punitive collection of "zakāt" 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 each face distinct challenges, these states also share a legacy of structural vulnerabilities, weak governance and limited state presence. 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.

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.

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, the ICC launched an investigation into alleged crimes committed in Mali since January 2012. On 9 May the ICC opened the trial of Hassan Ag Abdoul Aziz Ag Mahmoud, an alleged member of an Islamist armed group charged with involvement in crimes, including rape, torture, persecution, enforced marriages and sexual slavery committed from April 2012 to January 2013.

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.

On 17 February 2022 France and its European partners, as well as Canada, announced plans for the full withdrawal of their counterterrorism forces in Mali. On 11 April the EU announced the end of its training mission for the FAMa and national guard. On 15 May Mali withdrew from all the organs and bodies of the G5 Sahel, including the FC-G5S.

Fourteen European countries issued a joint statement on 23 December condemning the deployment of 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 in 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. 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 the UN Office for West Africa and the Sahel, should investigate all violations and abuses of IHL and IHRL. Malian transitional authorities must cooperate with MINUSMA and ensure that the Mission can carry out its mandate, particularly its human rights investigations.

The UNSC should renew the mandate of MINUSMA in June, maintaining its strong civilian protection and human rights reporting mandate and requesting to strengthen early warning and response mechanisms.



Over 1 million Uyghurs and people from other majority-Muslim ethnic groups have been 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 Chinese government 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.

Over 1 million people, mainly Uyghurs, have been arbitrarily detained in "re-education" or "de-extremification" facilities

since around 2017. An estimated 880,000 children in XUAR have been placed in state-run orphanages or boarding schools. In May 2022 the Associated Press reported that nearly one in 25 people in XUAR's Konasheher county has been sentenced to prison on "terrorism-related" charges, in what is the world's highest known imprisonment rate. 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. In May an array of news outlets published investigations on the Xinjiang Police Files, providing an unprecedented look at Beijing's genocidal campaign against Uyghurs, including thousands of photographs of detained people and details on a shoot-to-kill policy for people who try to escape.

Approximately 100,000 Uyghurs are also working under conditions that strongly suggest forced labor, with many transferred from detention camps to factories. Reports have identified 135 detention facilities in XUAR that have on-site factories where detainees are reportedly forced to work. The factories are part of supply chains that allegedly provide goods for 82 global brands. 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. Xinjiang's cotton sector produces 20 percent of the world's 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.

Uyghurs in XUAR and around the world face surveillance by the Chinese government. In April 2022 the Woodrow Wilson Center released a report on transnational repression, finding that since 1997 the Chinese government has targeted over 5,500 Uyghurs outside China, including over 1,500 Uyghurs who have been detained and forcibly returned to China.

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 the region 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. The Xinjiang Police Files further implicates top officials and demonstrates how counterterrorism is used to justify the arbitrary detention of Uyghurs.

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; the 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 likely perpetrating crimes against humanity and genocide against Uyghurs and other majority-Muslim ethnic groups.

## INTERNATIONAL RESPONSE

After requesting unfettered access to XUAR for over three years, the UN High Commissioner for Human Rights, Michelle Bachelet, traveled to China on a non-investigative visit in May 2022.

In 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.

The governments of Canada, UK, US and EU have sanctioned officials over human rights abuses in XUAR and have taken steps to ban goods tied to Uyghur forced labor. The US government's Uyghur Forced Labor Prevention Act takes effect on 21 June 2022, preventing the import of goods made "in whole or in part" in XUAR from entering the country.

In October 2021 the government of France delivered a statement on behalf of 43 countries at the UN General Assembly's (UNGA) Third Committee, urging China to end the arbitrary detention of Uyghurs and other Muslims and allow independent observers immediate access to Xinjiang.

In the absence of formal legal measures, the London-based Uyghur Tribunal, an independent people's tribunal, investigated allegations of mass atrocities in XUAR. In December 2021 the Tribunal concluded that the Chinese government is perpetrating genocide and crimes against humanity.

In April 2022 the UN Special Rapporteurs on minority issues and on freedom of religion or belief expressed concern about the arbitrary arrest of two Uyghurs in Saudi Arabia and their imminent extradition to China.

### 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.”

OHCHR must publicly release its report on human rights violations in XUAR immediately. 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. UNESCO should investigate cultural destruction 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 in China.



At least 5.6 million people internally displaced

## 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) where more than 120 militias and armed groups remain active. Despite military offensives conducted by the government's armed forces (FARDC), with assistance from the UN peacekeeping mission (MONUSCO), inter-communal violence and targeted attacks have escalated in the eastern provinces over the past year. According to the UN Refugee Agency (UNHCR), at least 5.6 million Congolese are internally displaced while at least 1 million refugees have fled to neighboring countries, making this the largest displacement crisis in Africa.

The UN Joint Human Rights Office (UNJHRO) in the DRC documented at least 2,024 civilians killed during 2021 by armed groups in North Kivu, South Kivu, Tanganyika and Ituri provinces. The civilian death toll nearly doubled since the government launched a so-called “state of siege” in North Kivu and Ituri provinces in May 2021. MONUSCO recorded an average of 250 civilians killed in each province in the first three months of 2022. Since the beginning of the year, UNHCR has recorded reports of more than 10,000 human rights violations in Ituri alone, including killings, rapes, abductions and lootings. The majority of these violations have targeted vulnerable displaced and returning populations, particularly women and children.

The Allied Democratic Forces (ADF) armed group has been perpetrating atrocities in the Beni region of North Kivu for more than six years. UNJHRO has 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. Between January 2021-January 2022 the ADF summarily executed at least 1,311 civilians and abducted 1,206 in Beni, Mambasa and Irumu territories.

In Rutshuru and Nyiragongo territories, North Kivu, there have been renewed intense clashes between the FARDC and presumed March 23 Movement fighters since 19 May. The violence drove 75,000 civilians to flee in just eight days.

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, killing hundreds of mostly ethnic Hema villagers. Since November 2021 CODECO fighters have committed a series of attacks on internally displaced persons (IDPs) sites in Djugu territory marked by killings, kidnappings, looting of livestock and food, and torching of homes. These attacks have killed at least 165 IDPs – the majority from the Hema community – and forced tens of thousands to flee.

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. Increased activity by armed groups, as well as renewed inter-communal clashes since 10 May have resulted in at least 30 people killed in some areas of Tanganyika. According to the UN, armed groups have also increased their presence in illegal mining areas of South Kivu since the start of military operations in Ituri and North Kivu.

## 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 has led to new waves of displacement and risks further violence.

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias, groups like the ADF have a history of violent reprisals targeting civilians. The FARDC and police have also been implicated in widespread violations of IHL and IHRL, including sexual violence and arbitrarily killing civilians, while combatting armed groups. Some state security forces have been implicated in violations that may amount to crimes against humanity and war crimes.

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 passed Resolution 2612, extending 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.” MONUSCO will withdraw from Tanganyika Province in June 2022 in accordance with Resolution 2612.

On 21 April the East African Community, which the DRC joined in March 2022, agreed to establish a regional military force in an attempt to combat armed groups in the east, calling on armed groups to join a political process to resolve their grievances.

On 27 April the DRC government and approximately 30 representatives of armed groups from Ituri, North Kivu and South Kivu, concluded a first round of peace talks in Kenya.

## NECESSARY ACTION

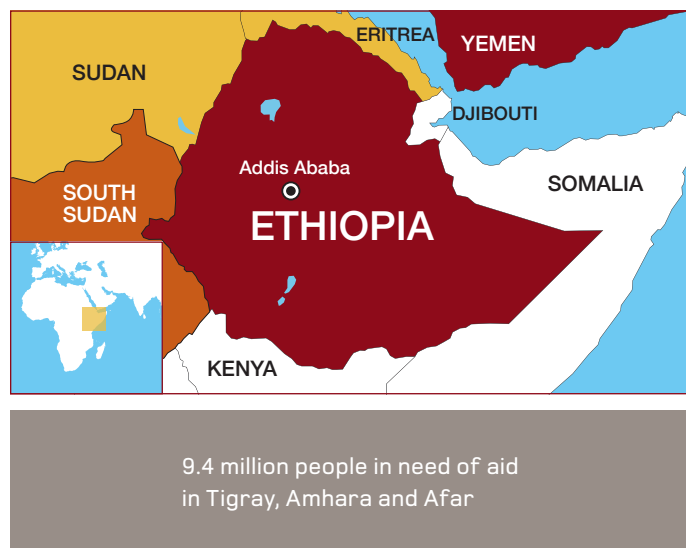
The DRC government, allied forces and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The DRC government should enact measures to re-establish trust with communities, including by consulting with civilian populations and civil society about protection needs.

The government must cooperate with UNJHRO and ensure all state agents responsible for human rights violations and abuses are held accountable. The military justice system should prioritize cases of serious crimes, advancing cases beyond the preliminary investigation stage. The DRC government should implement a vetting process within the defense and security forces to identify and provisionally remove individuals who may have been implicated in serious human rights violations from their post while cases are pending.

As MONUSCO draws down in Tanganyika, the UN and DRC government must ensure local authorities have the capacity to engage in early warning activities, implement community protection plans, and continue monitoring and reporting on human rights violations.

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. Neighboring states

should continue to uphold the PSC Framework and provide assistance in confronting armed groups.



## 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

Clashes between the Ethiopian National Defense Forces (ENDF) and the Tigray Defense Forces (TDF) have been ongoing in the Tigray region of Ethiopia since the federal government and its allies launched a military offensive against forces loyal to the governing Tigray People's Liberation Front (TPLF) during November 2020. The fighting has likely killed tens of thousands of people and has internally displaced over 2.1 million in Tigray. Since fighting spread to the neighboring Afar and Amhara regions in July 2021, at least 840,000 people have been forcibly displaced, including over 300,000 between January-February 2022. According to Amhara's regional authorities, almost 7,000 civilians were killed in the region between June-December 2021, but representatives of the TPLF have refuted the claims.

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 2021 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.

According to an April 2022 report by Amnesty International and Human Rights Watch, Amhara regional forces and militias, with the acquiescence and possible participation of Ethiopian federal authorities, perpetrated war crimes, crimes against humanity and ethnic cleansing in Western Tigray. While tens of thousands of Tigrayans fled abuses in Western Tigray, Amhara authorities reportedly attempted to coerce those that remained to leave by subjecting them to ethnically targeted restrictions. Amhara authorities also organized transportation that took Tigrayans out of Amhara-controlled areas in Western Tigray, confiscated their documents and warned them not to return while simultaneously calling for the settlement of Amhara residents into the area.

There has also 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. Thousands of Tigrayans also remain in overcrowded detention facilities in Western Tigray.

The conflict has caused a humanitarian catastrophe to unfold across northern Ethiopia, with at least 9.4 million people in urgent need of aid. Humanitarian convoys have routinely been blocked, attacked and looted by parties to the conflict and 23 aid workers have been killed since November 2020. UN officials have asserted that access to food is being used as a weapon of war while aid groups and local authorities have reported a growing number of starvation-related deaths, including at least 1,500 children.

Inter-communal and inter-religious violence, as well as regional border disputes, have also become increasingly frequent. 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. In April and May at least 30 people were killed in violent clashes between Orthodox Christian and Muslim communities in the Amhara region. Reprisal attacks also erupted in the Southern Nations, Nationalities and Peoples' region.

### ANALYSIS

All parties to the conflict bear responsibility for potential war crimes and crimes against humanity, while Amhara forces have been implicated in acts of ethnic cleansing. 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. Although a tentative ceasefire was reached in March 2022, the risk of further atrocities remains.

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. 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.

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 a comprehensive 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 12 November 2021 the US imposed sanctions on Eritrean officials and entities obstructing humanitarian aid and committing grave abuses in Tigray. On 1 January 2022 the US suspended Ethiopia from preferential trade status for gross human rights violations.

On 15 June 2021 the African Commission on Human and Peoples' Rights announced the launch of a Col on the situation in Tigray. The Col is preparing to release a report.

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 ethnic violence in Ethiopia 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 should agree to an immediate ceasefire with no preconditions and allow unfettered delivery of emergency aid. The proposed national dialogue should include all parties in Ethiopia to holistically address the root causes of recurrent inter-communal and ethnic conflicts across the country.

The international community must support 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. UN member states should ensure the swift staffing and funding of the ICHREE.



Over 1,200 Palestinians forcibly displaced in Occupied West Bank in 2021

## ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

*Populations in Israel and the Occupied Palestinian Territory endure recurring war crimes and crimes against humanity, including the crime of apartheid.*

### BACKGROUND

Palestinian territory – encompassing the Gaza Strip and West Bank, including East Jerusalem – has been illegally occupied by Israel since 1967. An institutionalized regime of systematic racial oppression has been established through a two-tiered legal and political system, providing comprehensive rights for Jewish Israeli settlers while imposing military rule and control on Palestinians without any basic protections or rights under international law. The Israeli government has also engaged in a regular practice of inhumane acts, as well as extrajudicial killings, torture, denial of fundamental human rights, arbitrary detention and collective punishment.

According to a March 2022 report by the UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory (OPT), Israel's political system of entrenched rule in the OPT satisfies the prevailing evidentiary standard for the existence of the crime of apartheid. The Special Rapporteur previously determined in July 2021 that Israel's 55-year occupation has been characterized by settlement expansion that aims to permanently alter the ethnic demographics of East Jerusalem and 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 911 Palestinian-owned structures were demolished or seized by Israeli government authorities in 2021 forcibly displacing over 1,200 Palestinians, and an additional 219 structures have been demolished 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.

Over 170 Palestinians were injured and at least 300 detained during large-scale raids by Israeli police from 15-22 April 2022 at the al-Aqsa Mosque compound in East Jerusalem. Israeli police used disproportionate force, tear gas, stun grenades and rubber bullets to forcefully remove Palestinians. These events were similar to raids carried out by Israeli forces in May 2021 when, following weeks of escalating tensions and protests, over 1,000 Palestinians were injured from 7-10 May. Subsequent indiscriminate rocket fire by Hamas and airstrikes by Israel killed and injured over 2,170 Palestinians in Gaza and killed at least 12 Israelis from 10-21 May 2021. Since then, OHCHR has documented assaults, intimidation, gender-based violence, harassment, excessive use of force, arbitrary arrests and censorship of Palestinian journalists and human rights defenders.

Targeted attacks have been escalating in Israel and the OPT since mid-March. Five Palestinian assailants perpetrated four attacks in Israeli cities at the end of March, killing 14 people. Meanwhile, Israeli forces have launched widespread raids across the occupied West Bank, killing more than 25 Palestinians as of 1 June.

## ANALYSIS

The systematic nature of human rights violations and inhumane acts in the OPT likely amounts 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."

Under both the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Rome Statute of the ICC, apartheid is a crime against humanity.

Israel's use of force against Palestinians during the April 2022 raids appears to have been widespread, unnecessary and indiscriminate. 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 atrocity crimes perpetrated by Israel in recent years, including for likely war crimes committed during the 2014 Gaza war between Hamas and Israel, for disproportionate and deadly use of force by Israeli soldiers in response to protests along the Gaza border during 2018-2019, nor for airstrikes during the 10-21 May 2021 escalation that appear to have deliberately ignored the principles of proportionality and distinction. There has also been no accountability for potential crimes perpetrated by Hamas and Palestinian armed groups, including indiscriminate rockets fired during May 2021.

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 2021 the UNSC made three attempts to condemn the violence 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

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.

All parties must work toward 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, regardless of ethnicity or religion.

The international community should impose accountability measures for violations of international law in Israel and the

OPT. The ICC should investigate all potential war crimes or crimes against humanity perpetrated in the OPT, including the crime of apartheid.



Over 1,800 people have been killed and at least 10,800 people remain detained since 1 February 2021

## MYANMAR (BURMA)

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

### BACKGROUND

On 1 February 2021 Myanmar's (Burma) 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 17 months, 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 1,800 people have been killed by the security forces since February 2021 and over 10,400 people remain detained for resisting the coup. At least 110 people have been sentenced to death by military tribunals.

The Tatmadaw has increasingly targeted civilian areas with airstrikes, scorched earth campaigns and other attacks, particularly in Magway and Sagaing regions and Chin, Kachin, Shan, Kayah and Karen states, resulting in civilian casualties and mass displacement. By the end of April 2022 the military had torched over 11,400 civilian homes across the country since the coup, with approximately 7,500 in Sagaing alone, according to the research group Data for Myanmar. Communal violence is also escalating in Myanmar with the formation of the pro-junta "Blood Comrades" militia.

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."

On 16 April 2021 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.

An estimated 14.4 million people are in need of humanitarian aid. Nearly 700,000 people have been displaced since the coup, bringing the estimated total number of IDPs to over 1 million.

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 "continues to harbor genocidal intent" toward 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 continue committing 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.”

Numerous mechanisms have been created to investigate and potentially hold accountable perpetrators of crimes against the Rohingya. This includes the IIMM, an investigation launched by the Chief Prosecutor of the ICC in November 2019 into crimes against humanity that may have resulted in the forced deportation of the Rohingya across the Myanmar-Bangladesh border, and a lawsuit filed by The Gambia in November 2019 at the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 26 November 2021 Argentina’s judiciary also opened a case under the principle of universal jurisdiction. In March 2022 the US government formally determined that the violence perpetrated by the Tatmadaw against the Rohingya constituted genocide and crimes against humanity.

Since the coup, the UNSC has privately met 11 times on Myanmar and adopted nine statements, but has taken no substantial action.

A number of governments have imposed targeted sanctions in response to the coup, including Canada, UK, US and the EU. The EU, UK and US have also sanctioned several military-run conglomerates. The EU also suspended development funds. Oil conglomerates TotalEnergies and Chevron announced in January 2022 their withdrawal over the human rights crisis. In February the EU sanctioned the state-owned Myanma Oil and Gas Enterprise (MOGE). 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,” but it has not been effectively implemented. The Tatmadaw was blocked from sending representatives to the US-ASEAN summit, held 12-13 May 2022, during which the US met with NUG representatives.

On 18 June 2021 the UNGA 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.

## 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, regional organizations and the UNSC should impose economic sanctions on Myanmar’s oil and gas sector, particularly MOGE. ASEAN member states should condemn the Tatmadaw and increasingly engage with the NUG.

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 UN Special Envoy on Myanmar,

Noeleen Heyzer, should promptly travel to Myanmar and engage with the junta, the NUG and civil society.

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



13 million people displaced  
after 11 years of conflict

## 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, 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.

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.

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 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 UNGA voted to establish an International, Impartial and Independent Mechanism to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have 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 toward 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 toward 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.



## UKRAINE

*Russian forces have perpetrated possible war crimes and crimes against humanity during their invasion in Ukraine. Ukrainian and Russian forces have also committed potential crimes in the Donbas region since 2014.*

### BACKGROUND

Since 24 February 2022, when Russian Armed Forces invaded Ukraine, cities and towns in central, eastern and southern Ukraine have been bombarded with indiscriminate explosive weapons, causing a massive humanitarian and human rights crisis. The UN has verified more than 4,100 civilian deaths, including over 260 children, while emphasizing the toll is likely thousands higher. The crisis has displaced over 14 million people, including 6 million who have fled to other countries.

The UN High Commissioner for Human Rights has stated that Russia's actions in Ukraine may amount to war crimes. The UN Human Rights Monitoring Mission in Ukraine (HRMMU) has documented the widespread use of indiscriminate weapons in populated areas, including shelling from heavy artillery and multiple launch rocket systems, missiles, air strikes and illegal cluster munitions, as Russian forces advance on major cities, including the capital, Kyiv. Schools, homes, water and sanitation

systems and civilian shelters have been directly targeted. Buses and convoys have also been targeted, violating agreed upon humanitarian corridors. The World Health Organization has verified at least 215 attacks on healthcare during the conflict. Russian forces have also bombed Ukrainian historical, religious and cultural sites, including the Babyn Yar Holocaust memorial.

In areas under their control, Russian forces have perpetrated grave abuses, including summary executions and other possible war crimes. Over 1,000 bodies were discovered in previously Russian occupied territory around Kyiv, some of which had been buried in mass graves. Ukrainian officials reported that many had been fatally shot and/or bound and blindfolded before being killed. There have also been reports of forced deportations of Ukrainians, including children, to Russia, as well as torture, rape and sexual violence, and forcible disappearances of local Ukrainian government officials.

The south-eastern port city of Mariupol has been encircled by encroaching Russian forces since 2 March, leaving thousands of people trapped without access to food, water, heat or electricity. According to local authorities, shelling has destroyed over 80 percent of residential buildings in the city. On 9 March Russian forces bombed a hospital, destroying the maternity and children's wards. In another aerial attack, an estimated 600 people were killed on 16 March when Russian forces launched an airstrike on Mariupol's Drama Theater, which had been sheltering an estimated 1,200 people.

Following the retreat of Russian forces from areas in central Ukraine, on 19 April Russia launched an offensive focused on eastern Ukraine, in parts of the Donetsk and Luhansk oblasts, an area collectively known as Donbas. Prior to the 24 February invasion, conflict had been ongoing in Donbas since 2014. Fighting began after a pro-European change of power in Kyiv prompted the Russian government to begin militarily supporting majority-ethnic Russian separatists in Donbas' eastern most areas. The resulting armed conflict between the separatists and the Ukrainian government has killed 14,000 people and displaced millions. Multiple rounds of peace agreements have failed to resolve the conflict.

International monitors have documented both sides committing violations in Donbas that may amount to war crimes, including torture, indiscriminately shelling civilian areas and using indiscriminate weapons.

### ANALYSIS

Russian forces have perpetrated widespread violations of IHL and IHRL, some of which may amount to war crimes and crimes against humanity. Civilians in Ukraine continue to be at risk of further atrocities as Russian forces wantonly shell residential buildings and other civilian infrastructure.

While the invasion began on 24 February, the crisis has multiple historical, political, security and economic root causes. Russian President Vladimir Putin has repeatedly asserted his belief that Russia and Ukraine are one and the same given their shared

history and cultural similarities, a notion Ukrainians largely reject. Nevertheless, President Putin's claims of Ukrainian forces committing genocide against ethnic Russian populations in Donbas have been largely rebuked by international monitors present in the region who have found no evidence of such actions.

The conflict has global implications resulting from unprecedented economic sanctions and Russia and Ukraine's role as major exporters of grain and cooking oils. More than half of the World Food Programme's wheat supply is provided by Russia and Ukraine. Increasing scarcity and costs will impede aid operations for vulnerable populations worldwide, as well as put more pressure on populations prone to resource-related conflict.

Ukraine needs international support to be able to effectively uphold its responsibility to protect its population.

## INTERNATIONAL RESPONSE

Russia's aggression in Ukraine has been widely condemned by states, as well as regional and intergovernmental organizations. Numerous states and regional organizations have also responded with targeted sanctions and other economic measures. Hundreds of multinational corporations have announced they will cease operations in Russia, while many countries have closed their airspace to Russian airlines.

Russian and Ukrainian delegations have met in numerous rounds of negotiations, but have made limited progress. During April UN Secretary-General António Guterres traveled to Moscow and Kyiv in an attempt to broker peace.

Despite the North Atlantic Treaty Organization's (NATO) decision to refrain from military involvement in the conflict, many NATO member states and others have supplied Ukraine's military with weapons.

Following Russia's veto of a draft UNSC resolution on 25 February, the Council adopted a "Uniting for Peace" resolution, allowing the UNGA to give recommendations. On 2 March, during an emergency special session, the UNGA adopted Resolution ES-11/1 condemning Russia's use of force in Ukraine and the subsequent violations of IHL and IHRL. The UNGA also passed a resolution demanding humanitarian access to civilians in need and on 7 April voted to suspend Russia from its seat on the HRC.

On 26 February Ukraine filed a case with the ICJ, asking for the Court's clarification under Article IX of the Genocide Convention. On 16 March the ICJ imposed provisional measures, calling on Russia to suspend military operations and for military units to cease advancing, as well as calling on all parties to refrain from actions furthering the conflict.

On 2 March the Chief Prosecutor of the ICC opened an investigation into the situation in Ukraine. The Court previously found evidence of war crimes and crimes against humanity

during a preliminary examination of protests in 2013 and the armed conflict in Donbas.

On 4 March the HRC established a Col to investigate systematic violations and abuses of IHRL and IHL. On 12 May the HRC adopted a resolution mandating the Col to investigate crimes committed around Kyiv, Chernihiv, Kharkiv and Sumy in line with its mandate.

## NECESSARY ACTION

All parties to the conflict must strictly adhere to the principles of IHL and ensure the protection of civilians in conflict areas. In the absence of a negotiated resolution to the conflict, parties should agree to an immediate ceasefire to allow civilians to flee besieged areas and for the unfettered delivery of aid.

Amidst the deepening crisis, the international community must continue to increase its pressure on Russian authorities to halt their advances in line with the ICJ's provisional measures.



More than 6 million people have left the country since 2014

## VENEZUELA

*Ongoing systematic human rights violations in Venezuela may amount to crimes against humanity.*

## BACKGROUND

Venezuelan state agents are committing systematic human rights violations and abuses in an apparent attempt to silence dissent. Since 2014 Venezuelan security and intelligence forces have perpetrated arbitrary detention, short-term enforced disappearances, torture and ill-treatment and sexual and gender-based violence with impunity. Various state agents have also allegedly perpetrated thousands of extrajudicial killings in the name of combatting crime. According to the Venezuelan human rights project, Lupa Por la Vida, at least 1,414 killings were carried out in 2021 alone. The government has also increased its harassment and persecution against civil society, independent media, and human rights and humanitarian actors.

In September 2020 the HRC-mandated FFM on Venezuela warned that patterns of violations and abuses since at least 2014 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 atrocities. Despite efforts by the government to minimize international scrutiny, the FFM warned on 18 March that domestic investigations remain limited in scope and only target low-level perpetrators.

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

Patterns of possible atrocity crimes first emerged in 2014 when mass protests erupted in response to insecurity, hyperinflation and a lack of essential services. Security forces reacted with disproportionate force, torture and sexual violence. State agents responded with similar patterns of violations and abuses during subsequent mass protests, including in 2019 when the start of President Nicolás Maduro’s second term sparked an intense political struggle with the leader of the then opposition-controlled National Assembly, Juan Guaidó. More than 6 million people have left the country since 2014 in what has become the largest migration crisis in Latin America.

## ANALYSIS

Extrajudicial killings appear to be part of a systematic strategy to reinforce social control. While the number of killings reduced following the publication of the FFM’s first report, state security forces continue to target civilians with various abuses. The government continues to take steps to restrict civic space and limit the operations of human rights defenders and other civil society. Government-linked media outlets play a key role in state repression and persecution.

The limited actions taken by the national judicial system emboldens state agents to continue perpetrating possible crimes against humanity, including politically motivated arbitrary detentions and torture. The ICC’s decision to open an investigation is an important step in advancing accountability efforts in light of the government’s unwillingness to investigate high-level perpetrators. Continued independent, impartial scrutiny, including by the FFM, remains essential to ensuring accountability and preventing further atrocities.

For the past eight years Venezuela has faced a humanitarian catastrophe as a result of endemic corruption, economic collapse, erosion of the rule of law, 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, the proliferation of non-state armed actors and systematic abuses against civilians.

The government 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.

After Venezuela requested the deferral of the ICC’s investigation into crimes against humanity on 15 April 2022, the Chief Prosecutor announced he would seek approval from the Pre-Trial Chamber to proceed with his investigation. A Memorandum of Understanding, signed with the government of President Maduro in November 2021, remains intact.

## NECESSARY ACTION

Venezuelan authorities must end the systematic repression of actual or alleged opponents and civil society. The government should also commit to genuine and comprehensive security sector reform and ensure impartial investigations of all serious violations and abuses, including at the highest level. The government should grant the FFM unrestricted access to the country and implement its recommendations.

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. The Chief Prosecutor of the ICC and his investigative team should engage with survivors and civil society organizations to pursue victim-centered accountability processes.

During its upcoming September session, the HRC should renew the mandate of the FFM in full.





19,200+ civilians killed or maimed by coalition airstrikes since March 2015

## 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 19,200 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.

On 2 April parties to the conflict commenced a two-month truce, which was brokered by the UN Special Envoy for Yemen, Hans Grundberg. The truce – the first negotiated country-wide ceasefire since 2016 – includes a cessation of all attacks, the entry of fuel ships in Hodeidah ports and the operation of commercial flights in and out of Sana'a airport.

Since the start of the ceasefire, civilian casualties have decreased by approximately 50 percent and no coalition airstrikes have been recorded. However, in the months preceding the negotiated truce, armed hostilities and indiscriminate bombing dramatically escalated throughout Yemen. Starting in October 2021 there was a more than 50 percent increase in indiscriminate coalition airstrikes, resulting in the highest rate of air raids since the December 2018 Stockholm Agreement. Missiles and airstrikes across numerous governorates targeted and destroyed civilian objects and critical infrastructure, including water reservoirs, hospitals and telecommunications towers. Coalition air raids caused 426 civilian casualties in January 2022, the highest monthly total since March 2018.

Over 1,100 civilians were killed or maimed between January and the end of March.

From February 2021 – when Houthis launched attacks along frontlines in Marib – until the April 2022 truce, indiscriminate missile and artillery fire, as well as airstrikes, regularly hit markets, displacement camps, residential areas and other civilian objects throughout the governorate.

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. Following heavy diplomatic and political pressure from Saudi Arabia, 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 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 23.4 million Yemenis need humanitarian assistance and 19 million are facing 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. The dire humanitarian situation is a direct result of the armed conflict. The surge in civilian casualties, hostilities and airstrikes in October coincided with the abrupt termination of the GEE.

Previous ceasefires and attempted negotiations between parties to the conflict have been unsuccessful. Though the current truce appears to be holding, large-scale atrocity risks in Yemen will only diminish with a permanent country-wide ceasefire, an inclusive negotiated settlement and extensive justice and accountability efforts.

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. In April the Houthis signed an Action Plan with the UN to commit to end and prevent grave violations against children.

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.

### NECESSARY ACTION

All parties to the conflict should fully adhere to the terms of the UN-brokered country-wide truce, as well as make every effort to reach a negotiated end to the conflict. The UN Special Envoy for Yemen should broaden the 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. The Houthis must fully implement the terms of the Action Plan on grave violations against children. 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.

UN member states should urgently work to 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 400 civilian deaths between  
15 August–February 2022

## AFGHANISTAN

*Populations in Afghanistan face an imminent risk of 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 credible reports of extrajudicial killings, arbitrary detentions, beatings and threats of previous Afghan government officials, former Afghan security personnel, political opponents, journalists, civil society activists and human rights defenders. According to Human Rights Watch, Taliban officials have forcibly displaced residents, including Shia Hazara and people associated with the former government, in several provinces as a form of collective punishment. From 15 August to 15 February 2022 UNAMA and OHCHR documented over 1,153 civilian casualties, including more than 400 deaths.

The Taliban have severely restricted fundamental rights, including freedom of religion, as well as access to civic and public space. 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 and expression, employment opportunities and access to education and healthcare.

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. These groups

carry out sporadic targeted attacks on religious institutions and residential areas, as well as against minority groups. In April 2022 approximately 135 civilians were killed in a series of attacks targeting places of worship, schools and minorities, including the Shia Hazara. Many of these attacks were attributable to ISIL-K. In October 2021 ISIL-K carried out similar attacks, including bombings at Shia mosques in Kunduz, Kabul and Kandahar that killed more than 90 civilians.

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 5 million who have been displaced since 2012.

### ANALYSIS

Despite assurances from the Taliban, the risk of further war crimes and crimes against humanity, particularly for vulnerable populations, 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. Continued restrictions on fundamental freedoms, including systematic efforts by the Taliban to exclude women and girls from social, economic and political spheres, could lead to more severe violations of international law and possible atrocities.

Meanwhile, religious minorities, particularly the Shia Hazara, continue to be threatened by ISIL-K. Recent attacks and the direct targeting of minorities indicate that the Taliban is likely unable or unwilling to protect vulnerable populations. Tit-for-tat attacks between the Taliban and ISIL-K throughout the country also pose an imminent risk to civilians.

During two decades of war with the Afghan government, 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.

The Taliban must honor their obligations under international law and uphold their responsibility to protect all populations across Afghanistan without distinction.

### 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 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 17 March the UNSC renewed the mandate of UNAMA, including its robust human rights monitoring mandate.

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 to investigate alleged atrocity crimes perpetrated in Afghanistan since 1 July 2002. On 27 September 2021 Chief Prosecutor Karim Khan 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, the cessation of systematic gender-based discrimination, 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, UNAMA – including its Human Rights Service – and OHCHR, 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 ICC Chief Prosecutor should reconsider the decision to exclude likely atrocity crimes perpetrated by Afghan national security forces, US forces and the CIA from investigations.



More than 2,600 civilians killed  
by armed bandits in 2021

## 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 imminent risk of mass atrocity crimes.*

### BACKGROUND

Multiple security threats in Nigeria leave civilians at imminent risk of mass atrocities, including growing attacks by armed groups commonly referred to as “bandits” and by the armed extremist groups Boko Haram and the so-called Islamic State in West Africa (ISWA). Since 2011 inter-communal violence, rooted in competition over scarce resources, has escalated in central and north-west Nigeria. According to OCHA, the deteriorating security situation has resulted in a humanitarian emergency, with more than 8.4 million people requiring urgent assistance.

Alongside persistent violence between herding and farming communities, armed banditry has expanded in north-west Nigeria. According to the Armed Conflict Location and Event Data Project, armed bandit groups killed more than 2,600 civilians in 2021, an increase of over 250 percent compared with 2020. Since January 2022 more than 250 people have been killed in attacks by armed bandits in Zamfara State. On 10 April more than 100 people were killed in attacks on several communities in the Kanam Local Government Area of Plateau State. The violence has displaced hundreds of thousands of people.

Violence perpetrated by Boko Haram and ISWA against civilian and military targets has also resulted in mass atrocities in northern Nigeria. During February 2022 ISWA perpetrated a series of attacks in Borno State, killing at least 25 civilians. More than 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.

Responding to the multiple security crises, in September 2021 the Nigerian government launched renewed campaigns in the north-west to curb armed banditry, including deploying large numbers of troops, cutting off communication networks and imposing restrictions on movement. Increased military operations against extremist hideouts have reportedly killed hundreds of fighters. 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.

Recurring 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. Growing desertification has exacerbated the situation as 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

In 2015 the AU authorized the MNJTF 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 security forces committed war crimes and crimes against humanity. During a visit to Nigeria in April 2022 the Prosecutor reminded the Nigerian authorities of their legal obligations under the Rome Statute to conduct effective, genuine and meaningful national investigations and prosecutions for atrocity crimes.

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.

## 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.

Utilizing the Economic Community of West African States' Early Warning System, the government should increase police and military deployments to vulnerable areas, while ensuring strict adherence to IHL and IHRL 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 needs humanitarian assistance

## SOUTH SUDAN

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

## BACKGROUND

Populations in South Sudan continue to suffer as a result of ongoing conflict taking place at the subnational level. 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 culminated in violent clashes and triggered serious human rights violations, including widespread sexual violence, particularly against women and girls.



Subnational and localized violence remains pervasive, according to the HRC-mandated Commission on Human Rights in South Sudan (CHRSS), with violence currently taking place in nine out of ten states. Between January-March 2022 the Human Rights Division of the UN Mission in South Sudan (UNMISS) documented at least 300 civilian deaths, 125 abductions and 63 cases of sexual violence by government forces and the SPLA-IO, as well as other armed groups and community-based militias. In Leer County a surge of violence, including gang rapes, beheadings, the burning civilians alive and attacks on humanitarian workers, resulted in at least 72 civilians killed and 64 cases of sexual violence between February-April.

More than 8.3 million people – almost 75 percent of the population – need humanitarian assistance. South Sudan is one of the most dangerous countries for humanitarian workers, with at least 130 killed since 2013. During March OCHA reported 25 incidents involving violence or threats against humanitarian personnel and assets. 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. There has been no substantive attempt to hold perpetrators accountable.

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, 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 2018 peace agreement have led to widening divisions that threaten the future security of the country. Delays in reforming the security sector appear to be a deliberate strategy by President Kiir to retain dominance.

The CHRSS warned that the pursuit of elections, tentatively scheduled for 2023, poses a serious risk of fueling further polarization. Rushing elections without implementing the necessary constitution-making conditions and security arrangements increases the risks of political and ethnic violence.

The TGoNU is failing 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 15 March the UNSC extended the mandate of 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.

During its 49th session in March 2022, the HRC adopted two resolutions extending the mandate of the CHRSS until March 2023 and requesting that the High Commissioner provide technical assistance to the government on human rights monitoring and transitional justice.

## 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.

UNMISS should continue to deploy quick reaction forces and temporary operating bases to areas at high risk of violence, as well as enhance its early warning capacities, particularly in the context of possible increasing tensions ahead of the elections.

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

## 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.



5,600+ people have been killed since October 2017

## MOZAMBIQUE

*Attacks by armed extremists from "Al-Shabaab" leave populations in Mozambique at risk of further atrocity crimes.*

### BACKGROUND

Since October 2017 an armed extremist group, known locally as "Al-Shabaab," has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, sexual slavery, abductions, recruitment of child soldiers and destruction of civilian infrastructure. More than 5,600 people have been killed and at least 744,000 displaced since October 2017. Both Al-Shabaab and government security forces have perpetrated extrajudicial executions and other violations of IHL that may amount to war crimes.

Since August 2020 fighting between Al-Shabaab and security forces has taken place near Mocimboa da Praia, Palma and other port towns where several major offshore liquified natural gas projects are under development. In July 2021 regional forces, including troops from Rwanda and members of the Southern African Development Community (SADC), began deploying to Cabo Delgado to assist the Mozambican government in confronting the group.

Although the government has regained control of many cities, insurgent activity is continuing in Macomia, Nangade and Ibo districts, where fatalities and kidnappings have increased since January 2022. Approximately 6,000 people have been recorded as newly displaced in 2022. Between April and May violence intensified in Macomia district, with insurgents reportedly

beheading over 6 people and torching and raiding villages. Insecurity in northern Mozambique has prevented UN agencies and humanitarian aid from accessing people in need. Despite ongoing violence, the government is encouraging displaced people to return to their places of origin.

Mozambique has a history of atrocities stemming from its 1977-1992 civil war, during which approximately 1 million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, RENAMO, who carried out massacres of civilians and systematically killed teachers and health workers. Government armed forces also perpetrated war crimes.

### ANALYSIS

Al-Shabaab was formed in 2017 and has sporadically intensified their attacks since 2020. The group's continued willingness to indiscriminately attack civilians increases the risk of further atrocities. The violence in Cabo Delgado has triggered a massive displacement and humanitarian crisis.

The discovery of liquified natural gas off the coast of Mozambique brought hope for a boost to the country's economy. While several companies announced they would halt work on the project, citing insecurity following the attack on Palma, TotalEnergies has indicated it is planning to resume operations toward the end of 2022. Al-Shabaab has exploited local grievances and popular discontent over corruption and poverty in Mozambique to recruit fighters.

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

### INTERNATIONAL RESPONSE

In July 2021 the EU agreed to send a military training mission to Mozambique. The US and Portugal deployed small forces in early 2021 to conduct counterinsurgency training.

In June 2021 SADC approved the deployment of a standby force to assist Mozambique for an initial period of three months. SADC has subsequently extended the mission and in April 2022 revised the operation, shifting away from a force with rapid deployment capabilities to a multidimensional operation with greater focus on peacebuilding and strengthening governance.

In July 2021, following a request by the Mozambican government, Rwanda deployed 1,000 troops and police to Cabo Delgado. According to the government of Rwanda, the deployment is "grounded in Rwanda's commitment to the Responsibility to Protect doctrine and the 2015 Kigali Principles on the Protection of Civilians."

## NECESSARY ACTION

Mozambique's security forces and their regional partners should ensure the protection of civilians and IDPs in Cabo Delgado. All government and regional forces must ensure military operations against Al-Shabaab are carried out with strict adherence to international law and utilize tactics that mitigate civilian harm. Neighboring states must respect international refugee law and provide protection to populations fleeing atrocities.

As Al-Shabaab retreats from previously held territory, it is essential to provide psycho-social support to civilians who were abducted or subjected to sexual violence and to engage in demobilization, disengagement and reintegration efforts for children recruited into conflict.

Authorities should prosecute high-level Al-Shabaab members. The government should more effectively address the local and political roots of the insurgency.



## 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 transitional joint civilian-military Sovereign Council – seized power by dissolving the governing body, declaring a state of emergency and arresting civilian leaders, including then Prime Minister Abdalla Hamdok. Since then, hundreds of thousands of protesters have demonstrated across the country, demanding the reinstatement of a genuine civilian-led government.

While attempting to curb demonstrations, security forces have consistently been accused of using excessive and deadly violence against protesters, including using live ammunition and tear gas

and perpetrating sexual and gender-based violence. More than 90 people have been killed and hundreds injured by security forces during protests. Hundreds of protesters have also been unlawfully detained and dozens forcibly disappeared since the coup.

Sudan's transitional authorities – the Sovereign Council – came to power in August 2019 after country-wide protests brought an end to then President Omar al-Bashir's 30-year rule that April.

Since October 2021 there has also been a renewed escalation in inter-communal and localized violence in the Darfur and Kordofan regions, resulting in civilian casualties, destruction of property and human rights violations. According to OCHA, almost 75,000 people were newly displaced as a result of localized conflicts during April 2022 alone. Nearly 200 people were killed in inter-communal clashes between Arab and the non-Arab Massalit communities from 22-27 April in West Darfur.

### ANALYSIS

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. More than seven months after the coup, demonstrators and other populations continue to face grave human rights violations and atrocities.

Political instability and the re-deployment of security forces to Khartoum and other cities has left a security vacuum in Darfur and other peripheral regions. Inter-communal tensions are exploited by political actors and communities are left vulnerable to attacks due to the lack of security presence. While the Sovereign Council and the leaders of the Sudan Revolutionary Front – a coalition of armed groups from Darfur, South Kordofan and Blue Nile – signed a historic peace agreement (Juba Agreement) in October 2020, the Sudanese military's limited progress on implementing relevant provisions has stalled peacebuilding efforts.

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 paramilitary Rapid Support Forces.

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 2005 UNSC referral, the ICC has issued arrest warrants for three Sudanese officials, including Bashir and two anti-government militia leaders, for atrocities perpetrated in Darfur. On 5 April the ICC opened the trial of the former Janjaweed leader, Muhammad Ali Abd-Al-

Rahman (Ali Kushayb) – the Court's first trial concerning potential war crimes and crimes against humanity committed 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 the US, World Bank and International Monetary Fund, paused foreign aid and halted disbursements. On 28 October the UNSC issued 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 to the role.

## 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 Sudanese authorities need to urgently implement the National Plan for the Protection of Civilians and the Juba Peace Agreement in order to provide safety and security for civilians in the Darfur, Blue Nile and Kordofan regions.

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.



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