

GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT

22 September 2023

Your Excellency,

In 2005 heads of state and government unanimously agreed on the responsibility of states to protect populations from genocide, war crimes, crimes against humanity and ethnic cleansing. Under the Responsibility to Protect (R2P), it is the primary responsibility of each individual state to protect their own population and the responsibility of the international community to assist them in doing so. The Universal Periodic Review (UPR) of the UN Human Rights Council (HRC) can play an important role in assessing each country's institutional preparedness to protect human rights and prevent mass atrocities. During the 44th session of the UPR working group, we would therefore like to respectfully encourage you to provide all states that are under review with the following recommendations, where applicable:

- Expediently appoint an [R2P Focal Point](#) – a senior government official responsible for the promotion of mass atrocity prevention at the national, regional and international level;
- Sign, ratify and implement the core instruments of International Human Rights Law (IHRL) and International Humanitarian Law (IHL), including the Convention on the Prevention and Punishment of the Crime of Genocide, Additional Protocols I and II to the 1949 Geneva Conventions, Rome Statute of the International Criminal Court, Convention relating to the Status of Refugees and its 1967 Protocol, Arms Trade Treaty and 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict;
- In keeping with R2P's Pillar II, request support from other states, as well as regional and international organizations, when atrocity risks exist that cannot be addressed by your state alone;
- Ensure that all national security forces respect human rights and IHL and fulfill their responsibility to protect all populations within the territory of your state, regardless of race, sex, nationality, ethnicity, religion, sexual orientation or any other status;
- Support accountability for atrocity crimes and all relevant institutions of international justice;
- Issue open invitations to HRC-mandated Special Procedures and fully cooperate with all other HRC mechanisms and procedures;
- Protect human rights defenders and the media, as well as the rights of civil society to operate freely, safely and independently;
- Consult and utilize the [Framework for Action for the Responsibility to Protect](#) to assess gaps and identify opportunities to address national atrocity risks.

THE WORLD
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GARETH
EVANS

In addition to these general recommendations, we respectfully ask you to consider the tailored recommendations provided below for Azerbaijan, Bangladesh, Burkina Faso, Cameroon and the Russian Federation.

Azerbaijan

For more than eight months Azerbaijani authorities have [blockaded](#) the Lachin corridor, the sole road connecting the [Nagorno-Karabakh](#) enclave with Armenia, precipitating a humanitarian crisis. The blockade has deprived over 120,000 ethnic Armenians living in Nagorno-Karabakh, including 30,000 children, of life-saving resources such as food, medicine, electricity and fuel.

Nagorno-Karabakh is internationally recognized as part of Azerbaijan but contains a majority ethnic Armenian population that has been led by Armenian de-facto authorities since December 1991. There is a long history of armed clashes between Armenia and Azerbaijan for control of Nagorno-Karabakh. Despite a 1994 ceasefire agreement, sporadic clashes have continued along the border of Nagorno-Karabakh, including intense fighting between September-November 2020. The blockade began on 12 December 2022 after Azerbaijani environmental activists, purportedly supported by the country's authorities, blocked the Lachin corridor in protest of the alleged exploitation of minerals. Azerbaijani authorities formalized the blockade by establishing a border point at the entrance to the corridor in late April 2023.

During August 2023 four UN Special Procedures jointly called for the immediate restoration of free and secure movement of persons, vehicles and cargo along the Lachin corridor in both directions in accordance with the ceasefire agreement signed in November 2020 and the provisional measures ordered by the International Court of Justice (ICJ) on 25 February, which were reaffirmed by the Court on 6 July. The UN Secretary-General has expressed deep concern over continued challenges related to freedom of movement along the Lachin corridor and the deteriorating humanitarian situation. On 16 August the UN Security Council (UNSC) held an emergency meeting on the humanitarian situation during which the UN Office for the Coordination of Humanitarian Affairs highlighted ongoing reports of food and medicine shortages, as well as disruptions to the energy supplies necessary for maintaining critical infrastructure and services.

Under IHL, all sides must allow and facilitate the rapid and unimpeded passage of humanitarian relief for civilians in need, including medical supplies and essential food. The intentional and unlawful denial of humanitarian assistance may constitute war crimes and/or crimes against humanity. The Global Centre therefore urges you to include the following recommendations to Azerbaijan during the UPR session on 14 November:

- Immediately lift the blockade of the Lachin corridor and allow for unhindered and safe passage of civilians and goods, as well as guarantee unimpeded humanitarian access in line with international law and the ICJ's provisional measures;
- Promptly initiate an independent, impartial and transparent investigation to assess the humanitarian situation and possible war crimes in the Nagorno-Karabakh region;

- Rigorously adhere to the commitments made under the 2020 peace agreement and explore opportunities to normalize relations to contribute to greater regional stability and cooperation.

The Global Centre further respectfully encourages you to consider the following advanced questions for the review of Azerbaijan:

- What measures does the government plan to implement to end the blockade and prevent the human rights and humanitarian situation from deteriorating further?
- What tangible steps will your government take to prevent escalations to violence, guarantee the safety of ethnic Armenians in the territory and promote a genuine and lasting peace with Armenia?

Bangladesh

Approximately 1 million Rohingya currently live in refugee camps in Cox's Bazar, Bangladesh, after fleeing persecution and mass atrocities, including genocide perpetrated by [Myanmar's \(Burma\)](#) military in 2017. Populations within the camps face myriad physical and environmental challenges resulting from, among others, limited access to resources and aid, the rapid spread of disease in overcrowded camps, and living in makeshift shelters that have, at times, been destroyed in devastating fires and cyclones. Women and girls within the camps, many of whom had already been targeted in Myanmar, are frequently at risk of rape, sexual exploitation and abuse. An increase of violence by armed groups and criminal gangs living in the camps has also resulted in Rohingya facing murder, kidnapping, torture, rape and sexual assault and forced marriages. While the government of Bangladesh – together with international humanitarian and development partners and donor countries – has attempted to confront these and other challenges facing Rohingya in the camps, authorities have often done so in a manner that does not comply with international human rights standards.

According to a report published by Human Rights Watch in February 2023, Bangladesh's Armed Police Battalion (APBn) is committing rampant human rights abuses, including arbitrary arrests, extortion and harassment, against Rohingya refugees in Cox's Bazar. The report notes that the APBn's campaign has created an environment characterized by fear and vulnerability among Rohingya, many of whom already face violence from criminal gangs and other armed groups. Abuses by the APBn, which took over security of the camps in 2020, have grown amidst increasingly coercive restrictions, including harassment at checkpoints and the closure of schools and markets. Rohingya not responsible for criminal activity have been targeted in police crackdowns. APBn officers have allegedly assaulted Rohingya at checkpoints or in detention, including beating, slapping or kicking them. APBn authorities have also prevented Rohingya who are victims of abuse by armed groups from filing reports and seeking security or justice.

Meanwhile, amidst decreasing international support and resources, Bangladesh has allegedly increased pressure for Rohingya to move from Cox's Bazar or return to

Myanmar. Bangladesh authorities have moved an estimated 30,000 Rohingya to the isolated island Bhasan Char, where they face movement restrictions and are vulnerable to cyclones and other climate phenomena. On 8 June the UN Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, warned that Bangladesh authorities were reportedly “using deceptive and coercive measures to compel Rohingya refugees to return to Myanmar” as part of a pilot repatriation program. According to the Special Rapporteur, Bangladesh authorities have reportedly threatened arrest, confiscation of documents and other forms of retaliation for those who resist the repatriation plan. Despite risks related to repatriation raised by the UN High Commissioner for Human Rights, Volker Türk, and Special Rapporteur Andrews, during its 53rd session the HRC passed a resolution put forward by the Organization of Islamic Cooperation – supported by Bangladesh – that called for Myanmar to “immediately commence the voluntary, safe, dignified and sustainable repatriation and subsequent reintegration of all forcibly displaced Rohingya Muslims and other minorities from Bangladesh” and called upon the UN to provide necessary support to expedite the process. At the present time there are no guarantees for Rohingya of a voluntary, safe and dignified return to their homes or homeland and any program Myanmar could “immediately commence” would likely put them at risk of further atrocities. As such, the forcible or coerced return of Rohingya refugees to Myanmar would violate Bangladesh’s obligations under international law.

The Global Centre therefore urges you to include the following recommendations to Bangladesh during the UPR session on 13 November:

- Investigate the alleged abuses against Rohingya refugees, hold those responsible to account and enact measures to ensure better protection;
- Strengthen training and monitoring of APBn officers operating in the camps to ensure compliance with IHRL;
- Refrain from coercing Rohingya to return to Myanmar or participating in their refoulement, including through moving forward with the planned pilot repatriation program before the safety and respect for the human rights of Rohingya within Myanmar can be guaranteed;
- Create a rights-respecting security policy in consultation with refugees and the UN and ensure the APBn provides greater security to Rohingya in the camps and lifts barriers to accessing local police and courts while seeking accountability.

The Global Centre further respectfully encourages you to consider the following advanced question for the review of Bangladesh:

- Under IHRL, Bangladesh has a responsibility to ensure all populations within your borders, including refugees, are protected from violations and abuses. What steps has the Bangladesh government taken to respond to allegations of abuses by the APBn and to ensure Rohingya refugees, who fled atrocities in Myanmar, are not further victimized within Cox’s Bazar and other camps?

Burkina Faso

Since 2015, an insurgency by armed Islamist groups that initially started in Mali has spread across the porous borders with Niger and Burkina Faso, resulting in widespread violence and a humanitarian crisis throughout the [Central Sahel](#). Since late 2021, Burkina Faso has been the epicenter of this violence, with a surge in deadly attacks and atrocities. Armed Islamist groups have forcibly recruited child soldiers, perpetrated hundreds of killings and dozens of rapes, as well as widespread pillaging, such as the looting of health centers, and destruction of critical water and telecommunications infrastructure. These groups have besieged and captured towns and territory, particularly in northern and eastern parts of Burkina Faso, blocking food and humanitarian aid to civilians. The al-Qaeda affiliated Group for the Support of Islam and Muslims and, to a lesser extent, the so-called Islamic State in the Greater Sahara are estimated to control at least 40 percent of the country. The escalating conflict has resulted in Burkina Faso becoming one of the fastest growing displacement and protection crises in the world, with at least 2.1 million people displaced – a 7,000 percent increase from 2018.

Since the beginning of the crisis, Burkinabé authorities have struggled to provide adequate protection to populations and, at times, defense and security forces have perpetrated atrocities against civilians, including unlawful killings, rape, enforced disappearances and torture, while fighting armed Islamist groups. These crimes have increased resentment among targeted populations – primarily ethnic Fulani (or Peuhl) – and fueled recruitment to armed groups. At the 52nd session of the HRC, High Commissioner Türk, expressed concern about military operations exacting “a growing toll on civilians,” and urged “the authorities to listen to the grievances people have regarding impunity.” There have been few investigations, much less prosecutions for these atrocities. Since the establishment of the “Volunteers for the Defense of the Homeland” (VDP) – a state-sponsored self-defense group – in 2020, VDP militias have perpetrated serious abuses against civilians and suspected Islamist fighters. Armed Islamist groups have increased their attacks on pro-government forces, as well as on civilians for their alleged support of the military or local VDP militia. High Commissioner Türk has raised concerns directly with Burkinabé authorities regarding the human rights risks linked to recruitment, arming and deployment of auxiliaries.

Political instability has also deepened in Burkina Faso as a result of two military coups in 2022. In the past year, amidst a shrinking of civic space and wider curbs against freedom of expression in the country, human rights defenders, journalists and real or perceived critics of the transitional authorities or military have faced increasing reprisals, including threats, intimidation and arbitrary arrests.

The Global Centre therefore urges you to include the following recommendations to Burkina Faso during the UPR session on 6 November:

- Immediately end violations and abuses – some of which likely amount to war crimes – and ensure Burkinabé defense and security forces and VDP

members carry out operations in strict compliance with their obligations under IHL and IHRL and take steps to protect all civilians impartially;

- Increase the presence of provost marshals, who are responsible for discipline in the armed forces and detainees' rights, during all military operations to ensure they monitor and respond to any abuse, and liaise with the relevant judicial authorities;
- Urgently strengthen vetting procedures, pre-deployment training on IHL and IHRL and supervision of VDP militias;
- Guarantee a safe, respectful and enabling environment for human rights work, including better protection for human rights defenders and victims, as well as the rights to freedom of expression and association;
- Sufficiently fund, with support from concerned governments, the military justice directorate which is mandated to investigate incidents involving defense and security forces;
- Conduct credible, transparent and impartial investigations, with support from the National Commission on Human Rights and the Office of the UN High Commissioner for Human Rights (OHCHR) country office, into alleged perpetrators of atrocity crimes, regardless of rank or affiliation, and provide regular public reports on government efforts to advance investigations;
- Cooperate with national and UN human rights mechanisms, including the OHCHR country office.

The Global Centre further respectfully encourages you to consider the following advanced question for the review of Burkina Faso:

- What actions will the transitional military authorities undertake to exercise due diligence to prevent further war crimes and ensure compliance with IHL and IHRL to engender trust with affected populations?

Cameroon

Long-standing grievances among Anglophone populations regarding cultural marginalization in the predominantly Francophone country have escalated in a protracted armed conflict since 2016. Since Anglophone separatist groups unilaterally proclaimed independence and declared a new state of "Ambazonia" in the north-west and south-west regions in October 2017, armed separatists and Cameroonian security forces have clashed, resulting in pervasive human rights violations and atrocities 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 killed, kidnapped and terrorized populations while steadily asserting control over large parts of the Anglophone regions. Separatists have also banned government education and frequently attack, threaten and abduct students and teachers, as well as burn, destroy and loot schools. Separatists and government forces have perpetrated targeted attacks on health facilities and humanitarian

workers, restricting the delivery of vital aid and forcing various international humanitarian organizations to suspend their operations. More than 6,000 people have been killed since 2016.

Civilian populations, particularly women and children, are disproportionately bearing the brunt of the devastating scale of destruction and unlawful killings. The targeting of individuals based upon cultural identity poses a direct threat to Anglophone civilians and may amount to war crimes and crimes against humanity. Ethnic communities are also often targeted for their alleged collaboration with either side of the conflict. While the joint statement on behalf of 38 countries during the 40th session of the HRC in 2019 was an important first step to addressing the human rights situation in Cameroon, the Council failed to take any meaningful follow-up action and the situation continued to deteriorate. The UPR provides a vital opportunity to shed light on ongoing atrocity risks and human rights violations and abuses.

The Global Centre therefore urges you to include the following recommendations to Cameroon during the UPR session on 14 November:

- Ensure accountability for atrocity crimes committed in the Anglophone regions, including by conducting prompt, thorough, independent and impartial investigations into all alleged crimes and human rights violations committed by the armed forces;
- Guarantee that all security forces are trained on IHL and international human rights standards, particularly on the prohibition of torture and ill-treatment;
- Immediately and unconditionally release all persons arbitrarily detained, including human rights defenders and journalists, and improve the conditions of detention facilities;
- Ensure equal treatment of members of the Anglophone population and safeguard their rights to freedom of expression, association and assembly;
- Ensure the political participation of groups that are underrepresented and marginalized, including the Anglophone population, in political and decision-making bodies at the local, regional and national levels, and strengthen the participation of minority groups in political and public life;
- Take measures to urgently reopen schools in security-affected regions and guarantee the safety of children, teachers and school personnel;
- Provide sufficient resources for the National Commission on Human Rights and Freedoms to ensure the Commission can carry out its mandate effectively;
- Ratify and implement international instruments that safeguard human rights, including the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Prevention and Punishment of the Crime of Genocide and the UNESCO Convention against Discrimination in Education.

The Global Centre further respectfully encourages you to consider the following advanced question for the review of Cameroon:

- What measures are the government of Cameroon taking to end the violence and extrajudicial killings of unarmed civilians in the Anglophone north-west and south-west regions, and to ensure that the human rights of all Cameroonians are equally protected, regardless of cultural identity?

Russian Federation

In February 2022 the Russian Federation launched a full-scale invasion in Ukraine committing war crimes and crimes against humanity across the country. The UN Commission of Inquiry (CoI) on Ukraine and international human rights organizations have documented potential war crimes and crimes against humanity during the ongoing conflict, including indiscriminate strikes on civilian areas and civilian infrastructure, extrajudicial killings, torture, rape and sexual violence, enforced disappearances, destruction of cultural heritage and the targeting of humanitarian aid, among others. The conflict has caused a massive humanitarian crisis, killed over 9,444 civilians and displaced more than 11 million people, including 6 million who fled to other countries.

The invasion was a significant escalation in a conflict that has been ongoing between Russian and Ukrainian forces in the southern Donetsk and Luhansk regions of Ukraine since April 2014 and has claimed the lives of thousands of civilians. Prior to February 2022 the International Criminal Court (ICC) found evidence of the commission of war crimes and crimes against humanity during the conflict.

Additionally, in March 2014 the Russian Federation illegally annexed the Crimean Peninsula from Ukraine. Since its annexation, the human rights situation in Crimea has deteriorated with international human rights organizations documenting torture, enforced disappearances, arbitrary arrest, restrictions on fundamental freedoms and civic space, abuses against journalists and systemic discrimination against ethnic Crimean Tatars and Ukrainians.

Russian forces have yet to be held accountable for their conduct during the armed incursion in Georgia's Abkhazia and South Ossetia regions in 2008. International human rights organizations documented targeted attacks on fleeing civilians and on civilian populated areas, as well as the use of indiscriminate weapons. The ICC found that abuses during the conflict amounted to war crimes.

The human rights situation within the Russian Federation is also precarious. In recent years, legislation has been passed that further restricts social, economic and political rights. Vulnerable populations continue to lose legal protections and face abuse. In Chechnya UN Special Procedures have received reports of mass detention, torture, enforced disappearances and killings of members of the lesbian, gay, bisexual and transgender, queer, intersex and asexual (LGBTQIA+) population by

regional security forces since 2017. The Russian government also committed war crimes in its armed conflict in Chechnya during the 2000s with impunity.

Independent UN investigations, including the CoI on the Syrian Arab Republic, have also documented the involvement of Russia in the commission of atrocity crimes. The Russian government affiliated so-called Wagner Group has perpetrated likely war crimes and crimes against humanity in the Central African Republic, Mali and Ukraine.

The Global Centre therefore urges you to include the following recommendations to the Russian Federation during the UPR session on 13 November:

- Immediately end violations and abuses of IHL and IHRL in Ukraine and other conflict situations;
- Investigate allegations of violations and abuses of IHL and IHRL both domestically and during armed incursions into third states;
- Cooperate fully with international human rights monitoring mechanisms, including UN Special Rapporteurs, and ensure their unrestricted access throughout the Russian Federation and to the illegally annexed Crimea, other occupied areas of Ukraine and the Georgian regions of Abkhazia and South Ossetia in order to fulfill its obligation as an occupying force and guarantee the protection of human rights;
- Ratify the Rome Statute of the ICC and fully align national legislation with all obligations under the Rome Statute, as well as cooperate with the ongoing investigations of the ICC;
- Restore human rights and fundamental freedoms within Russia by reforming and/or revoking existing legislation to be in line with international human rights obligations, including by repealing legislation that curbs social, economic and political rights;
- End impunity for attacks on journalists and human rights activists, and ensure civil society and opposition politicians can operate without fear of reprisals;
- Strengthen measures to eliminate violence against women and girls;
- Ensure the equal protection of all populations, including the LGBTQIA+ communities across the Russian Federation, and investigate ongoing persecution of LGBTQIA+ individuals in Chechnya.

The Global Centre further respectfully encourages you to consider the following advanced question for the review of the Russian Federation:

- What course of action is the Russian Federation taking to hold its armed forces accountable for patterns of abuses of IHL and IHRL in Ukraine and elsewhere?