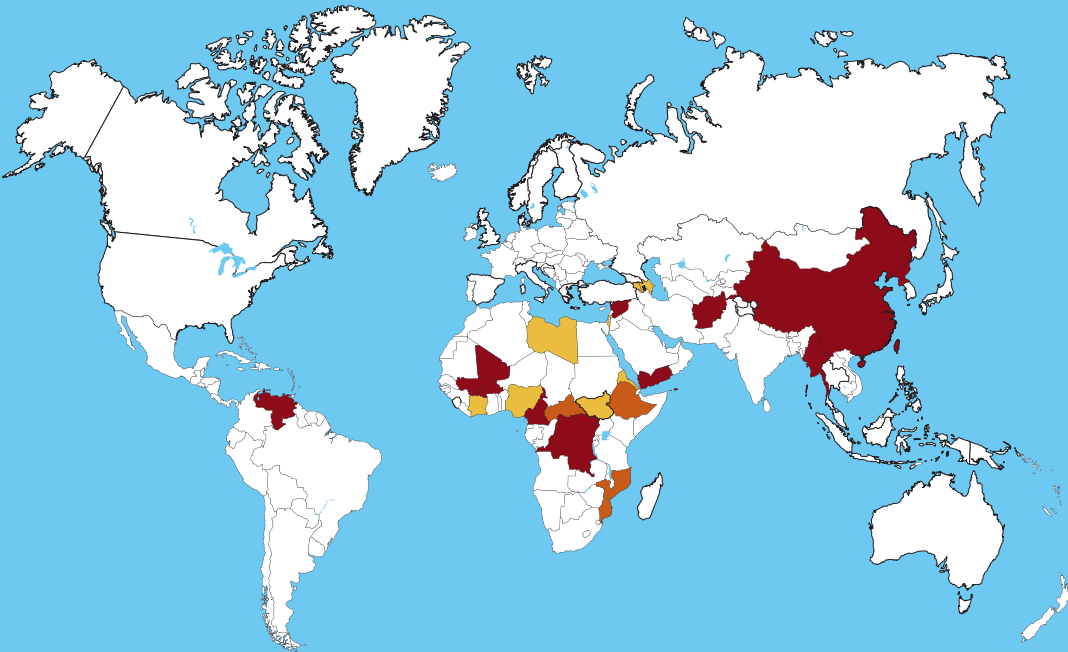


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Responsibility to Protect

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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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



More than 10,000 civilians killed or injured per year since 2014

AFGHANISTAN

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

BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces, the Taliban have made substantial military gains, currently controlling or influencing more than half the country.

Despite the finalization of a peace agreement between the United States (US) and the Taliban on 29 February, the Taliban have continued their military campaign against the Afghan government. The UN Assistance Mission in Afghanistan (UNAMA) recorded over 6,000 civilians killed or injured from January to September 2020. According to UNAMA, 45 percent of these casualties were caused by direct targeting or the use of improvised explosive devices (IEDs), with children comprising 31 percent of all civilian casualties.

Although intra-Afghan talks started on 12 September, UNAMA reported that in the weeks leading up to the negotiations the level of violence was among the highest in the past five years. Violence remained high in Nangarhar and Kunduz provinces following the start of talks, as the Taliban continued to attack the security forces. These attacks, airstrikes by the Afghan government and the use of IEDs throughout the country caused over 400 civilian casualties in October. On 11 October the Taliban also renewed their offensive in Lashkar Gar, Helmand province, which forced 35,000 civilians to flee and led to US airstrikes.

UNAMA has reported that ongoing violence is preventing the delivery of health and essential services to vulnerable communities amidst the COVID-19 pandemic. UNAMA has also reported 12 deliberate attacks on healthcare personnel and facilities – eight by the Taliban and three by Afghan security forces – since the World Health Organization declared COVID-19 a global pandemic on 11 March.

Although international forces have begun withdrawing their troops and intra-Afghan negotiations continue, progress towards implementing other elements of the US-Taliban agreement have been minimal. The agreement includes guarantees to prevent the use of Afghan territory by terrorist groups and a permanent ceasefire. However, the Taliban has reportedly not broken ties with al-Qaeda.

According to UNAMA, civilians in Taliban-controlled areas suffer widespread human rights abuses, including the recruitment of child soldiers and extrajudicial killings. According to the Chief Prosecutor of the International Criminal Court (ICC), the Taliban have potentially committed crimes against humanity and war crimes while Afghan security forces and members of the US military may have also committed war crimes, including the torture of detainees and summary executions.

According to UNAMA, there were more than 10,000 civilian casualties per year from 2014–2019. The UN Secretary-General's annual report on children and armed conflict noted that Afghanistan was the deadliest conflict in the world for children in 2019, with over 870 killed. The UN Refugee Agency (UNHCR) has also reported that 2.1 million people are internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

Meanwhile, according to the Afghanistan Independent Human Rights Commission, at least 170 civilians have been killed in attacks targeting places of worship since October 2019. UNAMA has also verified at least 18 attacks deliberately targeting religious leaders so far this year. The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has been implicated in many of these incidents and other attacks targeting minority populations. On 25 October ISIL-K perpetrated a suicide bombing on Kawsar-e Danish education center in a predominantly ethnic Hazara neighborhood of Kabul, killing over 25 civilians.

ANALYSIS

During their 18-year war, the Taliban, government troops and some international forces have all shown blatant disregard for International Humanitarian Law (IHL). Conflict and insecurity will endure unless sustained action is taken to end impunity and improve local governance.

The US-Taliban agreement and the start of intra-Afghan talks are welcome steps towards ending the war, but ongoing violence

threatens to derail the talks. The threat of further war crimes and crimes against humanity remains until a comprehensive ceasefire is fully implemented and the protection of civilians and respect for IHL are prioritized by all sides.

The Afghan government needs ongoing international support to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

Since 2011 the UN Security Council (UNSC) has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. On 10 March the UNSC unanimously adopted Resolution 2513, welcoming the US-Taliban agreement.

US troops began leaving Afghanistan during March 2020 in line with the US-Taliban agreement. Less than 5,000 troops remain in the country. The drawdown plans are conditional on a reduction of violence. Some other NATO member states are also considering withdrawing their forces.

During 2017 the Chief Prosecutor of the ICC, Fatou Bensouda, requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. Despite the Court initially rejecting the request, on 5 March 2020 the Appeals Chamber allowed the investigation to proceed.

On 2 September the US government imposed economic sanctions against Chief Prosecutor Bensouda and the Head of the ICC's Jurisdiction, Complementarity and Cooperation Division, Phakiso Mochochoko. These sanctions were in retaliation for ICC staff investigating possible war crimes perpetrated by US troops and intelligence officials in Afghanistan. The UN Secretary-General, Office of the UN High Commissioner for Human Rights (OHCHR), over 30 UN independent human rights experts, and a cross-regional group of 67 states have all expressed concern regarding this US policy.

NECESSARY ACTION

All parties to the conflict should help create an environment conducive for intra-Afghan negotiations by committing to a comprehensive ceasefire. Avenues for justice and the rights of victims should also be prioritized by the negotiating parties. Intra-Afghan talks should be expanded to include meaningful representation of women, ethnic and religious minorities, and civil society.

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

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



765,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

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

BACKGROUND

During October 2017 armed Anglophone separatists proclaimed independence and declared a new state of “Ambazonia” in the north-west and south-west regions of Cameroon. Since then, separatists and Cameroonian security forces have clashed, resulting in widespread abuses against the civilian population. Security forces have perpetrated extrajudicial killings, burned Anglophone villages and subjected individuals with alleged separatist ties to torture and ill-treatment. Armed separatist forces have also perpetrated abuses, including kidnapping and killing civilians.

Violence has escalated throughout 2020. On 24 October a group of unidentified armed men attacked the Mother Francisca International Bilingual Academy in Kumba, south-west Cameroon, shooting and killing at least eight children and wounding twelve others. Both the government and armed separatist groups have accused one another of perpetrating the attack, but no one has officially admitted responsibility.

The political conflict over cultural rights and identity first intensified in Cameroon’s Anglophone regions during 2016 when English-speaking lawyers, students and teachers began protesting against their under-representation and cultural marginalization by the Francophone-dominated government. The Anglophone and Francophone areas of Cameroon were unified in 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west regions.

Since 2016 at least 3,000 civilians and hundreds of members of the security forces have been killed in the Anglophone regions. The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that at least 705,000 people have been internally displaced in the north-west and south-west regions, while 60,900 have fled to Nigeria. Separatists have banned government education and frequently attacked schools and teachers, resulting in 80 percent of schools in the two regions being closed or destroyed. Approximately 30 percent of health facilities are also unable to operate due to insecurity.

In an attempt to ease tensions, during October 2019 President Paul Biya organized a national dialogue, followed by the adoption of several measures, including granting “special status” to the Anglophone regions. The government also released 333 prisoners from the region. On 2 July some separatist leaders met with government officials to discuss a potential ceasefire agreement.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. During 2019 the group killed at least 225 civilians in the far north of Cameroon. Recently, at least 16 civilians were killed by suspected Boko Haram fighters in a grenade attack on an internally displaced persons (IDP) camp on 2 August. On 1 September a suicide attack on a village hosting IDPs resulted in 18 people killed. There have also been widespread allegations of the security forces perpetrating extrajudicial killings during military operations against Boko Haram. Ongoing violence has displaced over 322,000 people. On 16 October the government announced the closure of at least 60 schools in northern Cameroon due to attacks by Boko Haram.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. Persistent attacks on civilians by both sides of the conflict amount to war crimes and crimes against humanity. The government continues to deny the severity of the crisis and has failed to address the root causes of the Anglophone conflict or provide a political means for resolving it.

The government of Cameroon is failing to uphold its responsibility to protect and requires international assistance to mediate and end the armed conflict in the north-west and south-west regions.

INTERNATIONAL RESPONSE

Despite the government's failure to protect populations from violations and abuses of human rights, or to hold security forces accountable for extrajudicial killings, during October 2018 Cameroon was elected to the UN Human Rights Council (HRC) for the 2019-2021 term.

On 13 May 2019 the UNSC held its first and only Arria Formula meeting on the crisis in Cameroon.

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

On 22 June five Nobel Peace Prize Laureates, along with two former heads of state, other eminent figures and the Global Centre for the Responsibility to Protect, called upon all parties to the conflict in the Anglophone regions of Cameroon to declare a humanitarian ceasefire amid the COVID-19 pandemic.

NECESSARY ACTION

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

The government and armed separatists should declare a ceasefire as a prelude to peace talks. In order to work towards a negotiated political solution to the crisis in the Anglophone regions, the government should hold an inclusive dialogue mediated by a neutral player on neutral territory.

The government of Cameroon should grant OHCHR immediate and unfettered access to the north-west and south-west regions to investigate potential violations and abuses of IHRL. Foreign governments and regional organizations should suspend all military aid to Cameroon until its security forces have made demonstrable progress towards upholding the human rights of vulnerable populations. The African Union (AU) and Economic Community of Central African States should work with Cameroon's government to prevent any further deterioration of the armed conflict. The UNSC should add the situation in Cameroon to its formal agenda.



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

CHINA

The treatment of ethnic Uyghurs and other Muslim minorities in China may amount to crimes against humanity and genocide.

BACKGROUND

Under the guise of combatting religious extremism and terrorism, in recent years the government of China and authorities in the Xinjiang Uyghur Autonomous Region (XUAR) have increased their repression of members of the ethnic Uyghur (or Uighur) community as well as Kazakhs, Kyrgyz and other Muslim minorities. China's policies have resulted in large-scale arbitrary detention, severe restrictions on religious practice and pervasive surveillance of the country's Muslim population.

An estimated 1 million Uyghurs and other Muslim minorities have been detained in “re-education” or “de-extremification” facilities without formal charges or due process. During September the Australian Strategic Policy Institute (ASPI) released a report that identified more than 380 suspected detention facilities in XUAR, including so-called “re-education” camps, detention centers and prisons, that have been built or expanded since 2017. Additionally, an estimated 250,000 children under the age of 15 in XUAR have lost one or both parents to detention, with many placed into state-run orphanages or boarding school facilities, according to data published by The Economist.

During March ASPI reported that over 80,000 Uyghurs are also working under “conditions that strongly suggest forced labor,” with many transferred directly from detention camps to factories across China. These factories are part of supply chains that provide goods for 83 global brands, including Apple, BMW, Nike and Samsung. The New York Times has also identified companies in China using forced Uyghur labor to make face masks and other medical supplies that have been sold globally during the COVID-19 pandemic.

The Chinese government is also conducting a campaign to forcibly reduce birth rates among Uyghurs and other Muslim

populations in XUAR. According to investigations, the practice of forced birth control has been widespread in Xinjiang since 2017 and includes forced abortions and sterilizations. Authorities have also engaged in the systematic destruction of Uyghur cultural heritage, including by demolishing shrines, cemeteries and pilgrimage sites. Approximately 16,000 mosques have been destroyed or damaged as a result of government policies.

China has also expanded its pervasive surveillance across XUAR. Authorities monitor the daily lives of almost all Uyghurs by collecting DNA during medical checkups, surveilling mobile and online communications, and installing a GPS tracking system on all vehicles. Data is used to profile individuals prior to sending them to “re-education” camps. During February the Associated Press published leaked information from a database that demonstrates that the Chinese government focused on religious devotion as one of the main reasons for detention, including engaging in ordinary activities such as fasting, praying or regularly attending mosque.

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. Leaked government documents reveal that the crackdown in Xinjiang was a result of pressure from senior officials, including President Xi Jinping, who in 2014 called for a “struggle against terrorism, infiltration and separatism” to be conducted with “absolutely no mercy.” The Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uyghur persecution and expanded the detention camps.

ANALYSIS

Under customary international law and the Rome Statute of the ICC, the widespread or systematic persecution of Uyghurs and other Muslim minorities on religious, cultural, ethnic and gender grounds; the large-scale detention program; abuse of detainees; enforced sterilization; and denial of information regarding the fate of persons in state custody in XUAR, could constitute crimes against humanity.

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

The government of China is failing to uphold its responsibility to protect and is perpetrating possible crimes against humanity and genocide against the Uyghurs and other Muslim minorities.

INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested that China permit access to carry out an independent assessment of reports of enforced disappearances

and arbitrary detentions. On 30 June 2020 the United Kingdom (UK) delivered a statement to the HRC on behalf of 27 countries urging China to allow the High Commissioner meaningful access to Xinjiang. On 6 October Germany delivered a statement to the UN General Assembly's (UNGA) Third Committee on behalf of 39 governments, calling on China to allow independent observers "immediate, meaningful and unfettered access to Xinjiang" and refrain from arbitrarily detaining Uyghurs and other minorities.

On 26 June a group of 50 UN Special Procedures mandate holders called for the establishment of an impartial and independent UN mechanism to monitor and report on the grave human rights situation in China.

On 17 June US President Donald Trump signed the "Uyghur Human Rights Policy Act of 2020," which calls for financial sanctions and visa bans to be issued under the Global Magnitsky Act. Since then the US has sanctioned two entities and seven officials in connection with human rights abuses in XUAR. The US has also placed 48 Chinese entities on a trade blacklist due to their business involvement in the region. On 14 September US Customs and Border Protection issued five "Withhold Release Orders" that prevent goods from being imported when made with forced labor in China.

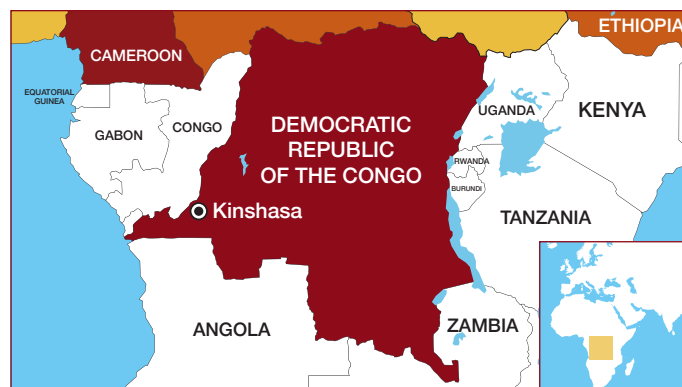
On 21 October the Canadian Parliamentary Subcommittee on International Human Rights called on the government of Canada to "recognize that the acts being committed in Xinjiang against Uyghurs constitute genocide." The statement reminded the Canadian government of its "responsibility to protect Uyghurs and other Turkic Muslims under the international norm that it helped to establish."

NECESSARY ACTION

The government of China should immediately halt widespread violations and abuses of human rights in XUAR and repeal the "Regulation on De-extremification." The authorities should release all Muslims being arbitrarily detained in "re-education camps" and related facilities. The authorities should immediately end the enforced separation of Uyghur children from their families, stop the practice of forcibly preventing births, and cease the deliberate destruction of the unique cultural heritage of the Uyghur population.

The Chinese government should grant unfettered access to OHCHR. UN bodies, including the HRC, should mandate a Special Rapporteur or fact-finding mission to investigate systematic violations of human rights in XUAR.

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



5.5 million people
internally displaced

At least 100 armed
groups still operating
in eastern DRC

DEMOCRATIC REPUBLIC OF THE CONGO

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

BACKGROUND

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

The UN Joint Human Rights Office (UNJHRO) in the DRC reported on 5 August that an estimated 1,300 civilians, including 165 children, were killed by armed groups in the first six months of 2020 in North Kivu, South Kivu, Tanganyika and Ituri provinces. This is a more than threefold increase when compared to the same period last year. Half of the victims were in Ituri province, where inter-communal violence as well as fighting between the FARDC and ethnic militias have escalated since late 2019. UNJHRO has also recorded more than 400 adult victims of conflict-related sexual violence. According to UNHCR, over 5.5 million Congolese are internally displaced while more than 900,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa.

In North Kivu attacks by the Allied Democratic Forces (ADF) armed group, which has been perpetrating atrocities in the Beni region for more than six years, escalated after the FARDC launched an offensive against them in October 2019. Since then the ADF has carried out retaliatory violence against villages near Beni and, more recently, in Ituri province, killing more than 650 people in North Kivu over the past year. UNJHRO has reported that attacks by the ADF have been "systematic and brutal" and may amount to crimes against humanity and war crimes. Those

fleeing the violence have reported mass killings conducted with heavy weapons, as well as sexual violence and abductions.

Elsewhere in North Kivu fighting between factions of the Nduma Defense of Congo-Rénové (NDC-R) has displaced more than 40,000 people since July. NDC-R fighters have been implicated in killings, rapes, child recruitment and torture of civilians in territories they control. The leader of one NDC-R faction, Guidon Shimiray Mwissa, is wanted by Congolese authorities for perpetrating crimes against humanity.

In Ituri province ethnic armed groups from the Hema and Lendu community have engaged in intermittent clashes for nearly three years. At least 700 people were killed and 142 were subjected to sexual violence during several waves of violence between December 2017 and September 2019. The majority of victims were from the ethnic Hema community.

Violence escalated in late 2019 when the predominantly ethnic Lendu Cooperative for the Development of Congo (CODECO) armed group launched a series of attacks. Since then more than 660,000 people have been forced to flee. The UN Children's Fund has also received allegations of serious child rights violations, including rape, killing and maiming, and attacks on schools and health centers. UNJHRO and the UN High Commissioner for Human Rights have alleged that CODECO and other ethnic armed groups may have perpetrated war crimes or crimes against humanity. The government has attempted to negotiate numerous ceasefires with the group since January.

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 growing inter-communal tensions in Ituri and South Kivu, is straining the capacity of the FARDC and MONUSCO to provide adequate protection to civilians. Efforts to contain the COVID-19 pandemic are also limiting the capacity of the government to extend services throughout the country.

The Hema and Lendu have a long history of conflict, including several years of intense fighting in Ituri province that started in the late 1990s and resulted in thousands of deaths. The Hema are predominantly pastoralists and the Lendu are mainly sedentary farmers, with longstanding disputes over access to land and other resources. The intensity of recent attacks in Ituri demonstrates the need for inter-communal mediation and the disarmament of CODECO.

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 other security forces have

also been implicated in crimes against civilians while combatting armed groups.

The DRC government has struggled 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 8 July 2019 the ICC found former DRC warlord Bosco Ntaganda guilty of war crimes and crimes against humanity perpetrated in Ituri from 2002-2003. Ntaganda was subsequently sentenced to 30 years imprisonment.

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

NECESSARY ACTION

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

The government should cooperate with UNJHRO and ensure all state agents responsible for extrajudicial killings, sexual violence and other human rights violations and abuses are held accountable. Recent massacres in Ituri must be investigated and perpetrators punished. The government should also ensure timely trials are held for ADF and CODECO combatants in their custody.

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions in eastern DRC, and address structural issues of land access, resource allocation and poor governance. The DRC government also needs to implement a credible disarmament, demobilization, reintegration and repatriation program to encourage the ADF, CODECO and other combatants to lay down their arms. Neighboring states should continue to uphold the PSC Framework and provide assistance in confronting armed groups.



More than 6,600 people killed in attacks in Mali, Burkina Faso and Niger since October 2019

MALI AND BURKINA FASO

Populations in Mali and Burkina Faso face potential atrocity crimes as a result of attacks by Islamist armed groups and state security forces, as well as growing conflict between ethnic militias and community “self-defense groups.”

BACKGROUND

Over the past two years civilians across the Central Sahel – particularly in central Mali and neighboring parts of Burkina Faso – have endured increasing attacks by Islamist armed groups and state security forces, as well as inter-communal violence perpetrated by rival militias. According to OCHA, more than 6,600 civilians have been killed in Mali, Burkina Faso and Niger since October 2019.

Following a 2012 military coup, Tuareg separatists and Islamist armed groups seized territory in northern Mali. Despite the 2015 “Bamako Agreement” and the presence of international forces, including a UN peacekeeping force (MINUSMA), violence between the government and various armed groups has escalated.

Since 2015 Islamist armed groups have expanded their activities from northern to central Mali, prompting the formation of ethnic militias and armed “self-defense groups.” In particular, a cycle of reprisal attacks in the Mopti region has dramatically increased since early 2019. Violence has taken place between Dozos (traditional hunters mainly from the Dogon ethnic community) and ethnic Bambara fighters against members of the predominantly Muslim Fulani community. Groups from both sides have attacked and burned rival villages.

In response to attacks by Islamist armed groups, the Malian security forces have carried out counter-terrorism operations resulting in numerous human rights violations, particularly in the Mopti and Ségou regions of central Mali.

On 18 August a group of Malian military officers, acting as part of the National Committee for the Salvation of the People, deposed President Ibrahim Boubacar Keïta in a coup. During

October a transitional government, headed by former general Bah N’daw, agreed to hold elections within 18 months.

The porous border between Burkina Faso, Mali and Niger has facilitated the expansion of Islamist armed groups throughout the Sahel. Since mid-2018 these groups have perpetrated atrocities against populations in Burkina Faso and increased their attacks on Christian places of worship, health centers and schools. Attacks on education more than doubled between 2018 and 2019 in Burkina Faso, with 140 incidents recorded in 2019. During October 25 displaced persons were killed when their convoy, enroute to their homes in Pissila, in the central-north of Burkina Faso, was ambushed by Islamist armed groups.

Counter-terrorism operations by the Burkinabè security forces have led to grave human rights abuses perpetrated against civilians presumed to be sympathetic to Islamist armed groups. According to the Armed Conflict Location and Event Data Project (ACLED), more than half of the attacks launched by government-affiliated civilian security “volunteers” since February have been against other civilians – all from the country’s Fulani community – and have left dozens dead.

Recent legislative amendments to the electoral code in Burkina Faso will allow the 22 November presidential and parliamentary elections to take place without opening voting stations in unstable regions, preventing approximately 400,000 people from participating.

The Central Sahel is also facing one of the fastest growing displacement crises in the world with approximately 1.8 million IDPs. Over 1 million people are displaced in Burkina Faso alone, a 258 percent increase in the past year. More than 4,000 schools were closed due to targeted attacks and insecurity while COVID-19 restrictions and conflict have forced 12.8 million children out of school. A record 13.4 million people need humanitarian assistance and 7 million are acutely food insecure.

ANALYSIS

Militias, self-defense groups and security forces continue to target populations on the basis of their ethnic and/or religious identity. Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. Weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict in Mali and Burkina Faso. Recent fighting in the Central Sahel has been exploited by Islamist armed groups who have targeted young Fulani men for recruitment.

Despite support from international military forces, Malian and Burkinabè security forces have been unable to adequately protect civilians in the vast regions of central Mali and northern and eastern Burkina Faso. MINUSMA has also frequently been attacked, with more than 130 peacekeepers killed since July 2013. The Burkinabè government’s “Volunteers for the Defence of the Homeland” law provides arms and training to civilian security volunteers, which presents numerous risks as the proliferation of arms and militias may fuel further violence.

The controversial amendment to the electoral code in Burkina Faso risks further disenfranchising residents in conflict-affected areas and may drive them towards armed groups.

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

INTERNATIONAL RESPONSE

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

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 2020 the UNSC renewed MINUSMA's mandate for an additional year.

Operation Barkhane, a 5,100-member French force, has led the international military response in Mali since January 2013. During July 2017 the G5 Sahel Force was established using troops from Burkina Faso, Chad, Mali, Mauritania and Niger. On 12 June 2020 the G5 Sahel countries and France launched the International Coalition for the Sahel to coordinate responses to security, political and development issues in the region. A counter-terrorism force composed of European special forces was launched as part of Operation Barkhane in July.

The coup in Mali drew international condemnation from the AU, Economic Community of West African States (ECOWAS), European Union (EU), France and US. During October ECOWAS lifted the post-coup sanctions and the AU lifted its suspension of Mali. On 15 October the UNSC adopted a Presidential Statement calling upon authorities to protect civilians, reduce inter-communal violence and end impunity for violations of IHL and IHRL.

Twenty-four governments and institutional donors pledged more than \$1.7 billion for lifesaving humanitarian aid and protection at the Ministerial Roundtable for the Central Sahel on 20 October.

NECESSARY ACTION

While countering violent extremism remains crucial for Mali and Burkina Faso, it is essential that both governments and international forces ensure that their efforts do not further exacerbate inter-communal tensions and are undertaken in strict compliance with IHRL. Additional measures must be implemented to end the proliferation of arms, militias and self-defense groups. Disarmament, demobilization and reintegration efforts need to be focused on areas where atrocity risks are increasing in both Mali and Burkina Faso.

The Burkinabè government and Mali's transitional government, with the support of MINUSMA, OHCHR and the UN Office on West Africa and the Sahel, should investigate all violations and abuses of IHRL, ensuring perpetrators are held accountable.



Over 900,000 ethnic Rohingya who have fled atrocities are currently refugees in Bangladesh

MYANMAR (BURMA)

Populations in Myanmar face atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies.

BACKGROUND

Since November 2018 Myanmar's military and the Arakan Army (AA), an armed group seeking self-determination for the ethnic Rakhine population, have engaged in an armed conflict in Rakhine State. Myanmar's security forces have shelled villages, blocked food supplies and arbitrarily detained civilians. The UN High Commissioner for Human Rights, Michelle Bachelet, has said that attacks on civilians in Rakhine and Chin states may amount to war crimes and crimes against humanity. AA members have also been accused of violations and abuses. According to OCHA, more than 97,000 people are currently displaced in Rakhine and Chin states.

On 22 September the UN Special Rapporteur on the situation of human rights in Myanmar, Thomas Andrews, decried growing child casualties in Rakhine State. On 5 October two Rohingya boys were reportedly killed after a military unit forced them to ensure their path was clear of landmines and protect them from potential enemy fire.

The latest conflict in Rakhine State ignited a year after the military launched so-called "clearance operations" on 25 August 2017. An estimated 745,000 people – the majority of the Rohingya population – were forced to flee Myanmar, bringing the total number of Rohingya refugees in Bangladesh to over 900,000.

The Rohingya, a distinct Muslim ethnic minority group in Myanmar, have been systematically persecuted for generations. Myanmar's 1982 Citizenship Law rendered most of the population stateless. The rights of the Rohingya are further limited by the so-called "Protection of Race and Religion" laws that place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights. The estimated 600,000 Rohingya who remain in Rakhine State are subject to severe

restrictions on their freedom of movement. More than 120,000 Rohingya have been confined to camps since 2012.

The HRC-mandated Independent International Fact-Finding Mission (IFFM) on Myanmar concluded in 2018 that the military committed crimes against humanity and war crimes in Rakhine State, as well as acts of genocide against the Rohingya. The IFFM has also asserted that Myanmar breached its obligations under the Genocide Convention and “continues to harbor genocidal intent” towards the Rohingya.

Myanmar held general elections on 8 November, which were won by the ruling National League for Democracy. The vast majority of the Rohingya population were unable to vote or run for office due to discriminatory laws and policies. In addition, citing security concerns, Myanmar’s Union Election Commission canceled or restricted voting in more than 50 townships across Chin, Kachin, Karen, Mon, Rakhine and Shan states, as well as the Bago Region. These restrictions affected an estimated 2 million people, mostly members of minority ethnic groups.

ANALYSIS

The Myanmar government has failed to address the root causes of the Rohingya genocide, including laws and policies that systematically discriminate against the Rohingya. Until these change and the perpetrators of past crimes are held accountable, the threat of atrocities endures.

Ongoing military operations in Rakhine State leave civilians at risk of atrocities. The use of human shields by the military violates international law and amounts to a war crime.

The government of Myanmar has manifestly failed to uphold its responsibility to protect the Rohingya and other minority populations, and bears responsibility for the ongoing commission of war crimes, crimes against humanity and genocide.

INTERNATIONAL RESPONSE

The only formal response by the UNSC to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017 that stressed the “primary responsibility of the Myanmar government to protect its population.”

Since August 2017 various individual states and regional organizations have responded to atrocities in Rakhine State. The EU has reinforced its arms embargo on Myanmar and imposed restrictive measures on 14 individuals, while Australia, Canada, UK and US have imposed targeted sanctions on senior military officers. During May 2020 Germany announced that it was suspending development cooperation with Myanmar.

During September 2018 the HRC created an Independent Investigative Mechanism (IIMM) to “collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law” committed in Myanmar.

On 11 November 2019 The Gambia filed a lawsuit at the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January the ICJ ordered Myanmar to comply with four provisional measures – to prevent genocidal acts, ensure military and police forces do not commit genocidal acts, preserve all evidence of genocidal acts, and report on compliance with these measures. Myanmar submitted its first report to the ICJ on 23 May, the second report is due in late November.

On 2 September Canada and the Netherlands announced their intention to intervene in support of The Gambia’s case against Myanmar. On 11 September eight members of the UNSC – Belgium, Dominican Republic, Estonia, France, Germany, Tunisia, UK and US – issued a joint statement calling on Myanmar to comply with the ICJ’s provisional measures order.

During November 2019 Pre-Trial Chamber III of the ICC authorized the Chief Prosecutor to proceed with an investigation into crimes against humanity that may have been committed against the Rohingya, resulting in forced deportation across the Myanmar-Bangladesh border.

During November 2019 a case was filed in an Argentinian court under the principle of universal jurisdiction, urging the prosecution of senior Myanmar officials responsible for the Rohingya genocide. On 29 May the court formally requested information from the ICC.

On 22 October UNHCR, along with the EU, UK and US, co-hosted a virtual donor conference, raising \$600 million to support displaced Rohingya in Bangladesh and Myanmar.

NECESSARY ACTION

Myanmar must fully comply with the ICJ order and address all underlying conditions that led to the genocide, including by repealing or amending laws that systematically discriminate against the Rohingya. The UNSC should closely monitor Myanmar’s compliance with the provisional measures order. The UNSC should also refer the situation in Myanmar to the ICC and impose an arms embargo.

Myanmar’s new government should end the systematic persecution of the Rohingya and repeal all discriminatory laws and policies, including the 1982 citizenship law.



13 million people
displaced by 10
years of conflict

16 UNSC vetoes
blocking action
and accountability

SYRIA

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

BACKGROUND

Since the war between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 12 million Syrians are in need of humanitarian assistance.

After nearly ten years of fighting, every party to the conflict in Syria continues to perpetrate serious violations and abuses of international law. The HRC-mandated Commission of Inquiry (CoI) on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances, with the majority attributable to the Syrian government. The government of Syria continues to commit enforced disappearances, murder, torture, sexual violence and imprisonment as a matter of state policy, violations that may amount to crimes against humanity. The Syrian government is also imposing arbitrary restrictions on freedom of movement and unlawfully depriving individuals of their property rights in previously besieged areas, which the CoI has asserted may amount to the war crime of collective punishment. The CoI has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces.

Over the past few months the conflict in Syria has shifted away from active front lines and large-scale hostilities, with various parties to the conflict perpetrating atrocities while consolidating their control over sections of the country. In northern Syria, the Syrian National Army has perpetrated torture, sexual violence, systematic looting and arbitrary detention of civilians. In Afrin, Turkish-backed armed opposition groups, including the al-Hamzat Division and Jaish al-Islam, have

kidnapped, arbitrarily arrested and tortured civilians. Since March there has also been a dramatic increase in civilian deaths from IEDs, with at least 33 attacks in populated areas across northern Syria. Recent deadly car bombings in Afrin, al-Bab, Tal Abyad and Ras al-Ayn have claimed dozens of lives.

Meanwhile in southern Syria, clashes have intensified between government forces and local opposition fighters. Indiscriminate artillery shelling and rocket attacks in Dara'a and Suwayda governorates have caused civilian deaths and injuries. In Dara'a governorate targeted assassinations and killings have also increased.

From April 2019 to March 2020 the Syrian government and Russian forces conducted an intense bombardment campaign in southern Idlib, northern Hama and western Aleppo governorates. OHCHR confirmed over 1,500 civilian deaths, nearly all of which are attributable to Syrian government and Russian forces. The CoI found that Syrian government and Russian forces perpetrated war crimes in Idlib and that there are "reasonable grounds to believe" they intentionally terrorized civilian populations. Civilian objects, including healthcare facilities, schools, markets and evacuation routes were heavily shelled, causing over 1 million Syrians to flee.

The so-called Islamic State of Iraq and the Levant (ISIL) has been increasing its attacks in Deir Ezzour, Hasakeh, Badiya Al-Sham and Resafa while also expanding its area of operations. At least 58,000 children of alleged ISIL fighters from more than 60 countries remain trapped in detention camps run by the Syrian Democratic Forces in northeastern Syria. The Head of the UN Office of Counter-Terrorism, Vladimir Voronkov, reported during July that 700 detainees, including women and children, had recently died due to a lack of medicine, food and water. The humanitarian crisis in the camps has been exacerbated by the COVID-19 pandemic.

ANALYSIS

For almost 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. All parties to the conflict have committed acts that may amount to war crimes and crimes against humanity.

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 accountability measures. The Syrian government and its Russian allies, as well as various non-state armed groups, continue to perpetrate violations of IHL and IHRL with impunity.

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

INTERNATIONAL RESPONSE

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

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 26 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 10 draft UNSC resolutions and Russia has independently vetoed an additional 6. The two latest vetoes, on 8 and 10 July, blocked the renewal of a mandate for cross-border aid delivery. The Council finally passed a resolution on 11 July permitting border crossings through only one opening, further restricting life-saving food and medical supplies to millions of people in northern Syria.

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 initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction. The first trial of members of President Bashar al-Assad's security services for alleged crimes against humanity, including torture, commenced in Germany on 23 April. On 18 September the government of the Netherlands took steps to hold Syria accountable for violations of the UN Convention against Torture.

The HRC has adopted 35 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the Syrian population.

NECESSARY ACTION

All parties must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and establish a timetable for the release of all detainees and abductees. Syrian government forces, armed opposition groups and all international parties to the conflict must facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting and ensure the protection of all civilians. Parties to the conflict should uphold the ceasefire agreements in the northwest and northeast.

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

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. The UNSC should immediately refer the situation in Syria to the ICC and ensure that atrocity crimes do not continue with impunity.



Over 8,100 people reportedly killed in "security operations" since January 2018

VENEZUELA

Ongoing state-sanctioned persecution and violence against perceived political opponents in Venezuela may amount to crimes against humanity.

BACKGROUND

After President Nicolás Maduro took office during 2013, a catastrophic economic crisis resulted in hyper-inflation, food shortages and the collapse of essential services in Venezuela. Popular discontent with the government led to widespread protests, which the authorities have responded to with disproportionate force as well as the mobilization of pro-government groups, including so-called armed "colectivos." The political crisis escalated during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. Since then more than 50 countries, including many Latin American governments, have recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President, resulting in an ongoing political impasse.

In addition to the government's violent crackdown on protests, various state agents have been accused of widespread extrajudicial killings, as well as torture and ill-treatment, sexual violence, arbitrary detention and enforced disappearances of perceived political opponents, including human rights activists. On 16 September 2020 the HRC-mandated FFM on Venezuela warned that ongoing patterns of violations and abuses since 2014 were committed as part of a "widespread and systematic attack" against the civilian population and may amount to crimes against humanity.

The FFM found that President Maduro, as well as the Ministers of Defense and Interior, gave orders, exercised oversight and coordinated activities leading to the commission of possible atrocity crimes. These state policies were implemented to target perceived government opponents, as well as to combat crime, particularly through extrajudicial executions. According to previous reports by the UN High Commissioner for Human

Rights, an estimated 8,200 individuals were killed in “security operations” between January 2018 and May 2020 alone.

Approximately 5 million Venezuelans have left the country since the outbreak of the economic crisis in 2014. According to OCHA, an estimated 7 million people in Venezuela are in need of urgent humanitarian assistance.

ANALYSIS

Despite international isolation, the Maduro government remains in control of key state institutions and the security forces. The FFM’s findings suggest that widespread impunity has emboldened state agents to continue perpetrating extrajudicial killings, torture and other crimes. The political deadlock between the government and opposition parties is further exacerbating the multidimensional crisis.

The Maduro government refuses to fully cooperate with the FFM and other international human rights mechanisms and has continued to publicly threaten human rights defenders and journalists.

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

INTERNATIONAL RESPONSE

Since November 2017 the EU has imposed asset freezes on 36 senior government officials. The US government has imposed extensive sanctions on President Maduro, his family and senior members of his government, as well as broader sanctions that have exacerbated the humanitarian crisis.

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

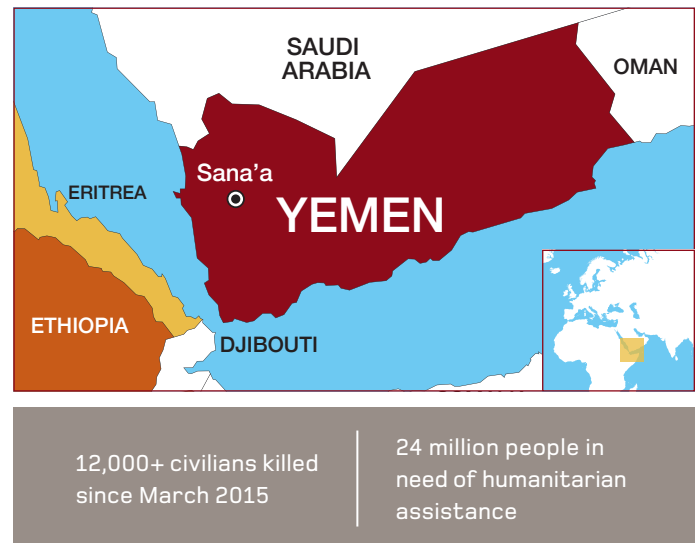
On 27 September 2019 the HRC adopted a resolution establishing the FFM, which is currently mandated to investigate extrajudicial executions, enforced disappearances, arbitrary detentions, torture and ill-treatment, and sexual and gender-based violence. The mandate of the FFM was renewed for two years on 6 October 2020.

NECESSARY ACTION

The government must end the systematic persecution of its perceived opponents and ensure impartial investigations of all extrajudicial killings and other widespread violations and abuses of human rights. The government should grant the FFM unrestricted access to the country and fully cooperate with all UN mechanisms. The government and opposition should commit to renewed dialogue to ensure a peaceful and sustainable solution to the crisis. Particular focus must be on the provision of life-saving humanitarian assistance to populations in need.

States should continue to impose targeted sanctions on senior government officials responsible for systematic violations and abuses of human rights, but lift measures that may further

limit the population’s access to basic goods and services. In the absence of domestic accountability mechanisms, states should also consider taking legal action, including under universal jurisdiction, targeting those responsible for extrajudicial killings, torture and other crimes against humanity.



YEMEN

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

BACKGROUND

Despite diplomatic efforts to end the war in Yemen, populations continue to face war crimes. Fighting between Houthi rebels, members of the General People’s Congress, 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 more than 12,000 civilians since March 2015. The actual death toll is believed to be much higher. At least 3.6 million people have been displaced and the conflict has created the world’s largest humanitarian crisis.

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, resulting in over 1,000 civilian casualties so far this year. At least 150,000 civilians have been displaced during 2020, including over 90,000 who have fled deadly violence in Marib. There are currently 47 active frontlines across Yemen. According to OCHA, September saw the highest number of civilian casualties this year as civilian infrastructure, including markets, schools and farms, were hit by missiles and artillery.

On 23 May a unilateral ceasefire declared by the Saudi/UAE-led coalition ended after 45 days. Despite the ceasefire, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. Although the number of air raids decreased between 2017-2019, the coalition carried out more than 1,000 air raids

during escalations in Sana'a, Marib and Al-Jawf governorates in the first half of 2020. The total number of civilians killed or maimed as a result of coalition airstrikes since 2015 is now over 18,500.

The UN Secretary-General's annual report on children and armed conflict documented 1,447 children killed and maimed by Houthis during 2019 and a further 222 casualties attributable to the Saudi/UAE-led coalition. Coalition airstrikes on civilian areas in Al-Jawf governorate throughout July and August killed at least 17 children.

The HRC-mandated Group of Eminent Experts (GEE) on Yemen has consistently documented 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 asserts 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 parties to the conflict.

The UNSC-mandated Panel of Experts on Yemen reported during May that arbitrary arrests, enforced disappearances, ill-treatment and the torture of detainees continue to be conducted by the government of Yemen, Saudi Arabia, Houthis and forces affiliated with the UAE. On 17 October the government and Houthis completed an exchange of 1,081 detainees and prisoners as a step towards implementing the 2018 Stockholm Agreement.

More than 24 million Yemenis need humanitarian assistance and 2 million are facing acute food insecurity. The GEE has 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, primarily the Houthis. The Panel of Experts warned in May that the arrest of humanitarian workers is increasing in Houthi-controlled areas in the north.

ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to war crimes and crimes against humanity.

Although parties to the conflict signed the Stockholm Agreement, which established a ceasefire for Hodeidah Governorate, in December 2018, they continue to perpetrate widespread violations of IHL and IHRL across the country. The protracted conflict has been characterized by fragmenting coalitions and a multitude of fronts, as well as a climate of impunity that enables ongoing crimes.

The dire humanitarian situation is a direct result of the armed conflict and requires a political solution. Humanitarian restrictions and the destruction of medical facilities present grave challenges while Yemen tackles a COVID-19 outbreak.

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

INTERNATIONAL RESPONSE

The UNSC imposed sanctions on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo and demanded the Houthis withdraw from all areas they had militarily seized. On 21 December 2018 the UNSC passed its first substantive resolution on the conflict in over three years, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team. On 16 January 2019 the UNSC established the UN Mission to support the Hodeidah Agreement.

Since the establishment of the GEE was mandated in September 2017 the government has repeatedly refused entry to the Group. In its September 2020 report, the GEE recommended that the UNSC refer the situation in Yemen to the ICC and expand the list of persons subject to sanctions.

On 25 October 2019 the European Parliament called on all EU member states to halt weapons exports to Saudi Arabia. The US Congress made four attempts during 2019 to end US military support for the Saudi/UAE-led coalition, however, President Donald Trump vetoed these measures.

On 12 February complaints were filed under the principle of universal jurisdiction in courts in Turkey, UK and US to indict senior UAE officials on charges of war crimes and torture in relation to acts committed in Yemen.

NECESSARY ACTION

All parties to the conflict should fully implement the terms of the Stockholm Agreement and extend the Hodeidah ceasefire to all conflict-affected governorates. The government of Yemen should allow access to the GEE, as well as representatives from OHCHR, and ensure that all potential war crimes and crimes against humanity are properly investigated and prosecuted.

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

The UNSC must heed the calls of the GEE to integrate the human rights dimension of the conflict more fully into its agenda and 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.



1.2 million Central Africans have fled their homes since 2013

CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

Since the 2013–2015 conflict in the Central African Republic (CAR), endemic violence has been fueled by predatory armed groups, including factions of the ex-Séléka rebel alliance and anti-balaka militias. These groups have targeted civilians, humanitarian workers and peacekeepers, committed sexual and gender-based violence, recruited children, and perpetrated attacks on IDP camps, schools, medical facilities and places of worship.

On 6 February 2019, under the auspices of the AU, the government and 14 armed groups signed a historic peace deal to bring an end to the armed conflict. Despite this, some signatories continue to violate the agreement and/or have exploited the peace deal to consolidate their control over territory. The Human Rights Division of the UN peacekeeping mission in CAR (MINUSCA) reported that serious violations of IHL resulted in 1,250 casualties between October 2019 and August 2020. Signatories to the peace agreement perpetrated 90 percent of these violations.

Since April violence has escalated in north-west CAR. During September populations were displaced and humanitarian activities temporarily suspended in Nana-Mambéré and Ouham Pendé prefectures following attacks by armed groups. In response to the hostilities MINUSCA launched several operations to protect civilians. Another MINUSCA operation,

launched in the north-west during June with the Central African armed forces, sought to halt violence perpetrated by the Retour, Réclamation, Réhabilitation (3R) armed group, which had suspended its participation in the peace agreement.

The crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian anti-balaka militias and the collapse of state institutions. OHCHR has reported that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. Most perpetrators have not been held accountable. A hybrid judicial mechanism – the Special Criminal Court for CAR – is currently investigating possible atrocities committed during the conflict as well as recent clashes in N'délé and elsewhere.

On 9 November Bozizé submitted his candidacy for the upcoming December presidential elections despite being under UN sanctions and subject to a national arrest warrant for alleged crimes against humanity and incitement to commit genocide. Some signatory armed groups prevented voter registration by assaulting members of the National Electoral Authority during August and September while 3R blocked voter registration in the north-west. On 10 November nine armed groups pledged to respect and support the electoral process.

More than 1.2 million people – one in four Central Africans – have fled their homes since 2013 and 2.8 million are in need of humanitarian assistance and protection. According to OCHA, gender-based violence is a “plague,” with one incident reported every hour by the humanitarian alert system, which covers only 42 percent of the country.

ANALYSIS

Ongoing violence and growing allegations of serious human rights violations by armed groups, including parties to the peace agreement, highlights the risks resulting from limited governmental capacity outside the capital. Armed groups continue to control the majority of territory and profit from illegal taxation and arms trafficking. The elections may serve as an opportunity for armed groups to extend their territorial control or use violence to influence the electoral outcome.

The promotion of leaders of armed groups responsible for past atrocities into senior governmental roles undermines attempts to end impunity in CAR.

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

INTERNATIONAL RESPONSE

The UNSC has passed 14 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. On 12 November the UNSC extended the mandate of MNUSCA for one year.

A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 13 individuals and two entities. On 28 July the UNSC extended the sanctions regime and arms embargo for one year. On 5 August the UNSC imposed sanctions on 3R's leader, Bi Sidi Souleymane (Sidiki Abass), for violating the peace agreement and threatening peace and security in CAR.

During May 2014 the government referred the situation in CAR to the ICC. On 9 February 2021 the ICC will begin the trial of two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaissona, for war crimes and crimes against humanity.

On 19 September authorities in France arrested the former head of the presidential guard under Bozizé and head of an anti-balaka militia, Eric Bagale, for alleged war crimes and crimes against humanity committed between 2007-2014.

On 7 October the HRC renewed the mandate of the Independent Expert on the situation of human rights in CAR for one year, requesting that the expert work closely with MINUSCA in the area of transitional justice.

NECESSARY ACTION

The government should prioritize accountability for atrocity crimes and ongoing reconciliation efforts. Signatories to the peace deal must fully participate in the follow-up mechanisms established under the agreement, refrain from any action limiting the restoration of state authority, and fully comply with their obligations under IHL. The UNSC and AU should continue to closely monitor implementation of the peace agreement and impose sanctions on any actors that breach its key provisions. The AU should ensure that no candidate or political party is able to use the election to foment further violence and instability.



At least 20,000 people fled to Sudan
between 4-14 November

ETHIOPIA

Populations in Ethiopia are at imminent risk of mass atrocities as the war between the federal government and the Tigray People's Liberation Front escalates.

BACKGROUND

On 4 November the federal government of Ethiopia launched a military offensive in the northern region of Tigray following months of political tensions with the regional ruling party, the Tigray People's Liberation Front (TPLF). Hundreds of people were killed in the first ten days of fighting while at least 20,000 fled to Sudan. Refugees reported that the federal government carried out airstrikes and that fighting was taking place in heavily populated areas. Critical humanitarian aid has been hampered from reaching up to 2 million people, including almost 200,000 internally displaced persons and refugees.

Amnesty International estimates that hundreds of people were stabbed or hacked to death on 9 November in the town of Mai-Kadra in the South West Zone of Tigray. Survivors of the attack allege that the TPLF carried out the killings in retaliation for a military defeat inflicted on them by the Ethiopian Defense Forces and the Amhara Special Force. Witnesses indicated that many of the victims were ethnically Amhara. The UN High Commissioner for Human Rights, Michelle Bachelet, stated that, if verified, this attack could amount to a war crime.

The TPLF controlled Ethiopia's government for 27 years until a mass protest movement eventually led to the appointment of Prime Minister Abiy Ahmed in 2018. In 2019 the TPLF refused to join the Prime Minister's governing coalition. Tensions increased when the government announced the postponement of federal elections in May 2020 due to the COVID-19 pandemic. Accusing Abiy of trying to unconstitutionally extend his rule, the TPLF held regional elections on 9 September, which the federal government deemed illegitimate.

The federal government alleges that their military offensive was launched after the TPLF attacked a military base in the

region, which the TPLF deny. On 14 November the TPLF fired missiles into neighboring Eritrea, threatening to turn the war into a regional conflict.

For last two years ethnically motivated attacks have been on the rise throughout Ethiopia, leading to the displacement of at least 1.8 million people. On 1 November at least 54 ethnic Amhara civilians were killed by an armed group in West Welega Zone in the Oromia region, after federal forces abruptly left the area. An armed militia also killed up to 140 civilians in the Metekel Zone of Benishangul-Gumuz region during September. Ethnic violence has also been reported in the Gedeo and Guji zones and along the Somali/Oromia regional border. Attacks on minority populations in these regions have sometimes been attributed to regional police forces.

Violent protests during 2019 and 2020 have also claimed hundreds of lives. At least 67 people were killed between 23 and 26 October 2019 in Addis Ababa and the Oromia region during clashes between supporters of Prime Minister Abiy and supporters of Jawar Mohammed, a prominent Oromo political activist. Additionally, in June 2020 at least 239 people were killed in protests in Addis Ababa after the shooting of another prominent ethnic Oromo activist and singer, Hachalu Hundessa.

ANALYSIS

The violence in Tigray is a result of long unresolved political tensions in Ethiopia. The country's federalist system has resulted in widespread allegations of ethnic favoritism, with many groups feeling marginalized by the central government. A history of dictatorship and past human rights abuses carried out by the security forces has also left many Ethiopians deeply distrustful of state power. The federal government has struggled to protect civilians from the recent upsurge in targeted ethnic attacks around the country.

Attacks on civilian populations because of their perceived ethnicity can amount to crimes against humanity and war crimes. Additionally, the deliberate blocking of aid to vulnerable populations is a violation of IHL and may also amount to a war crime.

Both the Ethiopian federal government and the TPLF appear to be failing to uphold their responsibility to protect all populations in the Tigray conflict zone, regardless of ethnicity or political affiliation.

INTERNATIONAL RESPONSE

Since 4 November 2020 the UN Secretary-General, Intergovernmental Authority on Development, AU and European External Action Service have condemned the violence in Tigray and called for a military de-escalation.

On 13 November the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect released a statement urging Ethiopian authorities to take urgent measures to protect its population from further violence, emphasizing that the threat of atrocity crimes remains high.

NECESSARY ACTION

The Ethiopian Defense Forces and the TPLF must ensure that all military operations are conducted in strict adherence to IHL and IHRL and ensure the protection of civilians. The federal government should also facilitate the immediate resumption of the delivery of humanitarian aid to vulnerable populations in Tigray. The federal government and TPLF should establish a ceasefire and negotiate a peaceful political solution to the current crisis.

The Ethiopian government must also confront the underlying sources of conflict in the country and implement structural reforms to protect human rights and guarantee equal access to government services and resources. All reports of hate speech, as well as incidents of ethnic violence and reported attacks on civilian populations, should be thoroughly and impartially investigated and the perpetrators held accountable.



1,300+ civilians killed and 355,000 displaced since October 2017

MOZAMBIQUE

Attacks by armed extremists and abuses perpetrated by security forces leave populations in Mozambique at imminent risk of mass 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, abductions, recruitment of child soldiers and destroying civilian infrastructure. More than 1,300 civilians have been killed and 355,000 displaced since October 2017, the majority of whom have fled over the past year.

According to ACLED, over 365 violent incidents have taken place in northern Mozambique so far this year, resulting in at least 650 civilians killed. On 11 August, following several days of clashes with security forces, Al-Shabaab took control of

the port city of Mocimboa da Praia. In response, the security forces sent reinforcements to seize back control of the city. The fall of the city to Al-Shabaab disrupted several offshore natural gas projects valued at \$60 billion.

On 14 October insurgents attacked villages and military posts across the border in Tanzania, killing at least 20 people and allegedly prompting the Tanzanian army to launch rockets into Mozambican territory. An increase in fighting between Al-Shabaab, government forces and local militias, as well as Al-Shabaab raids on villages in Cabo Delgado, have resulted in more than 13,700 civilians arriving in Pemba by boat since mid-October. Al-Shabaab reportedly beheaded or dismembered 50 civilians between 6-8 November while it temporarily occupied several towns in Cabo Delgado.

While Al-Shabaab combatants have been the main perpetrators of violence against civilians, government forces have also been implicated in grave violations and abuses, including arbitrary arrests of individuals suspected of affiliation with Al-Shabaab. On 9 September Amnesty International verified video footage of security forces engaging in the torture and abuse of prisoners, the dismemberment of alleged Al-Shabaab fighters, possible extrajudicial executions, and the transport and disposing of corpses into apparent mass graves. Some activists and journalists have also faced intimidation and harassment.

Mozambique has a past history of atrocities stemming from its 1977-1992 civil war, during which approximately one million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, Mozambican National Resistance (RENAMO), who carried out massacres of civilians and systematically killed teachers and health workers. The armed forces of the ruling Front for the Liberation of Mozambique (FRELIMO) were also responsible for war crimes. A peace agreement was signed in 1992, but low-level conflict between the FRELIMO-led government and RENAMO resumed from 2013-2018. Despite a 2019 agreement, a breakaway group, the “Renamo Military Junta,” continues to wage an insurgency.

ANALYSIS

Although Al-Shabaab began as a small armed group in 2017, their attacks have intensified during 2020. The group’s willingness to perpetrate indiscriminate attacks on civilians increases the imminent risk of atrocities in Cabo Delgado. Al-Shabaab has exploited popular discontent over widespread poverty in Mozambique, as well as allegations of government corruption, to recruit fighters.

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

INTERNATIONAL RESPONSE

During its 33rd Summit in February 2020 the AU discussed the situation in Mozambique, but no concrete action was taken. During its August 2020 Summit the Southern African Development Community (SADC) condemned Al-Shabaab’s attacks and expressed its solidarity with Mozambique.

During April the EU expressed its growing concern regarding the situation in Cabo Delgado and called upon the government to protect civilians and hold perpetrators accountable.

During June OCHA launched a \$103 million humanitarian appeal to assist Mozambique’s response to the dual threat of COVID-19 and escalating violence.

NECESSARY ACTION

Security forces should ensure the protection of civilians and IDPs in Cabo Delgado. All military operations against Al-Shabaab must be carried out with strict adherence to international law. The government should also welcome external support from the AU, EU, SADC, the UN and neighboring states as it attempts to combat Al-Shabaab.

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.



At least 85 people killed in election violence since August 2020

CÔTE D'IVOIRE

Increased hate speech and political instability following the October 2020 presidential elections in Côte d'Ivoire leaves populations at risk of inter-communal violence and potential atrocities.

BACKGROUND

On 31 October Côte d'Ivoire held presidential elections amidst significant political unrest. According to local authorities, at least 85 people have been killed since August in election violence between supporters of incumbent President Alassane Ouattara, security forces and opposition protesters.

The political situation in Côte d'Ivoire has deteriorated since August when President Ouattara announced his decision to run for a third term after his preferred successor, Prime Minister Amadou Gon Coulibaly, unexpectedly died. The Constitution limits the number of presidential terms to two, but the Constitutional Council determined that the 2016 revision of the Constitution means that Ouattara's two previous terms do not count, allowing him to run again.

The months preceding the election were marred by sporadic violence, hate speech aimed at manipulating ethnic differences for political ends and heightened tensions. OHCHR also noted an increase in violence against protesters by security forces and unidentified individuals during October. Approximately 10,000 Ivorians have fled to Liberia, Ghana and Togo.

Ahead of the election, the main opposition candidates – former President Henri Konan Bédié and Pascal Affi N'Guessan – called for a boycott and a civil disobedience campaign. After the vote, N'Guessan, who served as Prime Minister under

former President Laurent Gbagbo, announced the creation of a "National Transitional Council," chaired by Bédié and tasked with preparing "the framework for the organization of a fair, transparent and inclusive presidential election."

Ex-rebel leader and Prime Minister Guillaume Soro, who the Constitutional Council excluded as a presidential candidate, called upon the military to mutiny and back the National Transitional Council. On 6 November a prosecutor announced that opposition candidates will face charges of terrorism for establishing a breakaway government. Several opposition leaders, including N'Guessan, were arrested the following day.

On 9 November the Constitutional Council ratified President Ouattara's re-election after he won 94 percent of the vote. President Ouattara and Bédié met on 11 November and promised to pursue talks.

Côte d'Ivoire has a history of civil war and election-related violence during which atrocities were committed. Following the November 2010 presidential elections, when then-President Laurent Gbagbo refused to cede power, security forces and rival militias loyal to either Gbagbo or Ouattara targeted perceived ethnic and political enemies, killing an estimated 3,000 people. Atrocities ended following an international military intervention authorized in March 2011 by the UNSC in Resolution 1975.

ANALYSIS

Although Côte d'Ivoire underwent a reconciliation process and the UN withdrew its peacekeeping mission in the country (UNOCI) in June 2017, the underlying ethnic and political tensions that led to the outbreak of electoral violence in 2010-2011 remain. Recent unrest has exposed long-standing grievances that the reconciliation process failed to address. Most individuals who perpetrated past atrocities have not yet been held accountable, threatening the long-term stability of the country.

Ongoing political conflict and the manipulation of ethnic differences could quickly escalate into further violence. The three most popular parties in Côte d'Ivoire are more representative of regional and ethnic interests than political platforms.

The Ivorian government is struggling to uphold its responsibility to protect and should request assistance from ECOWAS and other regional partners.

INTERNATIONAL RESPONSE

Following an arrest warrant, on 30 November 2011 former President Gbagbo was handed over to the ICC, where he was tried and acquitted alongside his Minister of Youth, Charles

Ble Goude. Gbagbo remains in Belgium, pending the outcome of a legal appeal.

On 9 November the UN High Commissioner for Human Rights, Michelle Bachelet, urged all sides in Côte d'Ivoire to refrain from incitement to violence and to engage in meaningful dialogue to resolve the crisis. ECOWAS has urged all Ivorians to prioritize social cohesion and to resolve differences through legal channels. The EU and AU have also called for dialogue.

NECESSARY ACTION

All political leaders must refrain from inciting violence against anyone on the basis of their political affiliation or ethnic identity. The Ivorian authorities must ensure that all human rights violations and abuses during the election period are thoroughly investigated and the perpetrators held accountable, regardless of political affiliation.

The government must address long-standing grievances through dialogue and policies aimed at enhancing social cohesion and reconciliation.



At least 693 Palestinian-owned structures demolished or seized by the Israeli government in 2020

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

Widespread human rights violations and abuses, and recurring armed conflict between Israel, Hamas and other Palestinian armed groups, poses an ongoing threat to civilians in Israel and the Occupied Palestinian Territories.

BACKGROUND

Impunity for violations of international law and the failure to reach a comprehensive peace agreement have contributed to recurring armed conflict between Israel and the Hamas de facto administration in Gaza. Civilians in the Occupied Palestinian Territories (OPT) have endured numerous threats to their rights and livelihoods as a result of activities by the Israeli government,

including the expansion of Israeli settlements and the blockade of Gaza. Hamas security forces in Gaza have also committed grave abuses against Palestinian civilians, including arbitrary arrests, summary executions and torture.

During July 2020 the UN Special Rapporteur on the situation of human rights in the OPT, Michael Lynk, highlighted that the Israeli government inflicts collective punishment on the Palestinian population by obstructing critical civilian supplies, punitively demolishing Palestinian structures and forcing mass displacement. The Special Rapporteur also highlighted the ongoing air, sea and land blockade against Gaza, which has been in place for 13 years and inflicted a humanitarian crisis on 2 million Palestinians.

Illegal Israeli settlements continue to expand in the West Bank, including East Jerusalem. According to OCHA, at least 693 Palestinian-owned structures were demolished or seized by Israeli government authorities so far this year. On 5 November over 70 Palestinians were forcibly displaced as Israeli forces conducted the largest demolition in 10 years, destroying the village of Humsa Al Bqai'a. Plans to formally annex parts of the West Bank, originally announced in April, have been temporarily put on hold.

ANALYSIS

Annexation of occupied territory violates the Geneva Conventions and the Charter of the UN, and also amounts to a crime of aggression under the Rome Statute of the ICC. Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory. Formal annexation of the Occupied West Bank would violate various UNSC resolutions and unravel previous security arrangements, recklessly endangering the lives of civilians in both Israel and the OPT.

The systematic nature of human rights violations in the OPT may amount to crimes against humanity, while the collective punishment of Palestinians as a coercive measure of population control, may amount to war crimes.

Previous attacks in Gaza and Israel violate IHL and IHRL and may constitute war crimes or crimes against humanity. There has been no accountability for attacks committed during the 2014 war that led to the death of over 1,500 civilians and the displacement of 500,000 Palestinians, nor for the excessive and disproportionate use of force in response to protests on the Gaza border from 2018-2019, which killed 200 Palestinians.

Despite ongoing political conflict over sovereignty and the OPT's future, Israel, the Hamas de-facto administration and the Palestinian Authority are all obligated to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

During May 2018 the Palestinian Authority referred the situation in Gaza to the ICC. On 20 December 2019 the Chief Prosecutor

concluded that there is a reasonable basis to proceed with an investigation into the situation in Palestine.

On 23 December 2016 the UNSC adopted a resolution reaffirming that Israeli settlements in the OPT constitute a violation of international law. This was the first UNSC resolution adopted on Israel and the OPT since 2009.

A “Middle East Peace Plan” was released by the US government on 24 January 2020. The plan contains no right of return for Palestinian refugees, proposes an undivided Jerusalem as Israel’s capital and extends Israeli sovereignty over settlements in the West Bank. The Palestinian Authority has condemned the plan. Since Israel announced plans for annexation of the West Bank, the UN Secretary-General, UN High Commissioner for Human Rights and numerous heads of state have all voiced their opposition.

NECESSARY ACTION

Israel must lift the blockade on Gaza, cease illegal settlement-related activity as well as the collective punishment of the Palestinians, and halt annexation plans. The Palestinian Authority must help end indiscriminate attacks on Israeli civilians and prosecute those responsible. The Hamas de-facto administration in Gaza must permanently halt indiscriminate rocket attacks on Israel. All parties should condemn anti-Semitic and anti-Arab hate speech and cooperate fully with the preliminary examination of the ICC.

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



Remains of 200 people discovered in 12 mass graves in Tarhuna since June

LIBYA

Civilians in Libya face possible war crimes as a result of ongoing fighting between rival armed groups and competing governmental authorities.

BACKGROUND

Since the 2011 overthrow of the Libyan government by various rebel forces, subsequent transitional governing bodies have failed to restore stability to the country and multiple UN-facilitated peace processes have stalled. Throughout Libya’s conflict, armed militias have committed extrajudicial killings, torture and abductions, and have indiscriminately attacked civilian areas. OCHA has documented 29 attacks on healthcare in 2020 alone. Years of fighting has displaced over 425,000 people and left 1 million Libyans in need of humanitarian assistance.

In April 2019 Khalifa Haftar and his self-proclaimed Libyan National Army (now the Libyan Arab Armed Forces, or LAAF) launched an offensive to seize control of the country from the UN-backed Government of National Accord (GNA) based in Tripoli. The fighting displaced 250,000 people and resulted in at least 430 civilian casualties. Following intense clashes, the GNA, with Turkish support, pushed the LAAF out of Tripoli on 4 June 2020. The GNA subsequently discovered mass graves in areas retaken from the LAAF and allied militias around Tarhuna and Tripoli. To date the remains of more than 200 people have been exhumed from 12 mass graves.

On 23 October, following four rounds of talks, delegations to the 5+5 Joint Military Commission (JMC) signed a permanent, countrywide ceasefire. All parties agreed that all foreign mercenaries would depart the country within three months. On 26 October the Libyan Political Dialogue Forum was relaunched by the UN Support Mission in Libya (UNSMIL).

The UN Panel of Experts on Libya has detailed blatant violations of the UN arms embargo, rendering it “totally ineffective.” The Panel has found that Chad, Jordan, Sudan, Turkey and the UAE

have provided weapons, technical support or mercenaries to various parties to the conflict.

Militias also facilitate human trafficking and the enslavement of migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. On 15 October Libyan authorities detained Abd Al-Rahman Milad, who has been under UNSC sanctions for human trafficking since June 2018. The International Organization for Migration estimates that there are at least 600,000 migrants and asylum seekers in Libya, where many endure a range of abuses, including arbitrary detention, torture and sexual violence.

ANALYSIS

While the conflict in Libya has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances. The involvement of international forces has significantly escalated and prolonged the conflict.

Armed groups on all sides have violated IHL and IHRL. UNSMIL has determined that some LAAF airstrikes may amount to war crimes. There is also evidence that permanent members of the UNSC have provided arms to some parties to the conflict despite a UN-mandated embargo.

The GNA needs sustained international assistance in order to end the armed conflict, establish the rule of law and uphold its responsibility to protect.

INTERNATIONAL RESPONSE

On 15 August 2017 the ICC issued an arrest warrant for Major Mahmoud Mustafa Busayf al-Werfalli of the LAAF for alleged war crimes.

On 7 June 2018 the UNSC imposed targeted sanctions on six individuals accused of people smuggling in Libya. On 5 June 2020 the UNSC renewed the arms embargo for one year. On 4 April 2020 the European Council launched a military operation to enforce the arms embargo. On 21 September the European Council imposed targeted sanctions on individuals and entities responsible for violating human rights and the arms embargo.

On 19 January, at a conference in Berlin, several states involved in the conflict committed to refrain from further interference in Libya. On 12 February the UNSC adopted Resolution 2510 endorsing the conclusions of the Berlin Conference and welcoming the 5+5 JMC. The UN, UNSMIL, League of Arab States and others called for a humanitarian ceasefire during the COVID-19 pandemic.

On 22 June the HRC established an FFM to Libya to investigate the human rights situation and document alleged abuses since 2016.

NECESSARY ACTION

The UNSC should impose targeted sanctions against all individuals and entities who actively seek to subvert the Libyan peace process. Armed groups need to respect the ceasefire and uphold their obligations under IHL. All UN member states need to uphold the arms embargo and support implementation of the ceasefire.

All those responsible for mass atrocities in Libya, both past and present, should be held accountable for their crimes.



100+ civilians killed and thousands displaced
between 27 September and 9 November

NAGORNO-KARABAKH (ARMENIA AND AZERBAIJAN)

Despite a recent ceasefire, tensions between Armenia and Azerbaijan over the Nagorno-Karabakh region leaves civilians at risk of potential atrocities.

BACKGROUND

On 27 September armed hostilities broke out between Azerbaijan and Armenia in the breakaway region of Nagorno-Karabakh. After six weeks of intense fighting, on 9 November the leaders of Russia, Armenia and Azerbaijan signed a peace deal, effectively ending the hostilities. However, the UN High Commissioner for Human Rights has warned that during the six-week war parties to the conflict perpetrated attacks on civilian-populated areas that may amount to war crimes.

Prior to the ceasefire, forces from both sides reportedly shelled civilian areas and used illegal explosive weapons, including cluster munitions. According to local sources in Nagorno-Karabakh, hundreds of civilians were killed or wounded, although intense fighting prevented monitors from verifying casualty figures. Tens of thousands of civilians also attempted to flee the area. Homes and essential infrastructure, including hospitals and schools, were damaged or destroyed by the fighting. The capital of Nagorno-Karabakh, Stepanakert, endured sustained shelling by Azeri forces, while various cities in neighboring areas

of Azerbaijan and Armenia were also sporadically targeted by both armies. Turkey has been accused of providing direct military support to Azerbaijan and sending Syrian mercenaries to support their forces.

The Nagorno-Karabakh region is internationally recognized as part of Azerbaijan but contains a majority ethnic Armenian population that has been led by their own government since December 1991. The new hostilities are the latest in a long history of armed clashes between Armenia and Azerbaijan for control of the region, including a war that resulted in an estimated 30,000 people killed and 1 million displaced. Despite a 1994 ceasefire agreement, sporadic clashes have continued along the border of Nagorno-Karabakh over the past 25 years. Fighting most recently took place during July 2020, resulting in significant civilian casualties.

The peace deal brokered by Russia followed three failed ceasefires negotiated by Russia, France and the US. The deal calls for an immediate cessation of hostilities and the deployment of approximately 1,900 Russian peacekeepers to Nagorno-Karabakh to patrol the border between Armenia and the enclave. The deal also calls for Armenian forces to withdraw from parts of Nagorno-Karabakh and three adjacent areas where Azerbaijan seized territory during the fighting, including the second largest city in Nagorno-Karabakh. Armenians have protested against their government in Yerevan for agreeing to the deal, which is perceived as a historic defeat that endangers the lives of Armenian civilians in the disputed region.

ANALYSIS

Although the war appears to have been initiated by Azerbaijan, both sides have been accused of violating IHL, including failing to respect the distinction between military and civilian targets. The use of cluster munitions is banned under IHL and the use, production, transfer and stockpiling of such weapons is prohibited under the Convention on Cluster Munitions.

The Ottoman Empire perpetrated genocide against its ethnic Armenian population from 1915 to 1917, contributing to fears that the recent Turkish-backed Azeri military victory in Nagorno-Karabakh will result in reprisals against the region's Armenian population. Following the announcement of the peace deal, many Armenian families in Nagorno-Karabakh abandoned their homes and fled to Armenia.

The governments of Armenia and Azerbaijan must uphold their responsibility to protect all populations in the Nagorno-Karabakh conflict zone, regardless of ethnicity.

INTERNATIONAL RESPONSE

Russia, France and the US have previously attempted to mediate the Nagorno-Karabakh conflict in their capacity as Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE). The Minsk Group was established in 1995 to facilitate a "peaceful and comprehensive settlement" of the Nagorno-Karabakh conflict but has failed to do so over the subsequent 25 years.

During the recent fighting UN Secretary-General and High Commissioner for Human Rights have issued numerous statements condemning violations of IHL and calling upon parties to the conflict to cease hostilities. The EU also issued multiple declarations welcoming the humanitarian ceasefire agreements and urging all sides to engage in substantive negotiations with the OSCE Minsk Group Co-Chairs.

The UNSC held emergency meetings on the situation in Nagorno-Karabakh on 29 September and 19 October, but did not pass a resolution on the matter.

NECESSARY ACTION

All parties to the conflict should rigorously adhere to the agreed ceasefire. Political leaders in Armenia, Azerbaijan and neighboring states should avoid using inflammatory rhetoric and take active steps to prohibit ethnic incitement and hate speech in relation to the conflict in Nagorno-Karabakh.

Azeri forces must guarantee the safety of ethnic Armenians in the territory they now militarily-control and ensure that any return of refugees or IDPs is undertaken in strict consultation with UNHCR.



35,000 people killed since 2009 due to violence and insecurity caused by Boko Haram

NIGERIA

Increased attacks by Boko Haram and inter-communal violence in Nigeria's "Middle Belt" region leave civilians at risk of mass atrocity crimes.

BACKGROUND

Multiple security threats continue to leave civilians in Nigeria at risk of mass atrocity crimes, including increased attacks by the armed extremist group Boko Haram, recurring inter-communal violence in the "Middle Belt" region and disproportionate force utilized by security forces against peaceful protesters.

Over the past year Boko Haram, and the so-called Islamic State West Africa (ISWA), have intensified their attacks on civilian and

military targets in the north-east of Nigeria, killing hundreds of people. Although the government claims to have made progress against these groups, reportedly killing hundreds of fighters, the military has also allegedly forcibly displaced entire villages in the north-east and arbitrarily detained individuals suspected of supporting extremist groups.

According to OCHA, 35,000 people have been killed since Boko Haram launched its violent campaign aimed at overthrowing Nigeria's secular government in 2009. At least 2.4 million people remain internally displaced in north-eastern Nigeria as a result of insecurity caused by the group. The International Committee of the Red Cross also reported that at least 23,000 people remain missing. In recent years Boko Haram's attacks have expanded into neighboring states, killing and displacing civilians in Cameroon, Chad and Niger.

Conflict in Nigeria's "Middle Belt," often rooted in historical grievances between herders and farming communities, has also escalated in recent years. Clashes between herders and farmers left more than 8,000 people dead and displaced 300,000 across the country since 2011.

Since early 2019 increased armed banditry in Zamfara, Kaduna, Katsina, Sokoto and Niger states has displaced more than 160,000 people. Recent attacks have reportedly been carried out by suspected Fulani armed men against farmers from other ethnic and religious groups. Despite efforts by the security forces, so-called "bandits" have killed more than 1,100 people in rural areas so far in 2020.

Since the beginning of October tens of thousands of people have protested against poor governance and police brutality. Demonstrations initially called for an end to the Special Anti-Robbery Squad (SARS), which has been accused of grave human rights violations. Although President Muhammadu Buhari announced the disbandment of SARS, demonstrations continued. On 20 October security forces opened fire at a protest site in the Lekki district of Lagos, killing at least 12 people.

ANALYSIS

Although the regional Multinational Joint Task Force (MNJTF) has made significant progress in confronting Boko Haram and ISWA, civilians remain at risk of terrorist attacks and identity-based violence.

While the "Middle Belt" region has experienced recurring inter-communal violence, growing desertification has exacerbated the situation. The loss of grazing land in the north has driven many ethnic Fulani herders, who are mainly Muslim, southward into areas farmed by settled communities that are predominantly Christian. Arms proliferation has helped make these conflicts more deadly.

Nigerian security forces have a history of using excessive and deadly force against civilians, including during counterterrorism

operations against Boko Haram and while suppressing peaceful demonstrations.

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

INTERNATIONAL RESPONSE

The MNJTF has led efforts to combat Boko Haram since 2015.

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

The UN Secretary-General and High Commissioner for Human Rights issued a statement on 21 October strongly condemning the excessive and disproportionate use of force by Nigerian security forces and called upon the authorities to investigate the so-called Lekki massacre.

NECESSARY ACTION

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

Utilizing the ECOWAS Early Warning System, the government should increase police and military deployments to vulnerable areas. The government should continue to support programs that strengthen local security and the rule of law in areas where ISWA and Boko Haram operate. The government needs to urgently reform the security sector, including by incorporating IHL and IHRL into all military and police training.



SOUTH SUDAN

Despite the formation of a Transitional Government of National Unity, the risk of recurring armed conflict between government forces and armed rebel groups, and increased inter-communal violence, poses a threat to civilians in South Sudan.

BACKGROUND

The formation of the Transitional Government of National Unity (TGoNU) during February – as part of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) – provided an opportunity to address long-standing divisions in the country. However, many populations have continued to suffer as a result of inter-communal violence, particularly in Jonglei State and the Greater Pibor Administrative Area. According to OHCHR, inter-communal clashes led to 658 civilian deaths, 592 abductions and 65 cases of sexual violence during the first quarter of 2020.

In an attempt to end rising inter-communal violence, the government launched a disarmament campaign during July and appointed a High Committee, led by Vice President Wani Igga, to resolve inter-communal disputes. Despite these measures, as well as the onset of the rainy season which is historically linked to a reduction in fighting, some inter-communal clashes continued during July and September in Jonglei and Greater Pibor.

The TGoNU is also attempting to overcome years of civil war. Between December 2013 and August 2015 an estimated 400,000 people were killed as the Sudan People's Liberation Army (SPLA) and armed rebels from the SPLA-In Opposition (SPLA-IO) perpetrated war crimes and crimes against humanity. Although violence between government forces – the South Sudan People's Defence Forces (SSPDF) – and non-state armed groups has reduced since the signing of the R-ARCSS, clashes between the SSPDF and the SPLA-IO in Northern Bahr El Ghazal were reported between July and September. Clashes between the SSPDF and the National Salvation Front, who remain outside the

R-ARCSS, also continue in the Equatorias, resulting in thousands of civilians displaced and an unconfirmed number of deaths.

An estimated 3.8 million South Sudanese remain displaced as a result of the conflict, with 2.2 million refugees still in neighboring countries.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its nine years of independence.

While there is a history of seasonal inter-communal violence between Nuer, Murle and Dinka communities in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by flooding, arms proliferation and the decline of state authority. The intensification of inter-communal violence and fighting between government forces and some armed groups risks disrupting the peace process.

Despite an August 2015 agreement calling for an independent Hybrid Court for South Sudan to investigate atrocities committed during the civil war, the government has repeatedly delayed its formation.

The TGoNU is struggling to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has subjected eight people to targeted sanctions since 2015 and imposed an arms embargo since 2018. On 12 March 2020 the UNSC extended the mandate of the UN Mission in South Sudan until March 2021, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

On 11 June the EU expressed concern about the level of political and inter-communal violence and called upon the TGoNU to accelerate implementation of the peace agreement. The UN High Commissioner for Human Rights and the Commission on Human Rights in South Sudan have also expressed alarm over the escalation of inter-communal violence.

NECESSARY ACTION

The international community must exert sustained diplomatic pressure on all parties to the R-ARCSS to ensure its full implementation. The UNSC should impose further targeted sanctions against any individuals who undermine the peace process. The AU, Intergovernmental Authority on Development and neighboring countries should actively enforce the arms embargo.

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

R2P MONITOR

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