

for military units to cease advancing, as well as calling on all parties to refrain from actions that may prolong the conflict.

RECENT DEVELOPMENTS

On 6 June 2023 the Russian-controlled Kakhovka dam in the southern Kherson region was destroyed. The ensuing flood killed dozens of civilians, displaced thousands and left many without access to electricity and clean water. Kherson is the most mine-contaminated region, with the flooding likely transferring mines to previously cleared areas. The UN has verified 879 casualties from landmines and unexploded remnants of war since 24 February 2022.

On 7 July the US announced plans to supply Ukraine with internationally-banned cluster munitions.

Since Russia suspended its participation in the Black Sea Grain Initiative on 17 July, its forces have carried out a series of attacks on the city of Odesa. The strikes have demolished critical port infrastructure, killed and wounded dozens of civilians and destroyed 25 heritage sites across the city center, a designated UNESCO World Heritage site. As of 3 August, Russia has destroyed 26 port facilities and 180,000 metric tons of grain destined for countries in Africa, Asia and the Middle East.

ANALYSIS

Russian forces have perpetrated widespread violations of IHL and IHRL, many of which may amount to war crimes and crimes against humanity. Civilians in Ukraine continue to be at risk as Russian forces target residential buildings and other civilian infrastructure with drone and rocket strikes. Ukrainian forces have also perpetrated violations and abuses of international law as they continue a counteroffensive to regain territory. Although the conflict is stagnant in Donbas, civilians on either side of the front lines remain at increased risk as both Russian and Ukrainian forces continue to use banned cluster munitions.

The breakdown of the Black Sea Grain Initiative has global implications due to economic sanctions and Russia and Ukraine's role as major exporters of grain and cooking oils. Increasing scarcity and costs have impeded aid operations for vulnerable populations worldwide and put more pressure on situations prone to resource-related conflict.

RISK ASSESSMENT

- Failure to adequately halt and address violations of IHL and IHRL in eastern Ukraine since at least 2014.
- Russia's pattern of violence against civilian populations, their property, livelihoods and cultural symbols and the blatant disregard of IHL.
- Increasing polarization, propaganda and inflammatory speech.
- Large-scale airstrikes and use of long-range weapons by Russian forces and counteroffensive by Ukrainian forces to recapture Russian-occupied territory.

- Impunity for orchestrators and perpetrators of war crimes and crimes against humanity.

NECESSARY ACTION

All parties to the conflict must strictly adhere to IHL and ensure the protection of civilians in conflict areas. All violations of IHL and IHRL must be investigated and the perpetrators held accountable. Legal proceedings for those accused of crimes during the conflict must be transparent and respect international standards of due process and proportionality.

Amidst the protracted crisis, the international community must continue to increase its pressure on Russian authorities to halt their aggression in line with the ICJ's provisional measures. The international community should also maintain its support to Ukraine in upholding its international obligations to protect its populations, including by ensuring the territorial integrity of the country, within the parameters of international law.



VENEZUELA

Ongoing state-led repression and systematic human rights violations in Venezuela may amount to crimes against humanity.

BACKGROUND

Following years of the gradual erosion of the rule of law, endemic corruption and democratic space, in 2014 mass protests erupted in Venezuela in response to insecurity, hyperinflation and a lack of essential services. Security forces reacted with disproportionate force, torture and sexual violence. Similar patterns of violations and abuses were perpetrated by state agents during subsequent protests, including in 2019 when the start of President Nicolás Maduro's second term caused a protracted political crisis. Through a policy designed to repress political dissent, the Venezuelan government, including its security and intelligence apparatus, have perpetrated systematic arbitrary detention, torture and ill-treatment, sexual and gender-based violence and short-term enforced disappearances targeting actual and perceived opponents.

Various security forces have also allegedly perpetrated tens of thousands of extrajudicial killings in the name of combating crime. Venezuelan human rights project Lupa por La Vida documented 824 alleged extrajudicial executions in 2022 alone. Most victims were men between 18 and 30 living in low-income neighborhoods.

In 2019 the HRC authorized the creation of an independent FFM on Venezuela. The FFM has established that some violations and abuses committed since at least 2014 were part of a “widespread and systematic attack” against the civilian population that may amount to crimes against humanity. Evidence collected by the FFM implicated President Maduro, other high-level government officials and members of his inner circle in directly selecting and framing targets to be arbitrarily detained and tortured. In September 2022 the FFM warned that patterns of detention, torture and other violations continue “as part of a plan orchestrated at the highest levels of the government to repress dissent through crimes against humanity.” In November 2021 the ICC announced the opening of an investigation into possible crimes against humanity.

The multidimensional crisis has left millions of Venezuelans unable to access basic services, including healthcare and nutrition. The Venezuelan civil society platform documenting the humanitarian emergency, HumVenezuela, has estimated 18.7 million people inside Venezuela need assistance. The crisis has also triggered the largest migration crisis in Latin America, with an estimated 7.3 million people having left the country since 2014.

Communities across Venezuela, including along the border with Colombia and in Venezuela’s gold mining region, Arco Minero del Orinoco, are also at heightened risk of egregious abuses by non-state armed groups or criminal gangs, acting at times with the consent and direct involvement of Venezuelan state agents who have been implicated in possible crimes against humanity.

Several governments, including Canada and Switzerland, have enforced an extensive individual sanctions regime. Since 2017 the EU has maintained sanctions against 55 senior government officials. The US government has also imposed targeted sanctions against the Venezuelan government, as well as broader sectoral sanctions that have exacerbated the country’s pre-existing complex humanitarian emergency.

On 26 November 2022, as part of negotiations under the Mexico Dialogue, government and opposition delegates signed a first “social agreement,” which aims to ensure UN supervision of unfrozen funds directed to address dire humanitarian needs, but implementation has since stalled.

RECENT DEVELOPMENTS

Over the past year, the government has systematically restricted civic space and limited the work of human rights defenders, independent media, civil society and union workers. On 24 January 2023 the ruling-party dominated National Assembly provisionally approved draft legislation aimed at essentially criminalizing the work of civil society organizations, many of which are the primary providers of assistance and relief.

During his first visit to Caracas on 26 January the UN High Commissioner for Human Rights, Volker Türk, welcomed the Venezuelan government’s decision to extend OHCHR presence in Venezuela for two years. On 10 June the Chief Prosecutor of the ICC announced the establishment of a country office in Caracas.

Ahead of presidential elections in 2024, as well as the parliamentary, municipal and governorship elections in 2025, the government has imposed arbitrary disqualifications against leading opposition candidates since June. On 15 June the government announced the replacement of the National Electoral Council, further jeopardizing the upcoming electoral process.

ANALYSIS

The Venezuelan government is deliberately pursuing policies that enable human rights violations and abuses to silence dissent. Sexual and gender-based violence has been deliberately perpetrated in the context of arbitrary detentions and to ensure control over profitable territory, including the Arco Minero region. High Commissioner Türk has warned that fear of reprisals and limited access to areas where violations and abuses have occurred means cases remain underreported.

A reduction in the number of extrajudicial executions and related violations since the beginning of investigations and public documentation by the FFM suggests a possible deterrent effect of international scrutiny. Increasing engagement with the ICC and OHCHR also highlights that the Venezuelan government is receptive to multilateral pressure. However, no structural changes have been implemented to the country’s judiciary, intelligence or security sector and state actors continue to perpetrate systematic abuses. Venezuelan civil society collective Justicia y Verdad has documented evidence that the Venezuelan government has failed to implement recommendations issued by the UN human rights system.

Venezuela’s judicial system is perpetuating impunity for possible atrocity crimes. Government-linked media outlets also play a key role in state repression and persecution. The systematic crackdown on civic space and further dismantling of electoral guarantees is a deliberate strategy by the government to increase repression in a critical pre-electoral period. Independent monitoring, including by the FFM, is essential to prevent the recurrence of crimes against

humanity and alert the international community to appropriate prevention and response strategies.

RISK ASSESSMENT

- Senior government officials involved in the planning and commission of violent acts, including possible crimes against humanity, to crush political dissent and combat crime.
- Lack of independent and impartial judiciary, as well as impunity for or tolerance of serious violations of international law, including atrocity crimes, emboldens perpetrators to continue systematic violations.
- Adoption of measures to criminalize civil society organizations, attacks against democratic institutions and electoral guarantees, particularly ahead of the scheduled presidential and general elections in 2024 and 2025.
- Absence of accountable state authority, presence of non-state armed actors and high levels of crime, corruption and illicit economic exploitation in large parts of the country.
- Targeting of indigenous peoples by state and non-state actors aiming to control territory and resources.

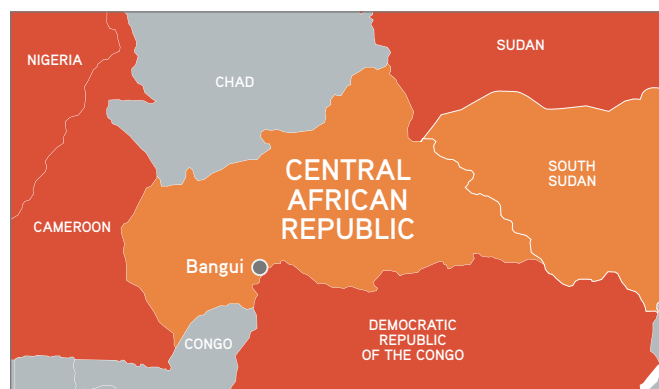
NECESSARY ACTION

Venezuelan authorities must immediately end the systematic repression of actual or alleged opponents and civil society. The

government should also commit to genuine and comprehensive intelligence, security sector and judicial reform and ensure impartial investigations of all serious violations and abuses, including at the highest level. The government should grant the FFM unrestricted access and implement recommendations issued by the wider UN human rights system.

Technical cooperation, including through OHCHR, should be based on the FFM's recommendations on necessary system-wide reform, as well as address risk factors and institutional weaknesses that have facilitated the commission of atrocity crimes. Regional actors, including neighboring Brazil and Colombia, should leverage their engagement with the Maduro government to exert concerted diplomatic pressure to ensure the government implements these reforms.

Latin American governments, the EU, Canada and the US should revitalize efforts to build a common roadmap for political engagement with Venezuela which prioritizes human rights protections, accountability and humanitarian relief while addressing structural risk factors and focusing on electoral reform ahead of the 2024 and 2025 elections.



CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

During December 2020 a loose alliance of predatory armed groups, known as the Coalition des patriotes pour le changement (CPC), launched a violent offensive against the government of the Central African Republic (CAR). In response, the government sought bilateral security assistance, including

from Russia and Rwanda. For two and a half years the CPC and other armed groups have launched attacks while perpetrating widespread violations of IHL, including killing and abducting civilians, the forcible recruitment of children and attacks on civilian infrastructure, humanitarian workers and the UN peacekeeping mission in CAR (MINUSCA). The Central African Armed Forces (FACA) – working closely with Russian security partners, including mercenary fighters from the Wagner Group – have responded with counteroffensives, forcing armed groups to withdraw from major cities. Consequently, the CPC and other armed groups have increased their activity in outlying villages and remote areas since late 2022.

OHCHR has reported that two CPC-affiliated armed groups, including the Unité pour la paix en Centrafrique (UPC), have perpetrated systematic and widespread conflict-related sexual violence, including rape, gang rape and sexual slavery. Some armed groups are increasingly using or laying explosive ordnance, particularly in the west of the country. The UN has documented evidence of abuses and violations by FACA and mercenaries that may amount to war crimes, including summary executions, arbitrary killings, torture, rape and forced disappearances.

Ethnic and religious minorities, particularly Fulanis and Muslims, are being targeted in widespread abuses – including attacks, ill-treatment, illegal arrests and detentions – in operations by