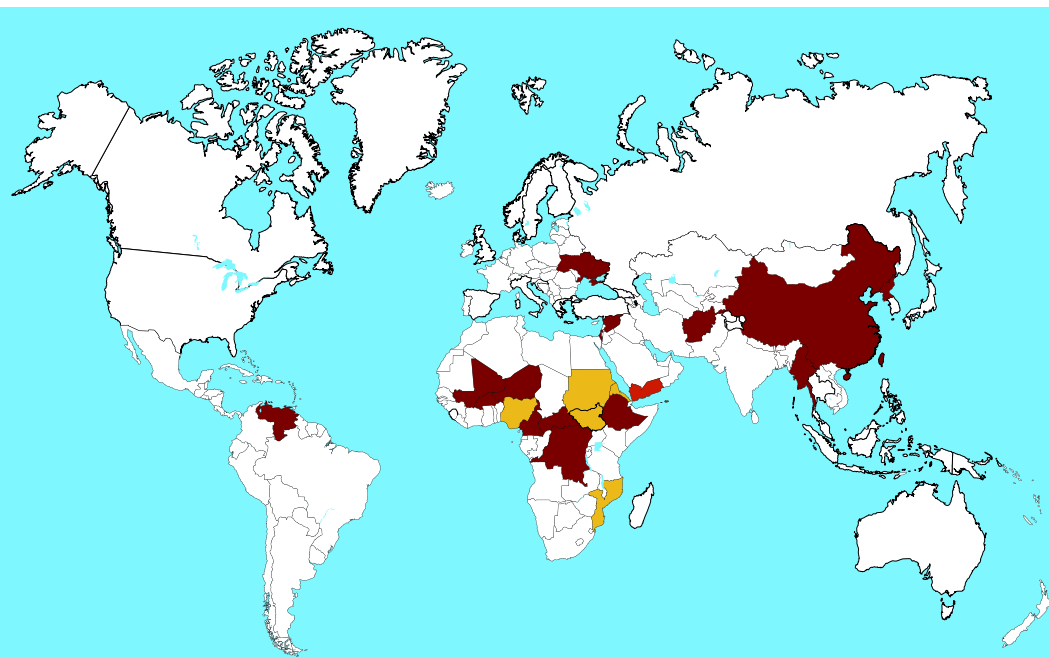


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# R2P MONITOR

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Responsibility to Protect

The **Responsibility to Protect (R2P)** is a global norm, unanimously adopted by heads of state and government at the 2005 UN World Summit, aimed at preventing and halting Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity. R2P stipulates that:

- » Every State has the Responsibility to Protect its populations from the four mass atrocity crimes (Pillar I).
- » The wider international community has the responsibility to encourage and assist individual States in meeting that responsibility (Pillar II).
- » If a State is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter (Pillar III).

## R2P Monitor applies an atrocity prevention lens to the following situations of concern:

### CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

### IMMINENT RISK

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

### SERIOUS CONCERN

There is a significant risk of occurrence, or recurrence, of mass atrocity crimes within the foreseeable future if effective action is not taken.

## R2P Monitor:

- » Provides *background* on populations at risk of mass atrocity crimes, with particular emphasis on key events and actors and their connection to the threat, or commission, of genocide, war crimes, ethnic cleansing and crimes against humanity.
- » Offers *analysis* of the country's past history in relation to mass atrocity crimes; the factors that have enabled their possible commission, or that prevent their resolution; and the receptivity of the situation to positive influences that would assist in preventing further crimes.
- » Tracks the *international response* to the situation with a particular emphasis upon the actions of the United Nations, key regional actors and the International Criminal Court.
- » Suggests *necessary action* to prevent or halt the commission of mass atrocity crimes.

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

## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



2,100+ civilians killed or injured in targeted attacks since 15 August 2021

## AFGHANISTAN

*Populations in Afghanistan are facing systematic and targeted human rights violations perpetrated by the Taliban de facto authorities. Other armed extremist groups also continue to pose a threat to civilians.*

### BACKGROUND

On 15 August 2021 Taliban forces entered Kabul, Afghanistan, effectively overthrowing the Afghan government. Since then, the Taliban and various armed groups, including the so-called Islamic State in Iraq and the Levant-Khorasan (ISIL-K) have committed widespread and systematic human rights violations throughout the country, including regularly perpetrating attacks that predominantly target ethnic and religious minorities. In addition, the Taliban de facto authorities have imposed severe restrictions on fundamental rights, including freedom of religion, as well as access to civic and public space. They have also imposed a sweeping series of decrees that severely restrict women's rights to fully participate in public and daily life, including restrictions on freedom of movement and expression, employment opportunities and access to education and healthcare.

The UN Special Rapporteur on the situation of human rights in Afghanistan reported in September 2022 that attacks against ethnic and religious minorities appear to be systematic in nature and reflect elements of an organizational policy, likely amounting to crimes against humanity. These attacks are frequently claimed by ISIL-K and directly target Hazara Shias, other Shia Muslims, Sufi Muslims, Sikhs and other minorities. Their places of worship, as well as educational and medical centers, have been systematically attacked, and their members have been arbitrarily arrested, tortured, summarily executed and forced to flee the country. The Human Rights Service of the UN Assistance Mission in Afghanistan (UNAMA) documented over 2,106 civilians killed or wounded in such targeted attacks from 15 August 2021

to 15 June 2022. Since then, over 450 people have been killed and injured in a series of bombings and mass casualty attacks, including those targeting Shia neighborhoods of Kabul. Many of these attacks were attributable to ISIL-K.

UNAMA has documented evidence of Taliban de facto authorities committing a wide range of human rights violations against former government officials and armed forces, including extrajudicial killings, arbitrary arrests and detentions, incommunicado detention and torture and ill-treatment. Dozens of media workers and human rights defenders have been targeted with similar violations. UNAMA has also documented 217 instances of cruel, inhuman and degrading punishment of individuals accused of "moral" crimes, as well as 118 instances of excessive use of force by the Taliban.

The Taliban have also extrajudicially killed, arbitrarily arrested, detained and tortured persons accused of affiliation with armed groups, such as ISIL-K and the self-identified National Resistance Front (NRF). The NRF has been opposing the Taliban militarily in Panjshir and surrounding areas since the Taliban took over Afghanistan. Civilians have faced violations and abuses in the country's northern provinces, including Panjshir and Baghlan, as Taliban de facto security forces clash with fighters affiliated with the NRF.

The people of Afghanistan are facing a growing humanitarian crisis, compounded by the impact of sanctions and the freezing of state assets. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), more than half the population is currently in need of humanitarian aid, with nearly 20 million people facing acute hunger.

### ANALYSIS

Despite assurances from the Taliban, the risk of further war crimes and crimes against humanity persists. The Taliban de facto authorities have frequently targeted women and girls, minorities, journalists, civil servants, human rights defenders and those affiliated with the former Afghan government with violations that appear to be perpetrated on a widespread and systematic basis, leaving them particularly vulnerable.

Efforts by the Taliban to exclude women and girls from social, economic and political spheres have institutionalized large-scale and systematic gender-based discrimination and violence against them. Continued restrictions on fundamental freedoms could lead to more severe violations of international law and possible atrocities. Impunity for these violations significantly increases the likelihood of escalation.

Meanwhile, religious minorities, particularly the Shia Hazara, continue to be systematically targeted by ISIL-K. The large-scale attacks against minorities indicate that the Taliban is likely unable or unwilling to protect vulnerable populations. Targeted

attacks are largely unreported due to the Taliban's increasing crackdown on independent media. Localized clashes between the Taliban and ISIL-K, as well as between the Taliban and NRF, also pose an imminent risk to civilians.

During two decades of war with the Afghan government, the Taliban perpetrated likely crimes against humanity and war crimes. Meanwhile, Afghan security forces, as well as members of the United States (US) military and Central Intelligence Agency (CIA) may have also committed war crimes, including the torture of detainees and summary executions.

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

### INTERNATIONAL RESPONSE

Since 2011 the UN Security Council (UNSC) has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. On 22 December 2021 the UNSC adopted Resolution 2615, allowing for the flow of humanitarian aid into Afghanistan without violation of UN sanctions against the Taliban. On 17 March 2022 the UNSC renewed the mandate of UNAMA, including its robust human rights monitoring mandate. In June the UNSC removed two Taliban officials, the Minister of Higher Education and the acting Deputy Education Minister, from the travel ban exemption list due to policies barring Afghan girls from attending secondary schools.

On 5 March 2020 the Appeals Chamber of the International Criminal Court (ICC) authorized the Office of the Prosecutor to investigate alleged atrocity crimes perpetrated in Afghanistan since 1 July 2002. On 27 September 2021 Chief Prosecutor Karim Khan announced the decision to focus on crimes allegedly perpetrated by the Taliban and ISIL-K, and to de-prioritize other aspects of the investigation, including likely war crimes and crimes against humanity committed by Afghan national security forces, US forces and the CIA.

On 7 October 2021 the UN Human Rights Council (HRC) appointed a Special Rapporteur to monitor and report on the situation of human rights in Afghanistan. During October 2022 the HRC renewed the Special Rapporteur's mandate, adding to the mandate a child's rights perspective, as well as the responsibility to document and preserve information relating to human rights violations and abuses. The HRC also requested the Special Rapporteur and the Working Group on discrimination against women and girls to jointly prepare a report on the situation of women and girls in Afghanistan for its 53rd session.

### NECESSARY ACTION

As the de facto authorities, the Taliban are bound by all existing international human rights obligations codified in the treaties to which Afghanistan is a state party. They must uphold these obligations, including by halting all violations and abuses perpetrated by their officials and guaranteeing the equal protection and promotion of human rights of all people in Afghanistan, regardless of gender, ethnic background, religious

belief or political affiliation. The Taliban must investigate patterns of human rights violations documented by UNAMA and the Special Rapporteur and take immediate steps to prevent future violations, including by holding perpetrators accountable. The Taliban should allow the international community to provide assistance in meeting these obligations. It is imperative that the Taliban cooperate with and facilitate access for the UN Special Rapporteur, UNAMA – including its Human Rights Service – and the Office of the UN High Commissioner for Human Rights (OHCHR), as well as ensure the safety of all humanitarian workers and organizations.

The international community should continue to pursue justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator. The ICC Chief Prosecutor should reconsider the decision to exclude likely atrocity crimes perpetrated by Afghan national security forces, US forces and the CIA from investigations.



677,000+ people displaced by conflict in the north-west and south-west regions

## CAMEROON

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

### BACKGROUND

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

More than 6,000 people have been killed since 2016 as a result of the crisis. Security forces have perpetrated extrajudicial killings and widespread sexual and gender-based violence,

burned Anglophone villages, and subjected individuals with suspected separatist ties to arbitrary detention, torture and ill-treatment. Armed separatists have also become increasingly violent, killing, kidnapping and terrorizing populations while steadily asserting control over large parts of the Anglophone regions. Separatists have banned government education and frequently attack, threaten and abduct students and teachers, as well as burn, destroy and loot schools. Eighty percent of schools in the Anglophone regions are closed or destroyed, denying at least 700,000 children an education.

Targeted attacks on health facilities and humanitarian workers have restricted the delivery of vital aid. OCHA reported that health care providers in particular face heightened risk when accessing facilities or delivering services. During March 2022 Médecins Sans Frontières suspended its activities in south-west Cameroon due to the dangerous operating environment and increased risk of being arrested or persecuted for providing humanitarian assistance. On 8 June armed separatists destroyed and burned down the Mamfe district hospital in south-west Cameroon.

The Anglophone and Francophone areas of Cameroon have been unified since 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west.

OCHA estimates that at least 598,000 people have been internally displaced by violence in the north-west and south-west regions, while more than 79,600 have fled to Nigeria. According to OCHA, more than 2 million people are affected in the north-west and south-west regions, and in need of humanitarian assistance.

## ANALYSIS

What began as a political dispute in the Anglophone regions is now a complex armed conflict and a major humanitarian crisis that disproportionately affects the civilian population, particularly women and children. The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone and Francophone civilians and may amount to war crimes and crimes against humanity.

The conflict dynamics in the north-west and south-west are changing as conflict becomes increasingly financially lucrative, with separatist groups having expanded their sources of revenue through kidnapping and extortion. Ethnic communities are often targeted for their alleged collaboration with government forces.

Longstanding tensions between herding and farming communities in the south-west and north-west regions have been exacerbated by the Anglophone conflict and the proliferation of arms. Patterns of deadly inter-communal violence between these groups leaves populations at further risk.

The government continues to deny the severity of the crisis and has failed to address the root causes of the conflict or engage in a political process to resolve it. During August President Paul Biya ordered the deployment of special forces to the north-west and south-west regions in an attempt to achieve a military victory.

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

## INTERNATIONAL RESPONSE

On 13 May 2019 the UNSC held an Arria-formula meeting on the crisis in Cameroon, its first and only meeting on the situation.

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

On 29 April the UN Committee on the Elimination of Racial Discrimination (CERD) expressed concern about the security situation in Cameroon and urged the government to prioritize efforts aimed at national reconciliation, transitional justice and accountability.

In September the Swiss-led mediation process launched in 2019 ended following President Biya's decision to suspend the government's participation.

## NECESSARY ACTION

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

The government should hold an inclusive dialogue with parties to the Anglophone crisis, mediated by a neutral player on neutral territory. The government must also invest in programs that meaningfully address the root causes of inter-communal violence.

Foreign governments and regional organizations should suspend all military assistance to Cameroon until its security forces have made demonstrable progress toward upholding the human rights of all Cameroonians. The African Union (AU) and Economic Community of Central African States (ECCAS) should work with the government to prevent any further deterioration of the armed conflict. Efforts by the UN's Regional Office for Central Africa, including good offices, must prioritize finding a political solution to the violence in the north-west and south-west regions and encouraging inclusive dialogue. The UNSC should add Cameroon to its formal agenda.



63 percent of the population needs humanitarian assistance and protection

## CENTRAL AFRICAN REPUBLIC

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

### BACKGROUND

For two years a loose alliance of predatory armed groups, known as the Coalition des patriotes pour le changement (CPC), have engaged in a violent offensive against the government of the Central African Republic (CAR). Since December 2020, the CPC and other armed groups have perpetrated attacks against civilians and committed widespread violations of IHL against local populations while clashing with government forces, including killing and abducting civilians, the forcible recruitment of child soldiers, and attacks on civilian infrastructure, humanitarian workers and the UN peacekeeping mission in CAR (MINUSCA). According to OHCHR, two CPC-affiliated armed groups, the Union pour la Paix en Centrafrique (UPC) and the Front Populaire pour la Renaissance de la Centrafrique, have also perpetrated systematic and widespread conflict-related sexual violence, including rape, gang rape and sexual slavery.

Since the CPC launched their offensive against the government, the Central African Armed Forces (FACA) – working closely with Russian security partners, including mercenary fighters from a private security company, the Wagner Group – have responded with counter-offensives. During military operations, FACA troops and, at times, Russian mercenaries have perpetrated summary executions, arbitrary killings, torture, rape and forced disappearances, and have also occupied schools and looted humanitarian organizations and UN offices. The UN has alleged that mercenary fighters, alongside FACA troops, have continued to commit these abuses and are displacing thousands as they increase their control of gold-mining areas.

Following government counter-offensives, some armed groups have dispersed to outlying villages and remote areas of the country and are carrying out serious IHL and human rights abuses, including exactions, threats and violent reprisals against

local populations. According to the UN Independent Expert on the situation of human rights in CAR, since April 2022 there has been a resurgence in attacks by armed groups, particularly in parts of the northeast and northwest where security forces are less present or completely absent. In 2022 there has also been a marked increase in the presence of explosive ordnance reportedly placed by the 3R (Retour, Réclamation et Réhabilitation) armed group in the west, resulting in civilian and peacekeeper casualties.

FACA troops and Russian mercenaries are also committing targeted attacks and ill-treatment against ethnic and religious minorities, particularly Fulanis and Muslims. These forces have reportedly recruited, trained and armed former combatants from the predominantly Christian anti-balaka militias, as well as demobilized UPC dissidents, to use as proxies in their fight against the UPC and CPC-aligned armed groups. OHCHR has implicated these forces in incidents targeting and punishing the Muslim and Fulani community that may amount to war crimes and crimes against humanity. The national police have also disproportionately arbitrarily arrested, illegally detained and tortured members of the Fulani community. The UNSC-mandated Panel of Experts on CAR has warned that the pattern of violations against minority communities risks triggering a new cycle of violence along communal, religious and ethnic lines.

Nearly 1.4 million people have been forced to flee successive crises in CAR since 2013. Approximately 3.1 million people need humanitarian assistance and protection.

### ANALYSIS

The security situation in CAR remains precarious and volatile, with confrontations and attacks against civilians persisting. Unless all parties to the conflict adhere to a ceasefire, threats to populations will continue. Ethnic and religious communities, particularly the Fulani, continue to be targeted on the suspicion of alleged collusion with armed groups increasing tensions and risking further violence. The use of former anti-balaka combatants as proxies may fuel inter-communal tensions. The cross-border flow of foreign fighters, arms and natural resources is contributing to a thriving conflict-economy. The increasing presence of explosive ordnance threatens civilians and hampers MINUSCA's civilian protection efforts.

Russian mercenaries operating in CAR have a history of perpetrating atrocities in Libya, Mozambique, Syria and elsewhere. The EU has alleged that the Wagner Group has sent private military personnel to conflict zones around the world to “fuel violence, loot natural resources and intimidate civilians in violation of international law.”

The protracted crisis in CAR has its origins in the overthrow of President François Bozizé in March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of anti-balaka militias and the collapse of state institutions. Anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. A 2019

peace deal formally ended the armed conflict, but signatories continue to perpetrate widespread human rights abuses.

Accountability for atrocities perpetrated since 2013 remains limited. A Special Criminal Court (SCC) in CAR was authorized in 2015 but has only opened a few trials into potential crimes against humanity and war crimes thus far.

The government of CAR 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. A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 14 individuals and one entity.

During May 2014 the government referred the situation in CAR to the ICC. Two former anti-balaka leaders and a Séléka leader are on trial for crimes against humanity and war crimes while Chad surrendered an additional former anti-balaka leader to the Court in March 2022. In July the ICC unsealed an arrest warrant for a former government minister for crimes against humanity and war crimes allegedly committed in 2013.

On 16 September 2021 the International Conference on the Great Lakes Region (ICGLR) adopted the Luanda roadmap for peace, calling for all armed actors to commit to a ceasefire. On 29 August national authorities adopted a timeline of activities for the remainder of 2022 to accelerate implementation of the 2019 peace deal with support from Rwanda and Angola, as well as the ICGLR, AU, ECCAS and MINUSCA.

From 9-12 May 2022 the UN Special Adviser on the Prevention of Genocide visited CAR to advance the implementation of the national plan to combat hate speech.

In July French prosecutors opened an investigation into the multinational sugar and beverage company, Castel Group, due to allegations of potential complicity in war crimes while reportedly financing the UPC.

Following a visit to the country during October the UN Assistant Secretary-General for Human Rights called upon the government to strengthen accountability mechanisms and reporting on human rights violations and abuses, including during military operations.

## NECESSARY ACTION

All armed actors must rigorously adhere to their obligations under IHL and IHRL. FACA and allied forces must stop using militias to carry out attacks against civilian populations. It is imperative that the CAR authorities permit MINUSCA to effectively carry out its mandate, including human rights investigations. The international community must support the enhancement of MINUSCA's mobility to ensure that

the mission has the necessary infrastructure to protect vulnerable populations.

All perpetrators of atrocity crimes in CAR should be held legally accountable, regardless of their rank, affiliation or nationality. The government should prioritize accountability by continuing its cooperation with the ICC and ensuring that the SCC's mandate and its funding are renewed in 2023. The government must make the peace process more inclusive by increasing the participation of women and other marginalized groups.



At least 2.5 million people internally displaced in Burkina Faso, Mali and Niger

## CENTRAL SAHEL

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

### BACKGROUND

Recurrent violence perpetrated by armed Islamist groups – including groups affiliated with al-Qaeda and the so-called Islamic State Sahel Province – threatens populations in Burkina Faso, Mali and Niger with violations that may amount to crimes against humanity and war crimes.

Although the activities of such groups have been spreading throughout the Central Sahel for over a decade, since the start of 2022 recurrent attacks by armed Islamist groups, as well as counterterrorism operations by national defense and security forces, have significantly intensified, particularly in Burkina Faso and Mali. More civilian fatalities have been reported in the Central Sahel this year than in all of 2021, with more than 2,300 killed. Since March 2022 groups aligned with the Islamic State launched an offensive in Ménaka and Gao, northern Mali, and have carried out systematic attacks against civilians – primarily those from the Dawsahak, a Tuareg ethnic group – in dozens of villages to consolidate control. Hundreds of people have been killed and thousands forced to flee. In Burkina Faso, approximately 1 million people live in areas under blockade and

face daily threats of violence and dire humanitarian conditions. The situation in the town of Djibo, Soum province, has been particularly dire since February when an al-Qaeda affiliated armed group imposed a blockade and subsequently destroyed critical infrastructure to further isolate the estimated 300,000 residents. In Tillabéri, Niger, thousands of people were forcibly displaced from several departments in recent months following threats, ultimatums and abuses by armed Islamist groups.

For years armed Islamist groups across the Central Sahel have systematically used sieges, threats, kidnapping, improvised explosive devices (IEDs) and landmines as deliberate tactics of war. Communities that resist their rule have faced threats, violent reprisal attacks and blockades, leaving millions increasingly isolated and vulnerable. These groups also strategically destroy and loot civilian objects, including places of worship, health centers, food reserves, crops, water services and bridges. Armed Islamist groups have targeted secular state education across the region, burning schools and threatening, abducting or killing teachers. The number of schools affected by violence has tripled in three years, with more than 6,500 currently closed or non-operational. These groups have also perpetrated attacks targeting humanitarian workers and the UN peacekeeping operation in Mali (MINUSMA). Since July 2013 the UN has documented 167 peacekeepers killed in hostile acts.

The UN's Commission of Inquiry (CoI) on Mali and national human rights mechanisms have found that some counterterrorism operations by Sahelian security forces, the regional G5 Sahel Joint Force and international forces have led to grave human rights violations and abuses that may amount to war crimes. Since the beginning of 2022, hundreds of civilians, particularly ethnic Fulani people, have been killed in indiscriminate attacks during counterterrorism operations by the Malian Armed Forces and allied mercenaries from the Wagner Group. During August the Burkinabé army acknowledged it had killed civilians in airstrikes in Koupela province. State-sponsored militias, notably the Volunteers for the Defense of the Homeland, have also been implicated in grave crimes, including unlawful killings, torture and enforced disappearances of hundreds of civilians and suspected Islamist fighters in Burkina Faso.

Throughout the region violence is also taking place between rival ethnic militias and self-defense groups. In Mali, violence between Dozos – traditional hunters that are mainly from the Dogon ethnic community – and ethnic Bambara fighters against members of the predominantly Muslim Fulani community has killed thousands since 2016. Communal self-defense groups, such as the Koglweogo, have committed numerous abuses and fueled violence along ethnic lines in Burkina Faso. In Niger, self-defense militias established during 2021 among ethnic Arab, Djerma and Tuareg communities in Tillabéri and Tahoua have perpetrated numerous attacks.

At least 2.5 million people are internally displaced in the Central Sahel, including at least 1.9 million in Burkina Faso alone. Nearly 15 million people need humanitarian assistance.

## ANALYSIS

The crisis in the Central Sahel has its origins in Mali, where Tuareg separatists and armed Islamist groups seized territory in the north a decade ago following a military coup. Despite numerous security initiatives, the conflict shifted into inter-communal violence and attacks by armed Islamist groups. The CoI on Mali has previously implicated armed Islamist groups in crimes against humanity and war crimes.

Populations continue to be targeted and persecuted on the basis of their ethnic and/or religious identity. The increased attacks against civilians are primarily in response to communities creating self-defense groups and/or resisting the punitive collection of “zakat” or alms. The surge in civilian deaths in Mali in 2022 coincides with the arrival of Russian mercenaries and the departure of French and other Western forces. The Burkinabé government's plans to recruit 50,000 civilians to join the Volunteers for the Defense of the Homeland will likely worsen inter-communal conflicts and fuel abuses.

While Burkina Faso, Mali and Niger each face distinct challenges, these states also share a legacy of structural vulnerabilities, weak governance, limited state presence and porous borders. Impunity for human rights violations and abuses undermines confidence in state authority, heightens inter-communal tensions and fuels cycles of violence and recruitment into armed groups.

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

## INTERNATIONAL RESPONSE

In January 2013, following a referral by the government, the ICC launched an investigation into alleged crimes committed in Mali since 2012. In July 2020 the ICC opened the trial of Hassan Ag Abdoul Aziz Ag Mahmoud, an alleged member of an armed Islamist group charged with crimes against humanity and war crimes committed in Timbuktu from April 2012 to January 2013.

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violating human rights, including recruiting child soldiers and attacking UN personnel. In July 2022 the EU sanctioned three al-Qaeda affiliated commanders due to attacks against civilians, MINUSMA and defense and security forces in Burkina Faso. On 29 June 2022 the UNSC renewed MINUSMA's mandate for an additional year.

Mali and Burkina Faso were suspended from the AU and the Economic Community of West African States (ECOWAS) following their May 2021 and January 2022 coups, respectively. Following a second coup in Burkina Faso in September 2022, OHCHR expressed concern regarding alleged human rights violations and called on the transitional authorities to condemn all instances of hate speech and incitement to violence.

In September 2022 the European Council renewed the mandate of the EU civilian mission in Niger, EUCAP Sahel Niger, until 30

September 2024, with the aim of integrating a human rights-based approach in the fight against terrorism.

In January 2013 France deployed troops to Mali. In August 2014 France expanded counterterrorism forces to Burkina Faso, Niger and Chad. Although the latest mission, Operation Barkhane, ended in November 2022, President Emmanuel Macron announced that approximately 3,000 troops will operate in coordination with national armies in Burkina Faso, Niger and Chad.

## NECESSARY ACTION

While countering violent extremism remains crucial in the Central Sahel, it is essential that all three governments and international forces establish civilian harm mitigation mechanisms and ensure that their efforts do not exacerbate inter-communal tensions and fuel distrust of state authority.

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

All armed actors must rigorously adhere to their obligations under IHL and IHRL. The governments of the Central Sahel, with the support of MINUSMA, OHCHR and the UN Office for West Africa and the Sahel, should investigate all violations and abuses of IHL and IHRL. Malian transitional authorities must cooperate with MINUSMA and ensure that the Mission can carry out its mandate, particularly its human rights investigations.



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

## CHINA

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

### BACKGROUND

Under the guise of combatting religious extremism and terrorism, since around 2017 the Chinese government has increased its persecution of members of the ethnic Uyghur community, as well as Kazakhs, Kyrgyz and other majority-Muslim ethnic groups in the northwestern Xinjiang Uyghur Autonomous Region (XUAR).

Over 1 million people, mainly Uyghurs, have been arbitrarily detained in “re-education” or “de-extremification” facilities. There are reports of widespread rape, sexual abuse and torture of ethnic minorities in these facilities. On 31 August 2022 former UN High Commissioner for Human Rights, Michelle Bachelet, released a long-awaited report on XUAR, which determined that the arbitrary and discriminatory detention of Uyghurs and others may constitute crimes against humanity. The report found that the conditions remain in place for serious violations to continue. An estimated 880,000 children in XUAR – whose parents are allegedly detained or in exile – have been placed in state-run orphanages or boarding schools.

Approximately 100,000 Uyghurs are also working under conditions that strongly suggest forced labor, with many transferred from detention camps to factories. Reports have identified at least 135 detention facilities in XUAR that have on-site factories where detainees are reportedly forced to work. The UN Special Rapporteur on contemporary forms of slavery determined that forced labor among Uyghurs, Kazakhs and other ethnic minorities has been occurring in sectors such as agriculture and manufacturing in XUAR and Tibet. International research and advocacy groups have documented evidence of Uyghur-linked forced labor of cotton, polysilicon for solar panels and other products sold globally.

These measures have been imposed in conjunction with increased restrictions on religious practice, including the March 2017 “Regulation on De-extremification,” which prohibits a range of “extreme” behaviors, such as “abnormal” beards in XUAR. According to the Uyghur Human Rights Project, 1,046 imams and other religious figures have been detained in camps or imprisoned since 2014. Chinese authorities have also engaged in the systematic destruction of Uyghur cultural heritage, demolishing or damaging thousands of shrines, cemeteries and pilgrimage sites. The Chinese government is also conducting a coercive campaign to reduce birth rates among Uyghurs and other majority-Muslim populations in XUAR. The campaign reportedly includes forced abortions and sterilizations, leading to a nearly 50 percent birthrate decrease from 2017 to 2020.

According to the Helena Kennedy Centre, the Xinjiang Production and Construction Corps, a state-run paramilitary group, is responsible for myriad abuses targeting Uyghurs, including systematic forced migration, forced labor, mass internment, land expropriation, repressive policing and religious persecution.

Uyghurs also face intense surveillance by the government. Police checkpoints, the use of facial recognition cameras and the collection of biometric data has turned XUAR into a de facto police state. In April 2022 the Woodrow Wilson Center reported that since 1997 the Chinese government has also targeted over 5,500 Uyghurs outside China, including over 1,500 Uyghurs who have been detained and forcibly returned to China.

## ANALYSIS

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

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

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

The government of China is failing to uphold its responsibility to protect and is likely perpetrating atrocities against Uyghurs and other majority-Muslim ethnic groups.

## INTERNATIONAL RESPONSE

In January 2021 the US formally accused China of committing genocide and crimes against humanity against the Uyghur population and members of other majority-Muslim ethnic groups. Since then, the parliaments of Belgium, Canada, Czech Republic, the EU, France, Lithuania, Netherlands and United Kingdom (UK) have also recognized the situation in Xinjiang as constituting genocide and/or crimes against humanity.

The governments of Canada, UK and US and the EU have sanctioned Chinese government officials and taken steps to ban goods tied to Uyghur forced labor. The US government’s Uyghur Forced Labor Prevention Act took effect in June 2022, preventing the import of goods made “in whole or in part” in XUAR from entering the country.

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

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

In a June 2022 statement, 42 UN experts expressed serious concern about China’s human rights record, particularly in XUAR. On 6 October a coalition of states introduced a resolution at the HRC that called for a debate on the High Commissioner’s report on XUAR. The resolution was rejected by a vote of 17 in favor, 19 against and 11 abstentions. On 31 October at the UN General Assembly’s (UNGA) Third Committee, Canada delivered a statement on behalf of 50 countries expressing concern about human rights in XUAR.

On 24 November CERD released a series of recommendations on XUAR and referred the situation to the UN Secretary-General’s Special Adviser on the Responsibility to Protect.

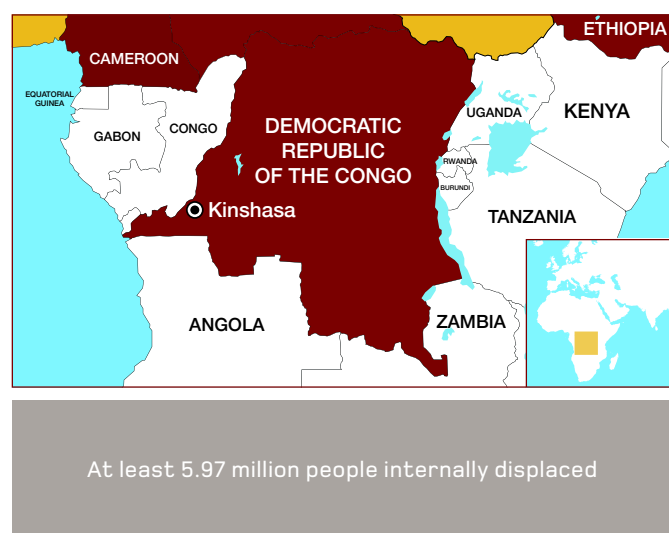
## NECESSARY ACTION

The government of China should release all persons being arbitrarily detained in “re-education camps” and related facilities, stop the practice of forcibly preventing births and separating Uyghur children from their families, cease the deliberate destruction of Uyghur cultural heritage, and repeal the “Regulation on De-extremification.”

The HRC should mandate a Special Rapporteur or a fact-finding mission (FFM) on the situation of human rights in China to investigate systematic human rights violations in XUAR. In the absence of such a mechanism, other relevant UN experts, particularly the High Commissioner for Human Rights, should

prioritize monitoring the region. UNESCO should also investigate cultural destruction in XUAR.

The Organization of Islamic Cooperation, Muslim-majority countries and neighboring states should urge China to respect the rights of minorities and cease their persecution of Uyghurs. All UN member states should ban goods produced with or tied to forced labor in China.



## DEMOCRATIC REPUBLIC OF THE CONGO

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

### BACKGROUND

Attacks by armed groups and recurring inter-communal violence continue to threaten populations in the eastern provinces of the Democratic Republic of the Congo (DRC), where more than 120 militias and armed groups actively operate. Populations have faced widespread violations and abuses, including unlawful killings, recruitment and use of children, sexual violence and rape, looting and attacks on civilian infrastructure, including schools and health centers. Between April 2019 – April 2022 the UN Joint Human Rights Office in the DRC (UNJHRO) documented at least 3,126 cases of torture and other cruel, inhuman or degrading treatment or punishment perpetrated by armed groups and the defense and security forces, with 93 percent of these incidents occurring in the eastern provinces. According to the UN Refugee Agency, at least 5.97 million Congolese are internally displaced, the vast majority of whom have fled violence in the east.

Despite military offensives conducted by the government's armed forces (FARDC), with assistance from the UN peacekeeping mission (MONUSCO), violence has escalated amidst a resurgence in activities by groups like the Cooperative for the Development of Congo (CODECO) and the March 23 Movement

(M23), an armed group defeated by the FARDC in 2013. In the twelve months after the government declared military rule in North Kivu and Ituri provinces under a so-called "state of siege" in May 2021, armed groups killed at least 2,400 people, nearly doubling the civilian death toll from the previous 12 months.

The Allied Democratic Forces (ADF), an armed group that has been active for more than eight years and implicated in "brutal and systematic" attacks that may amount to crimes against humanity and war crimes, has also escalated their assault on civilians in North Kivu and Ituri despite the state of siege. Since January 2021 the ADF has summarily executed at least 1,550 civilians in Beni, Mambasa and Irumu territories.

In Ituri, factions of CODECO – a predominantly ethnic Lendu armed group – have perpetrated widespread attacks on villages, killing hundreds of mostly ethnic Hema villagers. Since November 2021, CODECO fighters have committed a series of attacks on displacement sites in Djugu territory marked by killings, kidnappings, gang-rape, looting and torching of homes.

In Rutshuru and Nyiragongo territories, North Kivu, clashes between the FARDC and M23 and the indiscriminate use of explosive and heavy weapons, including mortar fire and artillery shelling, have resulted in dozens of civilian casualties and forced nearly 340,000 people to flee since March. M23 has captured large swathes of territory and attacked villages and summarily killed civilians in areas under its control. The UNSC-mandated Panel of Experts reportedly found "solid evidence" of Rwandan military operations in eastern DRC and of providing weapons to M23 fighters. On 23 November, following a mediation process led by Angolan President João Lourenço, a ceasefire agreement for North Kivu was reached between Congolese President Félix Tshisekedi and Rwandan Foreign Minister Vincent Biruta.

Meanwhile, in Mai-Ndombe and Kwilu provinces in western DRC, inter-communal violence has intensified since late July between the Teke and Yaka ethnic communities, killing nearly 200 people and displacing more than 48,000. Amidst the violence, hundreds of homes and villages were torched, people were chased and roadblocks were established to catch perceived enemies.

### ANALYSIS

For nearly 30 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilians. Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and stability. The volume of attacks, combined with inter-communal tensions, is straining the capacity of the FARDC and MONUSCO to provide adequate protection. FARDC offensives often trigger violent reprisals targeting civilians. The redeployment of the military to fight against M23 has created further power vacuums and exacerbated the fragile security environment in Ituri and North Kivu. Ethnically motivated and deliberate attacks by armed groups against internally displaced persons (IDPs) has led to new waves of displacement.

The resurgence of M23 has also aggravated regional tensions, particularly between the governments of DRC and Rwanda. An associated dramatic increase in hate speech and incitement to discrimination and violence, particularly targeting Rwandan individuals, has also raised the risk of atrocities. While the ceasefire provides some relief to civilians in North Kivu, risks to populations remain as M23 fighters clash with other armed groups.

The FARDC and police have also been implicated in widespread violations of IHL and IHRL, including sexual violence, torture and arbitrary killings, while combatting armed groups. Some state security forces have been implicated in violations that may amount to crimes against humanity and war crimes.

The DRC government is struggling to uphold its responsibility to protect.

## INTERNATIONAL RESPONSE

The UNSC currently subjects 9 entities and 36 individuals in the DRC to sanctions. Since 2013 the government of the DRC and neighboring states have collectively addressed the threat of armed groups through the "Peace, Security and Cooperation [PSC] Framework for the DRC and the region."

On 20 December 2021 the UNSC passed Resolution 2612, extending the mandate of MONUSCO for one year. The resolution emphasized that the government "bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

On 21 April 2022 the East African Community (EAC), which the DRC had joined a month prior, agreed to establish a regional military force to combat violence in the east. In June the EAC also agreed to send troops to address the reemergence of M23. Burundi and Kenya have deployed troops. The EAC has also launched talks between the DRC government and several armed groups.

In June the UN High Commissioner for Human Rights and the Secretary-General's Special Adviser on the Prevention of Genocide expressed alarm at the escalation of inflammatory rhetoric in the country, stating that, "hateful messages heighten the risk of violence, including atrocity crimes targeting specific groups of people."

On 24 November the European Parliament adopted a resolution calling for the EU and its member states to impose sanctions against perpetrators of human rights violations and stressing that any political settlement does not include an amnesty for those responsible for international crimes.

## NECESSARY ACTION

The DRC government, MONUSCO and the joint EAC force must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The DRC government and MONUSCO should enact measures to

re-establish trust with communities, including by consulting with civilian populations and civil society about protection needs.

Neighboring states should continue to uphold the PSC Framework and ensure that forces deployed in eastern DRC refrain from illicit activities. The DRC government and neighboring states should continue to pursue regional diplomacy and dialogue to ease cross-border tensions. The international community should suspend military assistance to governments found to be supporting the M23 and other armed groups.

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions and address structural issues of land access, resource allocation and poor governance. MONUSCO, OHCHR and the Special Adviser on the Prevention of Genocide should continue to mobilize local, provincial and national authorities, as well as journalists and civil society, to condemn hate speech and the stigmatization and racial profiling of communities.

The government must cooperate with UNJHRO and ensure all state agents responsible for human rights violations and abuses are held accountable. The DRC government should implement a vetting process within the FARDC to identify and provisionally remove individuals who may have been implicated in serious human rights violations from their post while cases are pending.



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

## ETHIOPIA

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

## BACKGROUND

For two years, the Ethiopian National Defense Forces (ENDF) and the Tigray Defense Forces (TDF) have fought in an armed conflict characterized by widespread violations of IHL and IHRL in northern Ethiopia. The conflict initially began in November

2020 when the federal government and its allies launched a military offensive in the Tigray region against forces loyal to the regional governing Tigray People's Liberation Front (TPLF). The fighting subsequently spread to the neighboring Afar and Amhara regions in July 2021.

On 2 November 2022 the federal government and the TPLF agreed to a cessation of hostilities brokered by the AU. The agreement followed weeks of increased fighting and airstrikes by the ENDF against Tigrayan towns and cities that killed dozens of civilians, including in the hours before the truce took effect on 3 November. Eritrean Defense Forces (EDF), allied with the ENDF, had also launched a renewed full-scale military operation along Tigray's northern border. Despite the peace deal, aid workers have reported ongoing abuses by the EDF and regional Amhara forces in Tigray, including looting of civilian property, as well as kidnappings and mass detentions.

Possible war crimes and crimes against humanity were committed throughout the conflict. Several UN reports and investigations by international human rights groups have documented indiscriminate bombings, ethnic-based killings, sexual violence, forced displacement, use of child soldiers, destruction of cultural heritage and the systematic destruction of food, water and healthcare systems. Hundreds of thousands of people have likely been killed in Tigray, Afar and Amhara as a result of direct killing, lack of health care and starvation.

On 20 September the HRC-mandated International Commission of Human Rights Experts on Ethiopia (ICHREE) released their first report, finding evidence of ongoing war crimes and crimes against humanity. Amnesty International and Human Rights Watch also assert that Amhara regional forces and militias, with the acquiescence and possible participation of the Ethiopian federal authorities and EDF, perpetrated war crimes, crimes against humanity and ethnic cleansing in Tigray's Western Zone. Amhara authorities subjected the Tigrayan population to restrictions on the basis of their ethnicity, organized transportation to remove them from Western Tigray, confiscated their documents and warned them not to return while simultaneously calling for the settlement of Amhara residents into the area. Thousands of Tigrayans also reportedly remain in overcrowded detention facilities.

The conflict has caused a humanitarian catastrophe to unfold across northern Ethiopia, with over 3 million people internally displaced and at least 13 million in urgent need of aid. Humanitarian convoys have been routinely blocked, attacked and looted by parties to the conflict and 23 aid workers have been killed since November 2020. A historic drought in the Horn of Africa has further exacerbated the humanitarian crisis.

Inter-communal and inter-religious violence, as well as regional border disputes, are also frequent in other parts of Ethiopia. On 29 September 2022 the Ethiopia Human Rights Commission reported that local authorities in the Gambella region extrajudicially executed at least 50 civilians and buried them in a mass grave between 14-16 June. In Oromia, regional

security forces, the ENDF and the Oromo Liberation Army (OLA) armed group have allegedly committed enforced disappearances and attacks on civilians, including ethnic Amharas. On 18 June at least 400 Amhara civilians were summarily executed by suspected OLA militants in Tole, western Oromia region. From 29-31 August at least 60 people were killed in ethnic-based attacks and reprisals between ethnic Amhara and Oromo around the town of Obora. Since October, the ENDF have launched repeated airstrikes in Oromia, killing dozens of civilians.

## ANALYSIS

Civilians in Tigray, Afar and Amhara remain at risk of further atrocities due to repeated violations of IHL and IHRL. Despite the recent cessation of hostilities, risks to populations will continue until the terms of the agreement are fully implemented. Civilians also remain at risk due to the presence of the EDF in Tigray, as they were not part of the peace negotiations and the agreement does not call for their complete withdrawal. The EDF have repeatedly been accused of atrocity crimes and Eritrean authorities have allegedly sought to settle decades-old grievances with the TPLF through the collective punishment of Tigrayans. Inflammatory statements by regional and federal government leaders, including Prime Minister Abiy Ahmed, may fuel further ethnic conflict.

Civilians in Oromia also face a heightened risk of atrocities due to the increase in fighting between OLA militants and targeting by the ENDF. To address the increasing polarization between ethnic groups, on 29 December 2021 the Federal Parliamentary Assembly voted to establish a commission to hold a national dialogue, but the process does not currently include the OLA.

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

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

## INTERNATIONAL RESPONSE

Since November 2020 the international community has widely condemned the violence in Tigray and called for a comprehensive ceasefire and an end to incitement and hate speech.

Since January 2021 the EU has withheld 88 million euros in budgetary aid to Ethiopia due to the human rights situation in Tigray. On 12 November 2021 the US imposed sanctions on Eritrean officials and entities obstructing humanitarian aid and committing grave abuses in Tigray. On 1 January 2022 the US suspended Ethiopia from preferential trade status for gross human rights violations.

The UN Special Adviser on the Prevention of Genocide released multiple statements in 2021, expressing alarm at the ethnic violence in Ethiopia and calling on government officials to end the use of hate speech.

On 17 December 2021 the HRC held a special session and mandated the creation of the ICHREE. On 7 October 2022 the HRC renewed the ICHREE's mandate for one year.

### NECESSARY ACTION

All parties to the conflict in northern Ethiopia must operate in strict adherence with IHL and ensure the protection of civilians and refugees. Meaningful steps to implement the cessation of hostilities agreement and the unfettered delivery of aid, including fuel and medical supplies must be allowed. The proposed national dialogue should include all parties to the conflict to holistically address the root causes of recurrent inter-communal and ethnic conflicts.

The UNSC should impose an arms embargo and sanctions on those prolonging the conflict and committing atrocities. The EDF should immediately withdraw from Ethiopia.

All parties to the conflict should cooperate with the ICHREE and allow it to carry out its mandate. The Ethiopian government must allow the ICHREE unfettered access to all conflict areas. UN member states should ensure the full funding and staffing of the ICHREE.



Over 830 Palestinians forcibly displaced in the Occupied West Bank in 2022

## ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

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

### BACKGROUND

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

According to a March 2022 report by the UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory (OPT), Israel's political system of entrenched rule in the OPT satisfies the prevailing evidentiary standard for the existence of the crime of apartheid. The Special Rapporteur previously determined in July 2021 that Israel's 55-year occupation has been characterized by settlement expansion that aims to permanently alter the ethnic demographics of East Jerusalem and amounts to a war crime. The HRC-mandated Col on the OPT, including East Jerusalem, and Israel reached similar conclusions in September 2022, reporting that the Israeli government's policies and actions have led to the permanent occupation and de facto annexation of Palestinian territory, likely constituting crimes under international law, including war crimes. Both the Col and Special Rapporteur have reported that this ongoing coercive environment has prevented Palestinians from fulfilling their right to self-determination and other fundamental human rights.

The Col concluded in June 2022 that continued occupation, as well as discrimination against Palestinians, are the key causes of recurrent instability and protraction of conflict in the region. There are close to 300 illegal settlements in Occupied East Jerusalem and the West Bank with approximately 700,000 Israeli settlers. According to OCHA, at least 697 Palestinian-owned structures have been demolished or seized by Israeli government authorities in 2022 so far, forcibly displacing over 836 Palestinians.

Palestinians are regularly subjected to deadly violence by Israeli settlers. In 2021 violence perpetrated by Israeli settlers against Palestinians reached the highest level ever recorded, with over 490 attacks that included physical violence, shooting with live ammunition, torching of fields and livestock, theft and vandalization of property.

Israeli security forces have also perpetrated widespread abuses and deadly attacks against Palestinians. According to OCHA, 2022 has been the deadliest year for Palestinians residing in the Occupied West Bank, including East Jerusalem, since 2006. Over 118 Palestinians, including 26 children, have been killed by Israeli security forces in the Occupied West Bank in 2022. These often follow settler attacks or incursions into Palestinian villages and include search-and-arrest operations and violent confrontations with Palestinians. Over 170 Palestinians were injured and at least 300 detained during large-scale raids by Israeli police from 15-22 April 2022 at the al-Aqsa Mosque compound in East Jerusalem. Israeli police used disproportionate force, tear gas, stun grenades and rubber bullets to forcefully remove Palestinians. In early August 2022 the Israeli government launched indiscriminate airstrikes in Gaza, killing and injuring nearly 400 Palestinians, including dozens of children.

Meanwhile, Israel's ongoing air, sea and land blockade of Gaza has been in place for over 15 years and has inflicted collective punishment on 2 million Palestinians, facilitating a humanitarian crisis. Israeli authorities periodically shut down the crossings into Gaza, preventing the flow of people, medical cases and essential commodities, including food. Closures in early August resulted in severe shortages of fuel, forcing the Gaza Power Plant to shut down. Hamas' security forces have also committed grave abuses against Palestinian civilians in Gaza, including arbitrary arrests, summary executions and torture.

OHCHR also continues to document assaults, intimidation, gender-based violence, harassment, excessive use of force, arbitrary arrests and censorship of Palestinian journalists and human rights defenders by Israeli security forces throughout Occupied Palestine. These incidents have resulted in the injury or killing of several Palestinian journalists.

## ANALYSIS

The systematic nature of human rights violations and inhumane acts in the OPT likely amounts to crimes against humanity while the collective punishment of Palestinians as a coercive measure of population control may amount to a war crime. Under the International Convention on the Suppression and Punishment

of the Crime of Apartheid and the Rome Statute of the ICC, apartheid is a crime against humanity.

Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory, also known as "settler implantation." Seizures and demolitions of Palestinian and Bedouin land and property leave communities at heightened risk of forced evictions, arbitrary displacement and forcible transfer. Israel's permanent and illegal occupation endangers the cultural existence of the Palestinian people and violates their right to self-determination.

Israel's use of force against Palestinians during the April 2022 raids appears to have been widespread and indiscriminate. Impunity for cycles of violence has entrenched a system of structural oppression against Palestinians in Gaza and the Occupied West Bank. There has been no effective accountability for past crimes by Israeli forces, Hamas or Palestinian armed groups, including potential war crimes.

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

## INTERNATIONAL RESPONSE

On 23 December 2016 the UNSC adopted a resolution reaffirming that Israeli settlements in the OPT violate international law. This was the first and only UNSC resolution adopted on Israel and the OPT since 2009. Between 10-21 May 2021 the UNSC made three attempts to condemn the violence and call for a ceasefire, but the US blocked each effort.

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

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

## NECESSARY ACTION

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

All parties must work toward a sustainable political solution consistent with international law and various UNSC resolutions. States with strong political and economic ties to Israel, the Palestinian Authority or Hamas, should push for a lasting political solution to the conflict, accountability for potential war crimes

and crimes against humanity, and the protection of human rights for all civilians, regardless of ethnicity or religion.

The international community should impose accountability measures for violations of international law in Israel and the OPT. The UNGA should request an advisory opinion from the International Court of Justice (ICJ) on the legal consequences of continued occupation and de-facto annexation of the OPT. The ICC should investigate all potential war crimes or crimes against humanity perpetrated in the OPT, including the crime of apartheid.



Over 2,460 people have been killed and more than 12,900 people remain detained since 1 February 2021

## MYANMAR (BURMA)

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

### BACKGROUND

On 1 February 2021 Myanmar's (Burma) military – the Tatmadaw – led by Commander-in-Chief Min Aung Hlaing, overthrew the country's civilian-led government and declared a state of emergency. Since then, hundreds of thousands of people have participated in peaceful protests and strikes against the re-imposition of military rule, while numerous civilian militias – known as People's Defence Forces (PDFs) – have also formed as part of an armed resistance. Several UN officials and entities, including the Special Rapporteur on the situation of human rights in Myanmar and the Independent Investigative Mechanism for Myanmar, have indicated that abuses committed by the military likely amount to crimes against humanity and war crimes.

According to the Assistance Association for Political Prisoners, more than 2,460 people have been killed by the security forces since February 2021, and over 12,900 people remain detained for resisting the coup. At least 110 people have been sentenced to death by military tribunals, and four have been executed. The military has charged members of the National Unity Government (NUG) – a coalition of democratic opponents formed in opposition

to military rule – with high treason and pronounced that the NUG and PDFs are terrorist organizations. The military has widely used internet shutdowns to limit communication and access to information since the coup and reportedly plans to increase its use of surveillance technology with facial recognition capabilities throughout the country.

The Tatmadaw has targeted civilian areas with airstrikes, scorched earth campaigns and other attacks, particularly in the opposition strongholds of Magway and Sagaing regions and Chin, Kachin, Shan, Kayah and Karen states, resulting in civilian casualties and mass displacement. According to OCHA, an estimated 28,000 civilian properties have been burned or destroyed. The military launched airstrikes targeting a concert in Kachin State in October, killing at least 80 people and injuring over 100. The assault likely amounts to a war crime.

At least 1.1 million people have been displaced since the coup, particularly in the northwest and southeast, bringing the estimated total number of IDPs to over 1.4 million.

Meanwhile, escalating fighting in Rakhine and Chin states has displaced over 16,500 people since a November 2020 ceasefire between the Tatmadaw and Arakan Army (AA) broke down in August. The volatile security situation has restricted civilian movement in the region and hindered the provision of humanitarian aid. On 28 November 2022 the military and AA agreed to a temporary truce.

In August 2017 the military launched so-called "clearance operations" in Rakhine State. The operations forced the majority of Myanmar's Rohingya population to flee the country, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. In 2018 the HRC-mandated FFM on Myanmar concluded that senior members of the military, including General Min Aung Hlaing, should be prosecuted for genocide against the Rohingya ethnic group, as well as for crimes against humanity and war crimes in Kachin, Rakhine and Shan states. The estimated 600,000 Rohingya who remain in Rakhine State face severe violations of their universal human rights.

### ANALYSIS

Myanmar's armed forces previously ruled the country from 1962-2011, overseeing the violent repression of the democracy movement and waging war against several ethnic armed groups. Impunity for past atrocities has enabled the military to continue committing widespread and systematic human rights violations and abuses against civilians, particularly those from ethnic minority populations. The military is unlikely to pursue accountability for past atrocities.

The risk of further war crimes and crimes against humanity remains high as the Tatmadaw continues to target civilians and the armed resistance. The military's use of banned landmines in Kayah State likely amounts to war crimes. The Tatmadaw's reported use of surveillance technology and internet shutdowns appears to help facilitate the perpetration of atrocities and shield itself from accountability.

The coup and fighting in Rakhine State complicate the prospects for the safe, dignified and voluntary repatriation of Rohingya refugees from Bangladesh. Given its history, the military is unlikely to address the denial of citizenship for the Rohingya or repeal the 1982 Citizenship Law that rendered most Rohingya stateless.

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

## INTERNATIONAL RESPONSE

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

Numerous processes are underway to investigate and potentially hold perpetrators accountable for crimes against the Rohingya. This includes the IIMM, an ICC investigation into crimes against humanity that may have resulted in the forced deportation of the Rohingya across the Myanmar-Bangladesh border, and a trial at the ICJ initiated by The Gambia in November 2019, accusing Myanmar of violating its obligations under the Genocide Convention. Several states have announced their intention to intervene in the case, including Canada, Germany, the Netherlands and UK. On 26 November 2021 Argentina's judiciary opened a case under the principle of universal jurisdiction.

In March 2022 the US government formally determined that the violence perpetrated by the Tatmadaw against the Rohingya constituted genocide and crimes against humanity.

Since the coup, the UNSC has privately met 12 times on Myanmar and adopted 10 statements but has failed to take substantial action. On 18 June 2021 the UNGA adopted a resolution calling for the immediate release of all political detainees and for all member states to prevent the flow of arms into Myanmar.

On 24 April 2021 the Association of Southeast Asian Nations (ASEAN) agreed to a "Five-Point Consensus." Despite the failure to fully implement the plan, ASEAN continues to rely on the strategy as its main approach to the situation in Myanmar. A number of governments have imposed targeted sanctions in response to the coup, including Canada, UK, US and the EU. The EU has also suspended development funds. Oil conglomerates TotalEnergies and Chevron announced in January 2022 their withdrawal over the human rights crisis. The Republic of Korea restricted military exports and suspended defense exchanges.

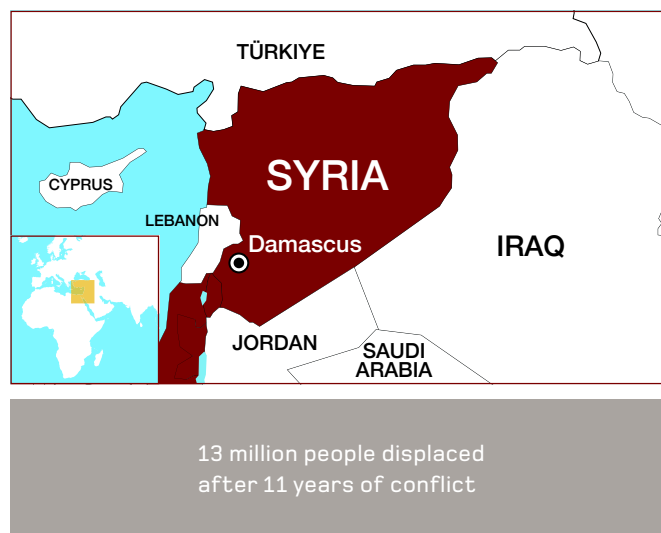
## NECESSARY ACTION

The UNSC should impose a comprehensive arms embargo and targeted sanctions on Myanmar and refer the situation to the ICC. China, Russia, Serbia and India must halt weapons transfers to Myanmar's military. All UN member states, regional organizations and the UNSC should impose economic sanctions on Myanmar's oil and gas sector, particularly the Myanmar Oil and

Gas Enterprise. Foreign companies should immediately divest and sever ties with all businesses linked to Myanmar's military.

ASEAN member states should condemn the Tatmadaw and engage with the NUG. The military junta should not be diplomatically recognized as the legitimate representatives of Myanmar.

More states, particularly Canada, Germany, Netherlands and UK, should formally intervene in the ICJ case. General Min Aung Hlaing and other senior military leaders who bear responsibility for atrocity crimes should face international justice.



## SYRIA

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

## BACKGROUND

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. OHCHR has estimated 306,887 civilian deaths from 1 March 2011 to 31 March 2021. While various parties to the conflict continue to perpetrate serious violations and abuses of international law, over the last two years the conflict has shifted away from large-scale military hostilities along major frontlines to regional clashes between armed groups and Syrian government forces.

The HRC-mandated CoI on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. In central, western and southern Syria, government authorities, including intelligence authorities, perpetrate arbitrary detention, torture and ill-treatment in incommunicado detention on a systematic basis in areas under their control. Government forces also continue to commit murder, torture

and sexual violence as a matter of state policy. Various groups also perpetrate violations in areas under their control.

In Dara'a governorate, armed opposition groups and government forces have clashed since July 2021. Though a ceasefire was reached on 1 September 2021, Syrian government forces have launched several raids, airstrikes and missile attacks, often indiscriminately. The government has also besieged areas in and around Dara'a city and imposed heavy restrictions on civilians attempting to flee and on the delivery of humanitarian aid.

In northwest Syria, deadly violence remains ongoing in Idlib governorate. Ground fighting, shelling and airstrikes – perpetrated by forces loyal to the Syrian government – have damaged medical facilities, markets, schools and displacement camps. According to the CoI, the attacks regularly cause dozens of civilian deaths and have greatly reduced access to food, water, healthcare and adequate housing. The armed extremist group Hay'at Tahrir al-Sham also continues to perpetrate abuses, including arbitrarily detaining activists and journalists.

Elsewhere in northern Syria, the Syrian National Army (SNA) and other Turkish-backed armed groups have perpetrated torture, sexual violence, systematic looting and arbitrary detention. IEDs, as well as indiscriminate shelling and government airstrikes, have killed and wounded hundreds of civilians over the past year. Ongoing hostilities between the SNA and the Kurdish-backed Syrian Defense Forces (SDF) continue to adversely impact civilians. In northeast Syria, along the border with Türkiye, there is a risk of a potential new Turkish ground operation, similar to Operation Euphrates Shield in 2016 and Operation Peace Spring in October 2019, which were characterized by likely atrocities and heightened atrocity risks in the broader region.

At least 40,000 children of alleged so-called Islamic State of Iraq and the Levant (ISIL) fighters from 57 countries remain trapped in squalid detention camps run by the SDF. Meanwhile, the government is imposing arbitrary restrictions on freedom of movement and depriving individuals of their property in areas previously held by the opposition, which the CoI alleges may amount to the war crime of collective punishment. Government forces have reportedly subjected civilians returning to Syria to arbitrary detention, enforced disappearances, extrajudicial killings and torture.

Nearly 13 million people have been displaced, including 6.7 million Syrian refugees. An estimated 14.6 million Syrians remain in need of humanitarian assistance and 12 million people are food insecure. The lack of cross-border aid has exacerbated humanitarian needs in northwest Syria.

## ANALYSIS

For over a decade the government of Syria, its allies and armed opposition groups have all perpetrated attacks on civilians and civilian infrastructure, blatantly disregarding international law. The Organisation for the Prohibition of Chemical Weapons has documented the illegal use of chemical weapons by the Syrian government and some armed groups since 2013.

All parties to the conflict continue to commit acts that may amount to war crimes and crimes against humanity. As various armed groups attempt to consolidate their control over territory in a fragmented Syria, civilians are facing indiscriminate hostilities, as well as widespread and systematic human rights violations. The Syrian government and other parties to the conflict continue to perpetrate detention and disappearance as a strategy to control and intimidate civilians. Ongoing violations of various ceasefire agreements and a potential Turkish incursion in the northeast greatly increase the risk of recurrence of large-scale conflict.

The grave situation across Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government has directly violated various UNSC resolutions. Russia has also systematically shielded Syria from international accountability measures. The UN Secretary-General and others have repeatedly called for the UNSC to refer the situation to the ICC, but vetoes from Russia and China have blocked such action.

The government of Syria has manifestly failed to uphold its responsibility to protect and bears primary responsibility for the ongoing commission of war crimes and crimes against humanity.

## INTERNATIONAL RESPONSE

Since 2013 the UNSC has passed 27 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Despite this, Russia and China have jointly vetoed ten draft resolutions on Syria and Russia has independently vetoed an additional seven. On 12 July 2022 the UNSC extended authorization for cross-border humanitarian aid through one crossing for six months.

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. Several countries have also initiated domestic legal proceedings against suspected Syrian perpetrators under universal jurisdiction. German courts have convicted two members of Syria's intelligence services, Eyad A. and Anwar R., for complicity in and perpetrating crimes against humanity, respectively, and a third trial involving allegations of torture and murder by a Syrian state agent is currently underway.

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

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

A study released in August 2022 by the UN Secretary-General recommended that the UNGA establish an independent

international mechanism dedicated to clarifying the fate and whereabouts of missing persons in Syria, as well as supporting victims, survivors and their families.

## NECESSARY ACTION

All parties to the conflict must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting. All parties should also uphold the ceasefire agreements in the northwest, northeast and south.

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

A timetable for the release of all detainees and abductees should be established. UN member states must also work toward the establishment of an independent international mechanism to clarify the fate and whereabouts of those missing and disappeared in Syria as recommended by the Secretary-General.

UN member states should continue to pursue accountability for alleged atrocities under universal jurisdiction. The UNSC should also refer the situation in Syria to the ICC.



Over 17.2 million people in need of humanitarian assistance

## UKRAINE

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

## BACKGROUND

Since 24 February 2022, when Russian Armed Forces invaded Ukraine, cities and towns in central, eastern and southern Ukraine have been bombarded with indiscriminate explosive weapons, causing a massive humanitarian and human rights crisis. The UN has verified more than 6,655 civilian deaths,

including over 415 children, while emphasizing that the actual figure is considerably higher. The crisis has displaced over 14 million people, including more than 7.6 million who have fled to neighboring countries.

The HRC-mandated CoI on Ukraine has documented evidence of war crimes committed against the civilian population by Russian forces, including indiscriminate attacks, torture and sexual and gender-based violence in Kyiv, Chernihiv, Kharkiv and Sumy oblasts. The UN Human Rights Monitoring Mission in Ukraine (HRMMU) has also documented the widespread use of indiscriminate weapons in populated areas, including heavy artillery and multiple launch rocket systems, missiles, airstrikes and illegal cluster munitions. According to the HRMMU, Ukrainian and Russian forces have committed abuses against prisoners of war, including torture and ill-treatment.

Schools, homes, water and sanitation systems and civilian shelters have been routinely targeted. Russian forces have bombed Ukrainian historical, religious and cultural sites. In Mariupol, an estimated 600 people were killed on 16 March when Russian forces launched an airstrike on the city's Drama Theater. Buses and convoys have also been targeted, violating agreed upon humanitarian corridors. The World Health Organization has verified over 600 attacks on health care. Since the 8 October explosion of the Kerch Strait bridge, Russian forces have bombed urban centers across Ukraine, severely damaging energy-related facilities.

In areas under their control, Russian forces have perpetrated grave abuses, including summary executions and other possible war crimes. Mass graves and burial sites containing at least 1,500 bodies have been found in areas retaken from Russian forces in Bucha, Izium and Lyman. There have also been reports of forced deportations of Ukrainians, including children, to Russia and forcible disappearances of local Ukrainian government officials.

Since the beginning of September, Ukrainian forces have retaken thousands of square miles of territory in the south and northeast. In response to Ukraine's territorial gains, Russian-backed authorities held referendums from 23-27 September in areas of Luhansk, Donetsk, Kherson and Zaporizhzhia oblasts under their control. Following the referendums, Russian President Vladimir Putin annexed the areas into Russia and declared martial law.

Fighting also continues along frontlines in Donetsk and Luhansk oblasts, a region collectively known as Donbas where conflict has been ongoing since 2014. Fighting began after a pro-European change of power in Kyiv prompted the Russian government to begin militarily supporting majority-ethnic Russian separatists in Donbas' eastern most areas. Despite multiple rounds of peace talks, the armed conflict between the separatists and the Ukrainian government has killed 14,000 people and displaced millions. International monitors have documented both sides committing violations in Donbas that may amount to war crimes,

including torture, indiscriminate shelling of civilian areas and use of indiscriminate weapons.

## 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 of further atrocities as Russian forces target residential buildings and other civilian infrastructure.

While the invasion began on 24 February, the crisis has myriad historical, political, security and economic root causes. President Putin has repeatedly asserted his belief that Russia and Ukraine are one and the same given their shared history and cultural similarities, a notion Ukrainians largely reject.

Despite a deal reached via the Black Sea Grain Initiative, the conflict continues to have global implications resulting from economic sanctions and Russia and Ukraine's role as major exporters of grain and cooking oils. More than half of the World Food Programme's (WFP) wheat supply is provided by Russia and Ukraine. Increasing scarcity and costs have impeded aid operations for vulnerable populations worldwide and put more pressure on populations prone to resource-related conflict.

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

## INTERNATIONAL RESPONSE

Russia's aggression in Ukraine has been widely condemned by states, as well as regional and intergovernmental organizations, many of which have also responded with unprecedented targeted sanctions and other economic measures. Hundreds of multinational corporations have ceased operations in Russia. Many countries have closed their airspace to Russian airlines while some states have provided Ukraine's military with weapons.

Following Russia's veto of a draft resolution on 25 February, the UNSC adopted a "Uniting for Peace" resolution, allowing the UNGA to give recommendations. On 2 March, during an emergency special session, the UNGA condemned Russia's use of force in Ukraine and the subsequent violations of IHL and IHRL. The UNGA also passed a resolution demanding humanitarian access to civilians in need and on 7 April voted to suspend Russia from its seat on the HRC. On 12 October the UNGA adopted a resolution condemning Russia's annexation of occupied Ukrainian territory and demanded its immediate reversal. On 14 November the UNGA adopted a resolution aimed at ensuring reparations and justice for violations of IHL in Ukraine.

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

On 2 March the Chief Prosecutor of the ICC opened an investigation into the situation in Ukraine. The Court had previously found evidence of war crimes and crimes against humanity during a preliminary examination of protests that took place in 2013 and in the context of the armed conflict in Donbas.

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

Russian and Ukrainian delegations have met in numerous rounds of negotiations but have made limited progress.

## NECESSARY ACTION

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

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



More than 7 million people have left the country since 2014

## VENEZUELA

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

### BACKGROUND

In a systematic policy to repress political dissent, Venezuelan state agents are perpetrating arbitrary detention, torture and ill-treatment, sexual and gender-based violence and short-term enforced disappearances targeting actual and perceived government opponents. The HRC-mandated FFM on Venezuela has found evidence implicating President Nicolás Maduro and other high-level government officials and members of his inner circle in directly selecting and framing targets to be arbitrarily detained and tortured.

Since at least 2014, various security forces have also allegedly perpetrated tens of thousands of extrajudicial killings in the name of combatting crime. Venezuelan human rights project Lupa por La Vida documented 485 alleged extrajudicial executions in the first quarter of 2022 alone. The government has also systematically restricted civic space and limited the work of human rights defenders, independent media and civil society, including through harassment and persecution.

In September 2020 the FFM 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. In December 2020 the Chief Prosecutor of the ICC asserted that there are reasonable grounds to believe that crimes against humanity have been committed since at least April 2017.

Venezuela's judicial system is perpetuating impunity for possible atrocity crimes committed by security and intelligence forces. Domestic investigations – undertaken to minimize international scrutiny – remain limited in scope and only target low-level perpetrators. The FFM reported in September 2022 that chains of command within the intelligence services function as “well-coordinated and effective structures in the implementation of

a plan orchestrated at the highest levels of the government to repress dissent through crimes against humanity.”

Communities along Venezuela's border with Colombia and other areas of the country 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 identified as perpetrators of possible crimes against humanity. Regular clashes between armed groups along the border have resulted in mass displacement, civilian fatalities, disappearances and the forced recruitment of children. In Venezuela's gold mining region, Arco Minero del Orinoco, state agents and armed criminal groups are committing killings, sexual and gender-based violence, torture, corporal punishment and disappearances, including against indigenous populations, to ensure control over profitable territory.

Following years of the gradual erosion of the rule of law and democratic space, the situation in Venezuela first escalated in 2014 when mass protests erupted in response to insecurity, hyperinflation and a lack of essential services. Security forces reacted with disproportionate force, torture and sexual violence. State agents responded with similar patterns of violations and abuses during subsequent mass protests, including in 2019 when the start of President Maduro's second term sparked an intense struggle with the opposition, causing a protracted political crisis. An estimated 7.1 million people have left the country since 2014 in what has become the largest migration crisis in Latin America.

### ANALYSIS

The Venezuelan government is deliberately pursuing policies that enable systematic human rights violations and abuses to silence dissent. Extrajudicial killings appear to be part of a systematic strategy to reinforce social control. The number of killings reduced following the publication of the FFM's first report in September 2020, suggesting a possible deterrent effect of international scrutiny. However, no structural changes have been implemented to the country's judiciary, intelligence or security sector and state actors continue to perpetrate systematic abuses, including against human rights defenders exposing ongoing violations. Government-linked media outlets play a key role in state repression and persecution.

The limited actions taken by the national judicial system – which is complicit in ongoing violence – emboldens state agents to continue perpetrating possible crimes against humanity, including politically motivated arbitrary detentions and torture. The ICC's decision in November 2021 to open an investigation is an important step in advancing accountability efforts in light of the government's unwillingness to investigate high-level perpetrators.

The run-up to presidential elections in 2024 poses a serious risk of heightened government repression and a further crackdown on civic space. Independent monitoring is essential to prevent the recurrence of crimes against humanity and

alert the international community to appropriate prevention and response strategies.

For the past eight years Venezuela has faced a humanitarian catastrophe as a result of endemic corruption, economic collapse, political conflict and repression. The absence of accountable state authority along Venezuela's borders and other areas across the country has facilitated violent organized crime, the proliferation of non-state armed actors and systematic abuses against civilians. Venezuelans leaving the country remain at high risk of exploitation, violence or trafficking.

The government is failing to uphold its responsibility to protect all Venezuelans.

### **INTERNATIONAL RESPONSE**

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

The HRC established the FFM in September 2019 and renewed its mandate for an additional two years in October 2022.

On 15 April 2022 the Venezuelan government requested the deferral of the ICC investigation, but the Chief Prosecutor announced he would seek approval from the Pre-Trial Chamber to proceed. A Memorandum of Understanding, signed with the government in November 2021, remains intact.

### **NECESSARY ACTION**

Venezuelan authorities must end the systematic repression of actual or alleged opponents and civil society. The government should also commit to genuine and comprehensive 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 its recommendations.

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. States should exert diplomatic pressure to ensure the government commits to these reforms.

Multilateral efforts to support the anticipated political negotiations between the government and members of the opposition – the Mexico Dialogue – must prioritize human rights protections while addressing structural risk factors.

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

## 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.



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

## YEMEN

*Populations in Yemen remain at imminent risk of war crimes and crimes against humanity amidst a fragile truce.*

### BACKGROUND

For the past seven years civilians in Yemen have suffered from recurrent war crimes and crimes against humanity. Fighting between Houthi forces, the Southern Transitional Council (STC) and forces loyal to the internationally recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – have resulted in the death of thousands of civilians since March 2015. More than 19,200 civilians, including over 2,300 children, have been killed or maimed as a result of coalition airstrikes alone. The conflict has displaced at least 4 million people and created the world's largest humanitarian crisis, with more than 23.4 million in need of humanitarian assistance and 19 million facing food insecurity.

On 2 April 2022 parties to the conflict commenced a truce brokered by the UN Special Envoy for Yemen, Hans Grundberg. The truce – the first negotiated country-wide ceasefire since 2016 – included a cessation of all attacks, the entry of fuel ships in Hodeidah ports and the operation of commercial flights in and out of Sana'a airport. During the ceasefire, civilian casualties significantly decreased and no coalition airstrikes were recorded, though some ground and artillery attacks continued. Despite the truce, some civilians were subjected to violations and abuses of human rights, including enforced disappearances, torture and sexual violence. The truce was renewed twice but expired on 2 October. At the time of publication there has not been a significant escalation in hostilities and airstrikes or increase in civilian casualties from violence since its expiration.

In the months preceding the truce, armed hostilities and indiscriminate bombing had dramatically escalated. Between October 2021 and April 2022, the Saudi/UAE-led coalition perpetrated the highest rate of air raids since before the December 2018 Stockholm Agreement, which ended a period of rampant atrocities and staggering civilian casualties in and around Hodeidah governorate. Missiles and airstrikes across numerous governorates targeted and destroyed civilian objects, including water reservoirs, hospitals and telecommunications towers. Over 1,100 civilians were killed or maimed between January and the start of the truce.

From 2018–2021, the HRC-mandated Group of Eminent Experts (GEE) on Yemen documented a pattern of violations and abuses of international law that may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention and sexual and gender-based violence. The GEE alleged that Canada, France, Iran, UK and US may be complicit in these violations due to their provision of military intelligence, arms and logistical support to some parties to the conflict. The UNSC-mandated Panel of Experts on Yemen has also reported that since 2015 arbitrary arrests and detention, enforced disappearances, ill-treatment and torture of detainees have been conducted by the governments of Yemen and Saudi Arabia, as well as the Houthis, STC and forces affiliated with the UAE. The Panel reported in January 2022 that over 2,000 children recruited by the Houthis have died in combat since 2020.

### ANALYSIS

While the continued reduction of hostilities provides tangible relief to civilians in Yemen, large-scale atrocity risks remain until a permanent truce and inclusive negotiated peace settlement are reached and extensive justice and accountability efforts, including reparations to victims, are advanced. Previous ceasefires and attempted negotiations between parties to the conflict have been unsuccessful.

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian objects, amounting to war crimes and crimes against humanity. The protracted crisis in Yemen has been exacerbated by pervasive impunity that has fueled lawlessness and resulted in extensive civilian harm. The dire humanitarian situation is a direct result of the armed conflict.

All parties to the conflict in Yemen have been unable or unwilling to uphold their responsibility to protect and require ongoing support from the international community.

### INTERNATIONAL RESPONSE

The UNSC imposed financial sanctions and travel bans on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo on Houthi leaders and individuals acting on their behalf or under their direction. On 28 February 2022 the UNSC altered the arms embargo to include the Houthis as an entity subject to the embargo measures. In April the Houthis signed an Action Plan with the UN to commit to end and prevent grave violations against children.

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

Following heavy diplomatic and political pressure from Saudi Arabia, on 7 October 2021 the HRC failed to renew the mandate of the GEE, terminating the only international independent mechanism dedicated to monitoring international law violations in Yemen. A surge in civilian casualties and hostilities followed the termination of the GEE.

### NECESSARY ACTION

All parties to the conflict should fully recommit to the terms of the UN-brokered country-wide truce, as well as make every effort to implement the terms of an expanded truce proposal

and reach a negotiated end to the protracted conflict. UN Special Envoy Grundberg should broaden the negotiations to include all relevant parties to the conflict and other key groups in Yemen, as well as ensure that accountability and justice feature prominently in the peace process.

The government of Yemen should allow access to OHCHR representatives and ensure that all potential war crimes and crimes against humanity are properly investigated and prosecuted. All parties to the conflict – with assistance from the international community – must ensure the provision of reparations to all victims of international crimes. UN member states should urgently work to establish a new criminal justice-focused mechanism to advance accountability and reparations for perpetrators of war crimes and crimes against humanity. The UNSC should refer the situation in Yemen to the ICC.

## 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.



Over 6,300 people killed since October 2017

## MOZAMBIQUE

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

### BACKGROUND

Since October 2017 an armed extremist group, known locally as "Al-Shabaab," has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, sexual slavery, abductions, recruitment of child soldiers and destruction of civilian infrastructure. More than 6,300 people have been killed and nearly 1 million displaced

since October 2017. Both Al-Shabaab and government security forces have perpetrated extrajudicial executions and other violations of IHL that may amount to war crimes.

Fighting between Al-Shabaab and security forces has primarily taken place near Mocímboa da Praia, Palma and other port towns where several major offshore liquified natural gas projects are under development. In July 2021 regional forces, including troops from Rwanda and members of the Southern African Development Community (SADC), began deploying to Cabo Delgado to assist the Mozambican government in confronting the group. Although the forces have aided the government in regaining control of many cities, insurgent activity has continued, particularly in southern parts of Cabo Delgado.

In early June 2022 insurgents launched an offensive against the Ancuabe, Chiure and Mecufi districts. Since then, attacks in Ancuabe and Chiure have displaced over 83,000 people, mainly women and children. Sporadic raids, characterized by killings of civilians – including beheadings – and burning of buildings, are ongoing and violence has spilled over into Nampula province, displacing 12,000 people in September alone.

Insecurity in northern Mozambique continues to prevent humanitarian aid from reaching vulnerable populations. At least 1.5 million people in northern Mozambique need life-saving humanitarian assistance and protection. Despite ongoing violence, the government has been encouraging IDPs to return.

### ANALYSIS

Although the regional offensive initially reduced insurgent activities, populations now face a heightened risk of atrocities

amidst renewed attacks. Despite ongoing insecurity, displaced civilians are increasingly returning to their areas of origin in Cabo Delgado.

The discovery of liquified natural gas off the coast of Mozambique brought hope for a boost to the country's economy but was accompanied by increased allegations of government corruption and economic impropriety. Al-Shabaab has exploited local grievances and popular discontent over corruption and poverty in Mozambique to recruit fighters.

Mozambique has a history of atrocities stemming from its 1977-1992 civil war, during which approximately 1 million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, RENAMO. Government armed forces also perpetrated war crimes.

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

### INTERNATIONAL RESPONSE

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

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

### NECESSARY ACTION

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

It is essential to provide psycho-social support to civilians who were abducted or subjected to sexual violence and to engage in demobilization, disengagement and reintegration efforts for children recruited into conflict.

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



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

## NIGERIA

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

### BACKGROUND

Since 2011 violence between herding and farming communities, rooted in competition over scarce resources, has escalated in central and north-west Nigeria. Alongside this persistent violence, armed banditry has expanded in north-west Nigeria, displacing hundreds of thousands of people. According to the Armed Conflict Location and Event Data Project, armed bandit groups killed more than 2,600 civilians in 2021, an increase of over 250 percent compared with 2020. Between January and March 2022 at least 360 people were killed by bandits in Kaduna State alone, while on 10 April more than 100 people were killed in attacks on several communities in the Kanam Local Government Area of Plateau State.

Violence perpetrated by armed extremist groups, namely Boko Haram and the so-called Islamic State in West Africa (ISWA) against civilian and military targets, has also resulted in mass atrocities in northern Nigeria. Between 24 May and 7 June 2022 at least 60 civilians were killed by Boko Haram in Dikwa local government area, Borno State. According to Nigerian authorities, ISWA killed at least 40 people, including children, during an attack on a church on 5 June in Owo, Ondo State. More than 35,000 people have been killed in northern Nigeria since 2009 when Boko Haram launched its insurgency aimed at overthrowing Nigeria's secular government and establishing an Islamic state. There are at least 1.8 million IDPs in Adamawa, Borno and Yobe states while health services and education have been severely disrupted. These groups have also perpetrated attacks in neighboring countries, killing and displacing civilians in Cameroon, Chad and Niger.

Responding to the multiple security crises, in September 2021 the Nigerian government launched renewed campaigns in the north-west, including deploying large numbers of troops, cutting

off communication networks and imposing restrictions on movement. Increased military operations against extremist hideouts have reportedly killed hundreds of fighters. In January 2022, under the Terrorism Prevention Act, the government designated bandit groups as “terrorists.”

According to OCHA, the security situation has resulted in a humanitarian emergency, with more than 8.4 million people – approximately 80 percent of whom are women and children – requiring urgent assistance.

## ANALYSIS

Nigeria’s armed forces have been deployed in two-thirds of the states in the country and are overstretched as Boko Haram, ISWA and bandit groups expand their areas of operation. Despite notable progress by the regional Multinational Joint Task Force (MNJTF) against Boko Haram, civilians remain at risk of terrorist attacks and identity-based violence. During counterterrorism operations security forces have reportedly committed human rights violations and used excessive force, including extrajudicial killings, against suspected Boko Haram and ISWA members.

Recurring violence between herding and farming communities has become increasingly deadly as a result of the proliferation of armed groups, bandits and gangs who engage in organized cattle-rustling, kidnapping, plunder, murder and rape. Many of Nigeria’s bandit groups have formed in response to growing inter-communal conflict over land and resources. While these groups are driven largely by criminal motives, many bandits are ethnic Fulani and prey on settled farming communities, increasing ethnic tensions.

Growing desertification has exacerbated tensions between communities as the loss of grazing land in the north has driven many ethnic Fulani herdsman, who are mainly Muslim, southward into areas farmed by settled communities that are predominantly Christian. Recent historic flooding, which displaced 1.4 million people and killed at least 600, heightens the risk of food scarcity and resource-based conflict.

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

## INTERNATIONAL RESPONSE

In 2015 the AU authorized the MNJTF to combat armed extremism.

On 11 December 2020 the Chief Prosecutor of the ICC announced the completion of a preliminary examination into the situation in Nigeria, concluding that Boko Haram and Nigerian security forces committed war crimes and crimes against humanity. During a visit to Nigeria in April 2022 the Chief Prosecutor reminded the Nigerian authorities of their legal obligations under the Rome Statute to conduct effective, genuine and meaningful national investigations and prosecutions for atrocity crimes.

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

In July 2022 the UN Children’s Fund and the WFP launched the Resilience and Social Cohesion Project, aimed at enhancing peace, increasing livelihood opportunities and providing humanitarian assistance to vulnerable populations in Borno and Yobe states.

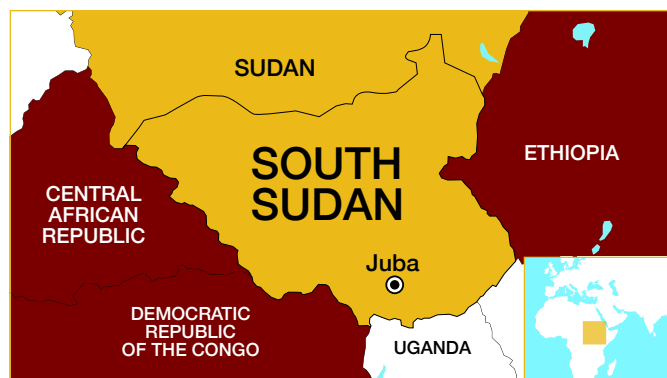
During late October the embassies of the US, UK, Canada and Australia issued warnings for an elevated risk of terror attacks in Nigeria, specifically in Abuja.

## NECESSARY ACTION

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

Local peace commissions established to mediate inter-communal tensions and build early warning systems, such as those in Adamawa, Kaduna and Plateau states, need to be duplicated in other high-risk regions.

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



More than 75 percent of South Sudan's population needs humanitarian assistance

## SOUTH SUDAN

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

### BACKGROUND

Subnational violence is a pervasive threat for populations in South Sudan, with clashes currently taking place in nine out of ten states. Between July–September 2022 the Human Rights Division of the UN Mission in South Sudan (UNMISS) documented at least 285 civilian deaths, 60 abductions and 92 cases of sexual violence perpetrated by government forces and the Sudan People's Liberation Movement/Army in Opposition (SPLA-IO), as well as other armed groups and community-based militias. Violence between community-based militias and civil-defense groups accounted for more than 31 percent of the civilian casualties. Government forces, as well as organized opposition armed groups and allied militias, were responsible for 62 percent of the victims during the reporting period. Upper Nile and Warrap states were the most affected regions by the violence, accounting for more than half of the victims.

The HRC-mandated Commission on Human Rights in South Sudan (CHRSS) warned on 26 September 2022 that escalating levels of such violence are proliferating across the country. Renewed and continued fighting between communities in Twic County, Warrap and Anet in the Abyei area, Central Equatoria and Upper Nile states killed and displaced thousands of civilians during September while civilian properties were looted and destroyed.

In several parts of the country, tensions between the two main political parties, the Sudan People's Liberation Movement and the SPLM-IO, over access to resources and political appointments have also culminated in violent clashes and triggered serious human rights violations, including widespread sexual violence, particularly against women and girls.

According to the UN, food and other life-saving supplies have been looted, sometimes with the intent to punish specific communities. As of 31 August there were 141 reported incidents

that involved violence against humanitarian personnel and assets. According to OCHA, eight humanitarian workers have been killed during 2022, with three killed in September alone. South Sudan is one of the most dangerous countries for humanitarian workers, with more than 130 killed since 2013.

Over 8.9 million people – more than 75 percent of the population – need humanitarian assistance. An estimated 2.2 million people remain internally displaced and 2.33 million have fled to neighboring countries.

### ANALYSIS

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

Although the formation of the Transitional Government of National Unity (TGoNU) in 2020 was supposed to provide an opportunity to address divisions in the country, senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities. Bitter disagreements between and within parties of the TGoNU on how to implement the 2018 peace agreement have led to widening divisions and further exacerbated tensions at the local level that threaten the future security of the country. Delays in reforming the security sector appear to be a deliberate strategy by President Salva Kiir to retain dominance.

The risk of political and ethnic violence has heightened since July 2022 when parties to the peace agreement decided to extend the transitional period and postpone elections. Free, fair, credible and inclusive elections cannot be guaranteed until the constitution-making process and its relevant conditions, as well as security arrangements, are properly implemented. The CHRSS previously warned that the pursuit of elections would risk fueling further polarization.

The TGoNU is failing to uphold its responsibility to protect.

### INTERNATIONAL RESPONSE

The UNSC has subjected eight people to targeted sanctions since 2015 and imposed an arms embargo since 2018. On 15 March 2022 the UNSC extended the mandate of UNMISS, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

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

In July the US withdrew from the Reconstituted Joint Monitoring and Evaluation Commission – established to monitor and oversee the implementation of the 2018 peace agreement – due to a lack of progress.

## NECESSARY ACTION

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

UNMISS should continue to deploy quick reaction forces and temporary operating bases to areas at high risk of violence, as well as enhance its early warning capacities.

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



1,100+ people have been killed due to inter-communal violence in 2022

## SUDAN

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

### BACKGROUND

Inter-communal and localized violence in Sudan's Darfur and Kordofan regions and Blue Nile State has escalated since October 2021, resulting in civilian casualties, destruction of property and human rights violations. In July 2022 at least 149 people were killed in a wave of inter-communal violence following a dispute over land ownership between Berti and Hausa communities in Wad Al Mahi locality and other parts of Blue Nile State. During October these two communities continued to clash and at least

359 people were killed when violence escalated. In Central Darfur, at least 48 people were killed in clashes between the Misseriya and Rezeigat communities in Bendasi locality during early November, according to the government's Humanitarian Aid Commission. On 12 November armed men attacked mediators sent by the Sudanese authorities to settle the dispute, resulting in 24 people killed. OCHA reported that since the beginning of 2022 at least 829 people have been killed and more than 265,000 displaced due to inter-communal violence in Blue Nile and Kordofan states.

The rise in inter-communal violence coincides with a coup launched by the military on 25 October 2021. Under the leadership of General Abdel Fattah al-Burhan, the military overthrew and dissolved the joint civilian-military transitional Sovereign Council, which had come to power in August 2019 after country-wide protests brought an end to then President Omar al-Bashir's 30-year rule that April. At the time of the coup, General Burhan had been serving as the head of the Sovereign Council.

Since October 2021 millions of protesters have demonstrated across the country, demanding the reinstatement of a genuine civilian-led government. While attempting to curb the ongoing demonstrations, security forces have been accused of repeatedly using excessive and deadly violence against protesters, including tear gas and lethal weapons, such as AK-47 assault rifles and machine guns. Security forces have also perpetrated sexual and gender-based violence. At least 120 people have been killed and thousands injured by security forces while hundreds of protesters have also been unlawfully detained and dozens forcibly disappeared. The situation in Sudan continues to be characterized by political insecurity.

### ANALYSIS

More than a year after the coup, demonstrators and other populations continue to face grave human rights violations that may amount to atrocities. Political instability and the re-deployment of security forces to Khartoum and other cities have created a security vacuum in Darfur and other peripheral regions leaving communities vulnerable to attack. While the Sovereign Council and the leaders of the Sudan Revolutionary Front – a coalition of armed groups from Darfur, South Kordofan and Blue Nile – signed a historic peace agreement (Juba Agreement) in October 2020, the Sudanese military's limited progress on implementing relevant provisions has stalled peacebuilding efforts. Inter-communal tensions are also being exploited by political actors.

Security forces in Sudan have a history of violent crackdowns on protests and dissent. During mass demonstrations against military rule between December 2018 and August 2019, security forces killed more than 200 people and arrested thousands.

During his 30-year dictatorship, former President Bashir and other government officials were responsible for crimes against humanity, war crimes and acts of genocide while fighting armed groups in Darfur, South Kordofan and Blue Nile. Bashir has not been held accountable for past atrocity crimes. Mohamed Hamdan

“Hemedti” Dagolo, a member of the Sovereign Council involved in the 25 October coup, is also implicated in atrocities committed as commander of the paramilitary Rapid Support Forces.

The Sudanese military must uphold its responsibility to protect all populations across the country.

## INTERNATIONAL RESPONSE

The UNSC has imposed an arms embargo on Darfur since 2004 and sanctions on three individuals since 2006. Following a 2005 UNSC referral, the ICC has issued arrest warrants for three Sudanese officials, including Bashir and two anti-government militia leaders, for atrocities perpetrated in Darfur. On 5 April 2022 the ICC opened the trial of the former Janjaweed leader, Muhammad Ali Abd-Al-Rahman (Ali Kushayb) – the Court’s first trial concerning potential war crimes and crimes against humanity committed in Darfur.

Following the 2021 coup, the AU suspended Sudan. Several states and multilateral organizations, including the US, World Bank and International Monetary Fund, paused foreign aid and halted disbursements. On 5 November 2021 the HRC held a special session and adopted a resolution that designated an Expert on Human Rights to monitor and report on the situation in Sudan. On 25 October 2022 UN human rights experts demanded the creation of an effective, adequately resourced, independent and victim-centered accountability mechanism to address human rights violations committed during protests against the military coup.

On 3 June 2022 the UNSC extended the mandate of the UN Integrated Transition Assistance Mission in Sudan (UNITAMS) until June 2023. The Trilateral Mechanism – a group consisting of UNITAMS, the AU and IGAD – launched political talks on 8 June. Although General Burhan announced the military’s withdrawal from the political talks on 4 July, the mechanism continues to encourage civilian-military dialogue.

Despite the Sudanese authorities’ failure to protect populations, and the consistent use of deadly and excessive violence against protesters, in October 2022 Sudan was re-elected to the HRC for the 2023–2025 term. The re-election legitimizes the authority of the military regime that illegally assumed power.

On 3 November the UN Special Adviser on the Prevention of Genocide issued a statement expressing concern over the resurgence of inter-communal violence in Blue Nile State and called upon the authorities to institute conflict prevention mechanisms and hold perpetrators accountable.

On 16 November the new UN High Commissioner for Human Rights, Volker Türk, concluded his first official country visit to Sudan.

## NECESSARY ACTION

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

Security forces should protect the fundamental right to peaceful assembly and refrain from using excessive and deadly force against protesters. All those unlawfully detained or placed under house arrest should be released immediately. The international community should support and invest in a credible political transition that respects the people’s desire for democracy. The UNSC must continue to closely monitor the precarious security situation in Sudan and call upon the Sudanese authorities to restore a credible civilian-led government.



**The Global Centre for the Responsibility to Protect has offices in New York and Geneva.**

Mailing address:  
Global Centre for the  
Responsibility to Protect  
The CUNY Graduate Center,  
365 Fifth Avenue, Suite 5203,  
New York, NY 10016, USA

Email: [info@globalr2p.org](mailto:info@globalr2p.org)

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**Executive Director**  
Savita Pawnday

**Director of Policy and Research**  
Jaclyn D. Streitfeld-Hall

**Contributors**  
Christine Caldera, Sarah Hunter,  
Juliette Paauwe, Jahaan Pittalwala,  
Elisabeth Pramendorfer, Liam Scott

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