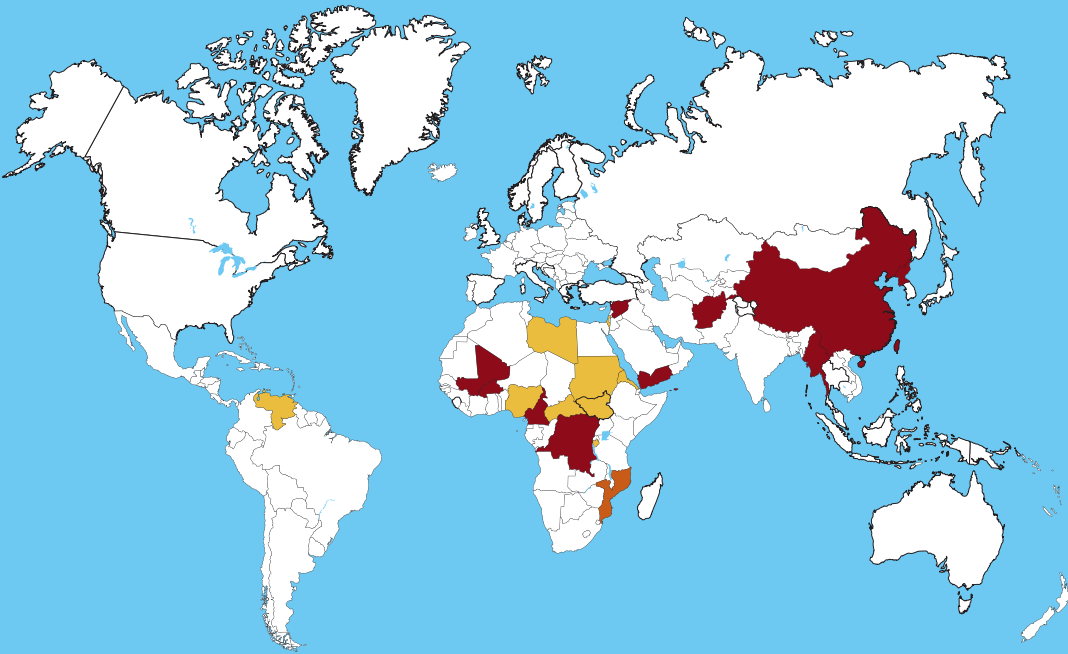


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	647
Land:	Den Demokratiske Republik Congo
Kilde:	Global Centre for the Responsibility to Protect
Titel:	R2P Monitor, Issue 53, 15 September 2020
Udgivet:	15. september 2020
Optaget på baggrundsmaterialet:	28. september 2020



R2P MONITOR

15 SEPTEMBER 2020
ISSUE 53

A bimonthly bulletin by
the Global Centre for the
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.

Afghanistan {p. 2}

Cameroon {p. 3}

China {p. 5}

DRC {p. 6}

Mali/Burkina Faso {p. 8}

Myanmar (Burma) {p. 9}

Syria {p. 11}

Yemen {p. 12}

Mozambique {p. 14}

Burundi {p. 15}

CAR {p. 16}

Libya {p. 17}

Nigeria {p. 18}

South Sudan {p. 19}

Sudan {p. 20}

Venezuela {p. 21}

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



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

AFGHANISTAN

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

BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces, the Taliban have made substantial military gains, currently controlling or influencing more than half the country. Despite the United States (US) and the Taliban finalizing a peace agreement on 29 February, the Taliban have continued their military campaign against the government. The Taliban carried out 76 attacks across 24 provinces in the week following the agreement, prompting the US to resume airstrikes. On 13 May President Ashraf Ghani ordered the resumption of offensive military operations against the Taliban in response to their ongoing attacks in civilian areas.

During the first half of 2020 the UN Assistance Mission in Afghanistan (UNAMA) recorded a dramatic increase in civilian casualties, documenting over 3,458 civilians killed or injured. According to UNAMA, 45 percent of these casualties were caused by direct targeting or the use of improvised explosive devices (IEDs). Taliban attacks and armed confrontations with government forces caused more than 140 civilian deaths in August. UNAMA has also reported 12 deliberate attacks on healthcare personnel and facilities – eight by the Taliban and three by Afghan national security forces – since the World Health Organization declared COVID-19 a global pandemic on 11 March.

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

Progress in implementing the US-Taliban agreement has been minimal. The agreement includes guarantees to prevent the use of Afghan territory by terrorist groups, a timeline for withdrawal of all international forces, creation of conditions for intra-Afghan negotiations, and a permanent ceasefire. The UN Security Council's (UNSC) Analytical Support and Sanctions Monitoring Team reported on 27 May that the Taliban has not broken ties with al-Qaeda. After months of delayed prisoner releases – a condition included in the agreement – direct negotiations between the Taliban and the Afghan government began for the first time on 12 September in Doha, Qatar.

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

Meanwhile, according to the Afghanistan Independent Human Rights Commission, at least 170 civilians have been killed in 17 attacks targeting places of worship since October 2019. UNAMA has also verified at least 18 attacks deliberately targeting religious leaders in Afghanistan this year. The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has been implicated in many of these incidents and other attacks targeting minority populations. On 25 March ISIL-K attacked the Dharamshala Sikh Temple in Kabul, killing at least 25 civilians. ISIL-K also perpetrated a suicide bombing at a funeral in Nangarhar province on 12 May, killing 32 civilians. That same day unidentified assailants attacked a maternity hospital in a predominantly ethnic Hazara neighborhood of Kabul, killing at least 24 people.

ANALYSIS

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

The US-Taliban agreement is a welcome step towards ending the war. However, attacks on healthcare facilities and places of worship and the use of indiscriminate weapons in civilian-populated areas continue. The threat of further war crimes and crimes against humanity remains until a comprehensive ceasefire is fully implemented.

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

INTERNATIONAL RESPONSE

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

US troops began leaving Afghanistan during March 2020 in line with the US-Taliban agreement, but approximately 8,600 troops still remain in the country. Some other NATO member states are also considering withdrawing their forces.

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

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

NECESSARY ACTION

All parties to the conflict should help create an environment conducive for intra-Afghan negotiations by implementing a comprehensive ceasefire. Intra-Afghan talks must include meaningful representation of women, ethnic and religious minorities, and civil society.

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

The international community should continue to pursue international justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator. States Parties to the Rome Statute of the ICC should defend the Court against attacks targeting its staff.



730,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

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

BACKGROUND

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

Violence has escalated throughout 2020, including ahead of elections in February. During mid-August armed separatists allegedly killed 13 civilians, including three aid workers and two teachers, decapitating three women. In response the government tortured and killed several alleged separatists and arbitrarily arrested hundreds of civilians.

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

Since 2016 at least 3,000 civilians and hundreds of security forces have been killed in the Anglophone regions. The UN

Office for the Coordination of Humanitarian Affairs (OCHA) estimates that as of 27 March at least 679,000 people have been internally displaced in the north-west and south-west regions, while 59,000 have fled to neighboring Nigeria. Due to a ban on government education by the separatists, 80 percent of schools in the two regions have closed or been destroyed.

In an attempt to ease tensions, between 30 September and 4 October 2019 President Paul Biya organized a national dialogue, followed by the adoption of several measures, including granting “special status” to the Anglophone regions. The government also released 333 prisoners from the Anglophone region, as well as opposition leader Maurice Kamto. On 2 July some separatist leaders met with government officials to discuss a ceasefire agreement. However, the security situation in the Anglophone regions has continued to deteriorate.

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

ANALYSIS

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

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

INTERNATIONAL RESPONSE

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

On 13 May 2019 the UNSC held its first Arria Formula meeting on the humanitarian and human rights situation in Cameroon.

The UN's Special Representatives on Children and Armed Conflict, Sexual Violence in Conflict, and Violence Against Children, as well as the Special Adviser on the Prevention of Genocide, issued a joint statement on 21 February deploring

human rights abuses committed against civilians in the south-west and north-west regions of Cameroon.

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

NECESSARY ACTION

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

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

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



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

CHINA

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

BACKGROUND

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

Approximately 1 million Uighurs and other Muslim minorities are currently being detained in “re-education” or “de-extremification” facilities without formal charges or due process. During August BuzzFeed News reported that since 2017 China has built 286 compounds in XUAR, each containing multiple detention facilities, to accommodate “the largest-scale detention of ethnic and religious minorities since World War II.”

On 1 March the Australian Strategic Policy Institute reported that over 80,000 Uighurs are also working under “conditions that strongly suggest forced labor,” with many transferred directly from detention camps to factories across China. These factories are part of supply chains that provide goods for 83 global brands, including Apple, BMW and Samsung. On 19 July the New York Times identified companies in China using forced Uighur labor to make face masks and other medical supplies that have been sold globally during the COVID-19 pandemic.

The Chinese government is also conducting a campaign to reduce birth rates among Uighurs and other Muslim populations in XUAR. According to investigations, the practice of forced birth control has been widespread and systematic in Xinjiang since 2017 and includes forced abortions and sterilizations. The

government has also reportedly separated nearly half a million Muslim children from their families, often denying access to information on their location.

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

Authorities have also engaged in the systematic destruction of Uighur cultural heritage. At least 100 historic Uighur cemeteries, shrines and mosques have been partially destroyed or completely demolished across XUAR.

These measures have been imposed in conjunction with increased restrictions on religious practice. In March 2017 XUAR authorities passed the “Regulation on De-extremification,” which prohibits a range of “extreme” behaviors, such as “abnormal” beards. Leaked government documents reveal that the crackdown in Xinjiang was a result of pressure from senior officials, including President Xi Jinping, who in 2014 called for a “struggle against terrorism, infiltration and separatism” to be conducted with “absolutely no mercy.” The Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uighur persecution and expanded the detention camps.

ANALYSIS

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

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

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

INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested access to China to carry out an independent assessment of reports of enforced disappearances and arbitrary detentions. On 30 June 2020 the United Kingdom (UK) delivered a statement to the HRC on behalf of 27 countries urging China to allow the High Commissioner meaningful access to Xinjiang. On 26 June a group of 50 UN Special Procedures mandate holders called for the establishment of an impartial and independent UN mechanism to monitor and report on the grave human rights situation in China.

On 17 June US President Donald Trump signed the “Uyghur Human Rights Policy Act of 2020,” which calls for financial sanctions and visa bans to be issued under the Global Magnitsky Act. Since then the US has sanctioned two entities and seven officials in connection with human rights abuses in XUAR. The US has also placed 48 Chinese entities on a trade blacklist due to their business involvement in the region.

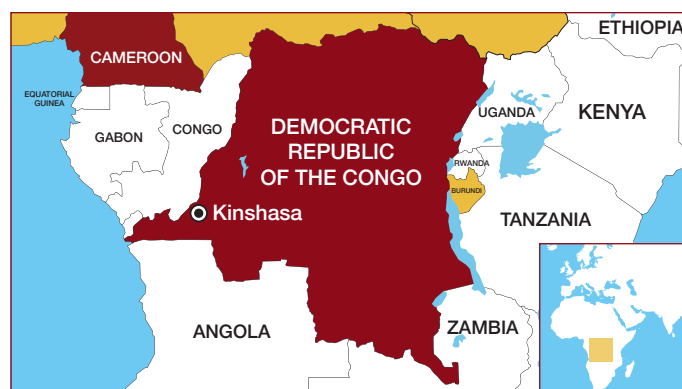
On 6 July lawyers in the UK filed a complaint with the ICC on behalf of two Uyghur exile organizations, urging the Court to investigate Chinese government officials for genocide and crimes against humanity.

NECESSARY ACTION

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

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

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



5.5 million people
internally displaced

At least 100 armed
groups still operating
in eastern DRC

DEMOCRATIC REPUBLIC OF THE CONGO

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

BACKGROUND

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

The UN Joint Human Rights Office (UNJHRO) in the DRC reported on 5 August that an estimated 1,300 civilians, including 165 children, were killed by armed groups in the first six months of 2020 in North Kivu, South Kivu, Tanganyika and Ituri provinces. This is a more than threefold increase when compared to the same period last year. UNJHRO has also recorded more than 400 adult victims of conflict-related sexual violence. According to UNHCR, over 5.5 million Congolese are internally displaced while more than 900,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa. UNHCR also raised concern regarding increased attacks on IDPs and host communities.

The majority of the attacks have taken place in Ituri province, where inter-communal violence as well as fighting between the FARDC and ethnic militias, particularly the predominantly ethnic Lendu Cooperative for the Development of Congo (CODECO) armed group, have escalated since late 2019. More than 650 civilians have been killed by armed groups and over 660,000 have been displaced in Ituri since January. UNHCR has recorded at least 3,000 serious human rights violations, including more than 140 women raped. The UN Children’s Fund has also received allegations of more than 100 serious child rights violations,

including rape, killing and maiming, and attacks on schools and health centers.

During January UNJHRO reported on inter-communal conflict between Lendu armed groups and those from the ethnic Hema community that has taken place in Ituri province since December 2017, alleging that ethnic armed groups may have perpetrated war crimes or crimes against humanity. At least 700 people were killed and 142 were subjected to sexual violence during several waves of violence between December 2017 and September 2019. The majority of victims were from the ethnic Hema community.

Meanwhile, attacks by the Allied Democratic Forces (ADF) armed group, which has been perpetrating atrocities in the Beni region of North Kivu for more than six years, escalated after the FARDC launched an offensive against them on 30 October 2019. Since then the ADF has carried out retaliatory attacks against villages near Beni and, more recently, in Ituri province. Those fleeing the violence have reported mass killings conducted with machetes, as well as sexual violence and abductions. UNJHRO has reported that attacks by the ADF since January 2019, during which 793 civilians were killed, may amount to crimes against humanity and war crimes.

ANALYSIS

For more than 20 years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilians. Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and stability. The volume of attacks by armed groups in Ituri, North Kivu and South Kivu provinces, combined with growing inter-communal tensions in Ituri and South Kivu, is straining the capacity of the FARDC and MONUSCO to provide adequate protection to civilians. Efforts to contain the COVID-19 pandemic are also limiting the capacity of the government to extend services throughout the country.

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

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias, groups like the ADF have a history of violent reprisals targeting civilians.

The DRC government has struggled to uphold its responsibility to protect in the past, and government forces have at times been complicit in atrocity crimes.

INTERNATIONAL RESPONSE

The UNSC currently subjects 13 entities and 31 individuals in the DRC to sanctions. Since 2013 the government of the DRC and neighboring states have collectively addressed the threat of armed groups through the "Peace, Security and Cooperation [PSC] Framework for the DRC and the region."

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

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

NECESSARY ACTION

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

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

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



More than 4,000 people killed in attacks in Mali, Burkina Faso and Niger during 2019

MALI AND BURKINA FASO

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

BACKGROUND

Over the past two years civilians across the Central Sahel – particularly in central Mali and neighboring parts of Burkina Faso – have endured increasing attacks by Islamist armed groups and state security forces, as well as inter-communal violence perpetrated by rival militias. According to the Head of the UN Office in West Africa and the Sahel (UNOWAS), more than 4,000 people were killed in terrorist attacks in Mali, Burkina Faso and Niger during 2019 as compared to 770 during 2016.

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

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

According to the UN High Commissioner for Human Rights, at least 589 civilians have been killed in central Mali so far this year, as violent disputes between armed groups from the Fulani and Dogon communities intensify. The attacks include the burning of villages and destruction of food sources. On 1 July unidentified armed men attacked four ethnic Dogon villages in Mopti, killing 33 civilians, including children. In response to persistent attacks

by Islamist armed groups, the Malian Defense and Security Forces have carried out counter-terrorism operations resulting in numerous human rights violations, particularly in the Mopti and Ségou regions of central Mali.

On 18 August a group of Malian military officers, acting as part of the National Committee for the Salvation of the People (CNSP), deposed President Ibrahim Boubacar Keïta in a coup, seizing control of the country. Keïta had faced widespread protests since June, with demonstrators demanding his resignation due to alleged corruption, disputed election results, pervasive insecurity and deadly inter-communal violence.

The porous border between Burkina Faso, Mali and Niger has facilitated the expansion of Islamist armed groups throughout the Sahel. Since mid-2018 these groups have perpetrated atrocities against populations in Burkina Faso and increased their attacks on Christian places of worship and schools. Violence against civilians in the eastern region of Burkina Faso has already increased by nearly 75 percent as compared to 2019.

Counter-terrorism operations by the Burkinabè security forces have also led to grave human rights abuses perpetrated against civilians presumed to be sympathetic to Islamist armed groups. During July Human Rights Watch reported that 180 bodies were discovered in mass graves. Evidence suggests the individuals were Fulani victims of extrajudicial executions committed by Burkinabè security forces since November 2019.

The Central Sahel is facing one of the fastest growing displacement crises in the world with approximately 1.5 million people internally displaced. At least 3,890 schools and 190 health centers have been closed due to ongoing insecurity, depriving vulnerable communities of essential services.

ANALYSIS

Militias and self-defense groups continue to target civilian populations on the basis of their ethnic and/or religious identity. Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. Weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict in Mali and Burkina Faso. Escalating conflict has resulted in mass displacement as well as life-threatening disruption to farming practices, leaving communities with insufficient food supplies. Recent fighting in the Central Sahel has been exploited by Islamist armed groups who have targeted young Fulani men for recruitment.

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

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

INTERNATIONAL RESPONSE

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

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violations of human rights, including recruitment of child soldiers and attacks on UN personnel. During April 2013 the UNSC authorized MINUSMA with a civilian protection mandate. On 29 June 2020 the UNSC renewed the mandate for an additional year.

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

The coup in Mali has drawn international condemnation. The Economic Community of West African States (ECOWAS) suspended Mali from its decision-making bodies and imposed sanctions, while the AU suspended Mali's membership. Several military partners, including the US and European Union (EU), have suspended cooperation. The UN independent expert on the human rights situation in Mali called upon the Malian authorities to restore the rule of law and hold accountable those responsible for human rights violations.

NECESSARY ACTION

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

The Burkinabè government and the transitional government of Mali, with the support of MINUSMA, UNOWAS and OHCHR, should investigate all human rights abuses and violations, ensuring perpetrators are held accountable. ECOWAS must prioritize human rights and the protection of civilians during its negotiations with the CNSP.



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

MYANMAR (BURMA)

Populations in Myanmar remain at risk of genocide and other atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies.

BACKGROUND

Since November 2018 Myanmar's military and the Arakan Army (AA), an armed group seeking self-determination for the ethnic Rakhine population, have engaged in an armed conflict in Rakhine State. Myanmar's security forces have shelled villages, blocked food supplies and arbitrarily detained civilians. The UN High Commissioner for Human Rights, Michelle Bachelet, has said that targeted and indiscriminate attacks on civilians in Rakhine and Chin States may amount to war crimes and crimes against humanity. AA members have also been accused of violations and abuses. An estimated 90,000 people are currently displaced in Rakhine and Chin states due to the conflict.

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

The Rohingya, a distinct Muslim ethnic minority group in Myanmar, have been systematically persecuted for generations. Myanmar's 1982 Citizenship Law rendered most of the population stateless. The rights of the Rohingya are further limited by the so-called "Protection of Race and Religion" laws that place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights. The estimated 600,000 Rohingya who remain in Rakhine State are subject to severe restrictions on their freedom of movement and more than 100,000 Rohingya have been confined to camps since 2012.

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

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

Myanmar will hold general elections on 8 November. The majority of the Rohingya population will be unable to vote or run for office due to Myanmar’s discriminatory laws and policies. On 30 July the Union Election Commission said that the elections may be postponed in Rakhine State due to ongoing insecurity.

ANALYSIS

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

Ongoing military operations in Rakhine State leave civilians at risk of atrocities. A government-imposed information blackout in parts of Rakhine and Chin states makes it difficult for the international community to verify Myanmar’s compliance with the ICJ ruling.

The government of Myanmar has manifestly failed to uphold its responsibility to protect the Rohingya and other minority populations, 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.” On 14 May and 11 September 2020 the UNSC discussed the situation in Myanmar in a closed video teleconference.

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

On 2 September 2020 the governments of Canada and the Netherlands announced their intention to intervene in support of The Gambia’s case against Myanmar at the ICJ.

During September 2018 the HRC created an Independent Investigative Mechanism (IIMM) to “collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law” committed in Myanmar. The mechanism has been operational since August 2019.

On 14 November Pre-Trial Chamber III of the ICC authorized the Chief Prosecutor to proceed with an investigation into crimes against humanity that may have been committed against the Rohingya, resulting in forced deportation across the Myanmar-Bangladesh border.

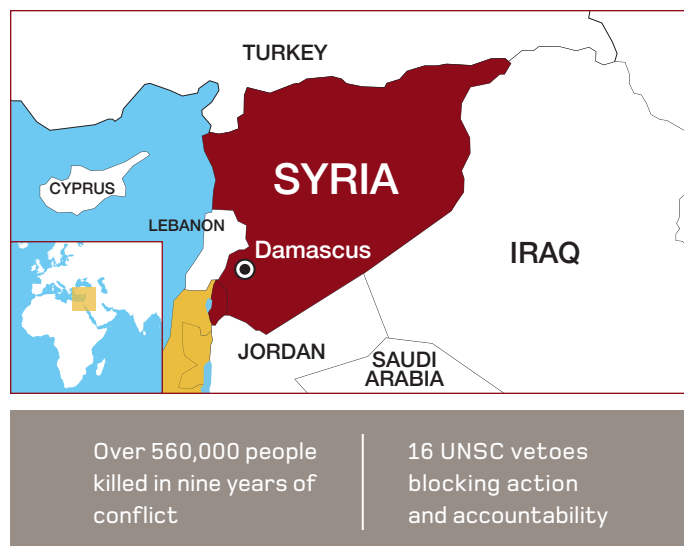
During November 2019 the Burmese Rohingya Organisation UK, supported by Argentinian organizations, filed a case in an Argentinian court under the principle of universal jurisdiction, urging the prosecution of senior Myanmar officials responsible for the Rohingya genocide. On 29 May the Argentinian court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

On 8 September the New York Times reported that two Myanmar soldiers have been taken to The Hague after defecting from the army and confessing to being ordered to perpetrate atrocities and other crimes against the Rohingya during the 2017 “clearance operations.”

NECESSARY ACTION

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

In advance of the November elections, Myanmar’s military should declare a nationwide ceasefire. The authorities must ensure that no community is excluded from voting due to discriminatory policies that violate universal human rights.



SYRIA

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

BACKGROUND

Since the war between the government and opposition groups in Syria began in 2011 at least 560,000 people have been killed. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 12 million Syrians are in need of humanitarian assistance.

The Syrian government and Russian forces have conducted an intense bombardment campaign in southern Idlib, northern Hama and western Aleppo governorates since April 2019. During June fighting intensified between armed opposition groups, such as Hayat Tahrir al-Sham (HTS), and Syrian government forces. Several armed groups also clashed with HTS and perpetrated attacks in Hama and Idlib governorates.

OHCHR confirmed over 1,500 civilian deaths between April 2019 and March 2020 due to the Idlib offensive, nearly all of which are attributable to Syrian government and Russian forces. Civilian objects, including healthcare facilities, schools, markets and evacuation routes, have been heavily shelled. The situation in Idlib dramatically escalated in December 2019 when entire villages were razed, forcing over 948,000 Syrians to flee. HTS has pillaged, tortured and detained civilians while Syrian government and Russian forces have indiscriminately bombed civilian objects. The HRC-mandated Commission of Inquiry (CoI) on Syria found that Syrian government and Russian forces have perpetrated war crimes in Idlib and that there are “reasonable grounds to believe” they intentionally terrorized civilian populations.

Throughout northern Syria, fighting among various non-state armed groups has been increasing since May. In Afrin, Turkish-backed armed groups, including the al-Hamzat Division and Jaish al-Islam, have perpetrated abuses against civilians, including

kidnapping, arbitrary arrests and torture. In the northeast, car bombings near the cities of Tal Abyad and Ras al-Ayn continue to result in civilian casualties. Meanwhile, in southern Syria, particularly Dara'a governorate, targeted assassinations have increased, resulting in the deaths of dozens of civilians. Since March there has also been a dramatic increase in civilian deaths from IEDs, with at least 33 attacks in populated areas.

Since 2012 the CoI has reported that Syrian government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. More than 130,000 arbitrary detentions, abductions or disappearances have been reported by the CoI, with the majority attributable to the Syrian government. The CoI has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces.

The so-called Islamic State of Iraq and the Levant (ISIL) has been increasing its attacks on oil fields and expanding its area of operations. The Syrian Democratic Forces (SDF), with support from international forces, have started targeting ISIL hideouts in eastern Syria. At least 58,000 children of alleged ISIL fighters from more than 60 countries remain trapped in detention camps run by the SDF in northeastern Syria. The Head of the UN Office of Counter-Terrorism, Vladimir Voronkov, reported that 700 detainees, of which many were women and children, died recently due to a lack of medicine, food and water. The humanitarian crisis in the camps has been exacerbated by the COVID-19 pandemic.

ANALYSIS

For more than nine years the government of Syria, its allies and armed opposition groups have all committed indiscriminate attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict have perpetrated acts that may amount to war crimes and crimes against humanity. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures.

The grave situation across northern Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government and its Russian allies, as well as various non-state armed groups, continue to perpetrate violations of IHL and IHRL with impunity. The military involvement of Turkey in northern Syria increases the risk facing populations.

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

INTERNATIONAL RESPONSE

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

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 26 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed 10 draft UNSC resolutions and Russia has independently vetoed an additional 6. The two latest vetoes, on 8 and 10 July, blocked the renewal of a mandate for cross-border aid deliveries. The Council finally passed a resolution on 11 July permitting border crossings through only one opening, further restricting life-saving food and medical supplies to millions of people in northern Syria.

On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction. The first trial of members of President Bashar al-Assad's security services for alleged crimes against humanity, including torture, commenced in Germany on 23 April.

The HRC has adopted 34 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population.

NECESSARY ACTION

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

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

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



12,000+ civilians killed
since March 2015

24 million people in
need of humanitarian
assistance

YEMEN

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

BACKGROUND

Despite diplomatic efforts to end the war in Yemen, populations continue to face war crimes. Fighting between Houthi rebels, members of the General People's Congress, the Southern Transitional Council (STC), and forces loyal to the internationally-recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has reportedly resulted in the deaths of more than 12,000 civilians since March 2015. The actual death toll is believed to be much higher. At least 3.6 million people have been displaced and the conflict has created the world's largest humanitarian crisis.

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, resulting in over 1,000 civilian casualties so far during 2020. Although parties to the conflict signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, they continue to perpetrate widespread violations of IHL and violations and abuses of IHRL. Despite a decrease in air raids between 2017-2019, escalations in Sana'a, Marib and Al-Jawf governorates in the first half of 2020 resulted in more than 1,000 air raids by the coalition.

On 23 May a unilateral ceasefire declared by the Saudi/UAE-led coalition ended after 45 days. The ceasefire was announced following a call by UN Secretary-General António Guterres for a cessation of hostilities in light of the threats from the COVID-19 pandemic. Despite the ceasefire, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. The Saudi/UAE-led coalition launched a new military offensive on 1 July conducting over 40 airstrikes, bringing the total number of civilians killed or maimed as a result of coalition airstrikes since 2015 to over 18,500.

Since August 2019 clashes have also taken place in southern Yemen between the UAE-supported STC and forces loyal to President Abd-Rabbu Mansour Hadi. Mediation resulted in a November 2019 "Riyadh Agreement," allowing the government to formally regain control over Aden. However, very few of the agreement's provisions have been implemented and parties continue to perpetrate extrajudicial killings. The STC declared self-administration in the south of Yemen on 25 April and withdrew from the Riyadh Agreement at the end of August.

The HRC-mandated Group of Independent Eminent Experts (GEE) on Yemen has documented that violations and abuses perpetrated by parties to the conflict may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention, and sexual and gender-based violence. The GEE asserts that the US, the UK, France and Iran may be complicit in these violations due to their provision of military intelligence, arms and logistical support to parties to the conflict. The UNSC-mandated Panel of Experts on Yemen reported during May that arbitrary arrests, enforced disappearances, ill-treatment and the torture of detainees continue to be conducted by the government of Yemen, Saudi Arabia, the Houthis and forces affiliated with the UAE.

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

More than 24 million Yemenis need humanitarian assistance and 2 million are facing acute food insecurity. The GEE has reported that parties to the conflict may have used starvation of civilians as a military tactic. Essential vaccines have also been blocked and the Panel of Experts warned in May that the arrest of humanitarian workers is increasing in Houthi-controlled areas in the north. Funding for aid operations in Yemen is reportedly on the verge of collapse and almost one-third of the UN's major humanitarian programs in Yemen have either been shut down or drastically reduced.

ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. A climate of impunity enables ongoing violations of IHL and IHRL.

The protracted conflict has been characterized by fragmenting coalitions and a multitude of fronts. Continued instability has also allowed al-Qaeda in the Arabian Peninsula and ISIL to conduct sporadic attacks on civilians.

The dire humanitarian situation is a direct result of the armed conflict, including the systematic obstruction of humanitarian aid, and requires a political solution. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen also tackles a COVID-19 outbreak.

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

INTERNATIONAL RESPONSE

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

On 29 September 2017 the HRC requested that the UN High Commissioner for Human Rights establish the GEE. The government has repeatedly refused entry to the Group. In its September 2020 report the GEE recommended the UNSC refer the situation in Yemen to the ICC and expand the list of persons subjected to sanctions.

On 25 October 2019 the European Parliament called on all EU member states to halt weapons exports to Saudi Arabia. The US Congress made four attempts during 2019 to end US military support for the Saudi/UAE-led coalition, however, President Donald Trump vetoed these measures. On 20 June 2019 the Court of Appeal in London ruled that the UK government had failed to adequately assess the actions of the Saudi/UAE-led military coalition prior to issuing licenses for arms exports to Saudi Arabia. The UK temporarily suspended arms sales, but concluded that there was "no clear risk" of future breaches of international law.

On 12 February complaints were filed under the principle of universal jurisdiction in courts in Turkey, the UK and the US to indict senior UAE officials on charges of war crimes and torture. The Saudi/UAE-led coalition also commenced unprecedented court martial proceedings in February in relation to airstrikes that killed civilians in Yemen.

NECESSARY ACTION

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

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

IMMINENT RISK

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



1,200+ civilians killed and 210,000 displaced since October 2017

MOZAMBIQUE

Attacks by armed extremists and abuses by security forces leaves populations in Mozambique at imminent risk of mass atrocity crimes.

BACKGROUND

Since October 2017 an armed extremist group, known locally as "al-Shabaab" or Ahlu-Sunnah Wa-Jama (ASWJ), has engaged in a violent insurgency against the government of Mozambique in the northern province of Cabo Delgado. ASWJ, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, abductions, recruitment of child soldiers and destroying civilian infrastructure. An estimated 1,260 civilians have been killed and 210,000 displaced.

According to the Armed Conflict Location and Event Data Project, over 300 violent incidents have taken place in northern Mozambique so far this year, resulting in 560 civilians killed and more than 50,000 displaced. On 11 August, following several days of clashes with government security forces, ASWJ took control of the port city Mocimboa da Praia. In response, the security forces sent reinforcements to seize back control of the city. Mocimboa da Praia is a strategic site due to its proximity to recently discovered offshore gas fields. The seizure of the city disrupted several natural gas projects valued at \$60 billion.

While ASWJ combatants have been the main perpetrators of violence against civilians, government forces have also been implicated in grave violations and abuses, including arbitrary arrests of individuals suspected of affiliation with ASWJ. On 9 September Amnesty International verified video footage of security forces engaging in the torture and abuse of prisoners,

the dismemberment of alleged ASWJ fighters, possible extrajudicial executions, and the transport and disposing of corpses into apparent mass graves. Some activists and journalists have also faced intimidation and harassment.

Mozambique has a past history of atrocities stemming from its 1976-1992 civil war, during which approximately one million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, Mozambican National Resistance (RENAMO), who carried out massacres of civilians and systematically killed teachers and health workers. The armed forces of the ruling Front for the Liberation of Mozambique (FRELIMO) were also responsible for war crimes. A peace agreement was signed in 1992, but low-level conflict between the FRELIMO-led government and RENAMO resumed from 2013-2018. Despite a 2019 agreement, a breakaway group, the "Renamo Military Junta," continues to wage an insurgency.

ANALYSIS

Although ASWJ began as a small armed group in 2017, its willingness to perpetrate indiscriminate attacks on civilians increases the risk of atrocities in Cabo Delgado. Government forces have also been implicated in potential atrocities while targeting alleged insurgents. ASWJ has exploited popular discontent over widespread poverty in Mozambique, as well as allegations of government corruption, to recruit fighters.

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

INTERNATIONAL RESPONSE

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

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

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

NECESSARY ACTION

Security forces should ensure the protection of civilians and IDPs in Cabo Delgado and ensure all operations against ASWJ are carried out with strict adherence to international law. The government should also welcome external support from the AU, SADC, the UN and neighboring states as it attempts to combat ASWJ.

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.



330,000 Burundian refugees are still in neighboring countries

BURUNDI

State-led repression and persecution leaves populations in Burundi at risk of crimes against humanity.

BACKGROUND

Burundi has endured a protracted political crisis since late President Pierre Nkurunziza announced that he would seek a third presidential term in 2015. A failed coup and subsequent widespread protests and violence between 2015–2017 resulted in more than 1,200 people killed and 10,000 arbitrarily detained. Since then the government of the ruling party, Conseil national pour la défense de la démocratie-Forces de défense de la démocratie (CNDD-FDD), together with its youth wing, the Imbonerakure, has persecuted alleged government opponents and civil society activists. The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed since April 2015, including extrajudicial killings and summary executions, disappearances, sexual violence, arbitrary detention and torture. More than 330,000 Burundian refugees remain in neighboring countries.

On 20 May 2020 Burundians voted for a new president, electing the CNDD-FDD candidate Évariste Ndayishimiye. In the lead up to the May elections, the government intensified its repression of alleged opponents, as well as journalists and human rights defenders. Such acts were primarily carried out by the Imbonerakure with members of the National Intelligence Service and police. Following the sudden death of President Nkurunziza on 8 June, Ndayishimiye was sworn in on 18 June.

During July 2020 the Col warned that despite the change in president, structural risk factors remain, including the governance system under the CNDD-FDD, the appointment to

senior government positions of individuals under international sanctions for serious human rights violations, and the refusal to release detained journalists and human rights defenders.

ANALYSIS

President Nkurunziza's third term was marked by increased authoritarianism and large-scale human rights violations and abuses by state agents and the Imbonerakure, including potential crimes against humanity. Nkurunziza's third term was also regarded by many as violating the 2000 Arusha Peace Agreement, which ended a civil war that claimed over 350,000 lives between 1993–2005.

While the election of President Ndayishimiye offers an opportunity to restore peace and stability to Burundi, no tangible progress in the human rights situation has been achieved so far. The new government has continued a pattern of open hostility towards UN mechanisms and institutions. The government has not held perpetrators of past crimes accountable or implemented structural reforms to address the root causes of atrocities and prevent their recurrence.

The government is failing to uphold its responsibility to protect all Burundians, regardless of ethnicity or political affiliation.

INTERNATIONAL RESPONSE

During October 2017 Burundi withdrew from the Rome Statute. Prior to withdrawal, the ICC opened an investigation into crimes committed in Burundi from April 2015 until October 2017.

On 30 September 2016 the HRC created the Col to investigate human rights violations and abuses in Burundi. The government openly threatened the Commissioners and ceased its cooperation with OHCHR. The new government has thus far refused to cooperate with the Col.

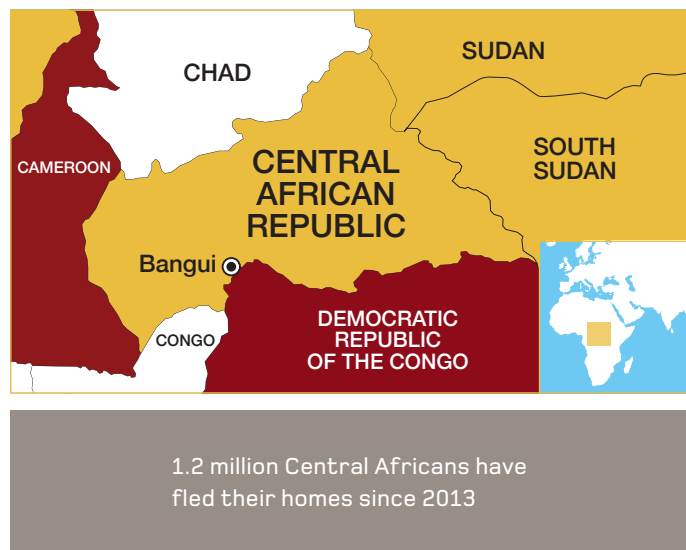
On 24 October 2019 the EU renewed travel bans and asset freezes on four Burundians for serious human rights violations and incitement to violence. On 16 January 2020 the European Parliament, referring to the findings of the Col, condemned ongoing violations of human rights in Burundi.

NECESSARY ACTION

The new government must end the violent targeting of its political opponents. It should also disarm and demobilize the Imbonerakure and engage in inclusive dialogue with civil society and opposition parties. The government should ensure credible investigations into all human rights violations and abuses since 2015 and ensure that perpetrators are held accountable, regardless of affiliation.

The East African Community, AU and UN should urge the government to end its policy of international isolation and commit to strengthening human rights protections, re-opening democratic space and reforming the judiciary and security sector.

During its September session, the HRC should renew the mandate of the Col.



CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

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

On 6 February 2019, under the auspices of the AU, the government and 14 armed groups signed a historic peace deal to bring an end to armed conflict. Despite this, some signatories continue to violate the agreement and/or have exploited the peace deal to consolidate their control over territory. During June 2020 one of the signatory armed groups, Retour, Réclamation, Réhabilitation (3R), suspended their participation in the agreement.

During April violent clashes erupted in N'délé between two factions of the Front Populaire pour la Renaissance de Centrafrique – a signatory to the 2019 agreement – resulting in at least 20 civilians killed. A hybrid judicial mechanism – the Special Criminal Court for CAR – is currently investigating possible atrocities committed during the clashes.

The crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian anti-balaka militias and the collapse of state institutions. OHCHR has reported that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. Most perpetrators have not been held accountable.

On 25 July Bozizé announced his candidacy for the upcoming December presidential elections despite being under UN sanctions and subject to a national arrest warrant for alleged crimes against humanity and incitement to commit genocide. During August some signatory armed groups prevented voter registration in several prefectures by threatening members of the National Electoral Authority.

More than 1.2 million Central Africans have fled their homes since 2013 and 2.6 million are in need of humanitarian assistance.

ANALYSIS

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

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

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

INTERNATIONAL RESPONSE

The UNSC has passed 13 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. On 15 November the UNSC extended the mandate of the UN peacekeeping mission in CAR for one year.

A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 13 individuals and 2 entities. On 28 July the UNSC extended the sanctions regime and arms embargo for one year. On 5 August the UNSC imposed sanctions on 3Rs' leader, Bi Sidi Souleymane (Sidiki Abass), for violating the peace agreement and threatening peace and security in CAR.

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

NECESSARY ACTION

The government should prioritize accountability for atrocity crimes and ongoing reconciliation efforts. Signatories to the

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



LIBYA

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

BACKGROUND

On 4 April 2019 Khalifa Haftar and his self-proclaimed Libyan National Army (now the Libyan Arab Armed Forces, or LAAF) launched an offensive to seize control of the country from the UN-backed Government of National Accord (GNA) based in Tripoli. At least 250,000 people have been displaced by the fighting and the UN Support Mission in Libya (UNSMIL) has reported at least 430 civilian casualties since July 2019. OCHA has also documented 25 attacks on healthcare since the start of 2020.

Following intense fighting, the GNA, with Turkish support, pushed the LAAF out of Tripoli on 4 June. On 11 June the GNA announced the discovery of mass graves in areas retaken from the LAAF and allied militias around the city of Tarhuna. The remains of 55 people have been exhumed from 11 mass graves.

Despite ongoing talks with the Libyan 5+5 Joint Military Commission (JMC) and international calls for a humanitarian ceasefire during the COVID-19 pandemic, fighting continues. Armed militias continue to commit extrajudicial killings, torture and abductions, and have indiscriminately attacked civilian areas. On 21 August the GNA announced a ceasefire, which was

welcomed by Haftar's international supporters, but denounced by the LAAF. The GNA has since reported LAAF attacks around Sirte and al-Jufra.

The UN Panel of Experts on Libya has detailed blatant violations of the UN arms embargo, highlighting that Chad, Jordan, Sudan, Turkey and the UAE have provided weapons, technical support or mercenaries to various parties to the conflict. To counter Turkey's assistance to the GNA, on 20 July the Egyptian Parliament voted in favor of deploying troops to aid the LAAF.

Militias also facilitate human trafficking and the enslavement of migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. The International Organization for Migration estimates that there are at least 600,000 migrants and asylum seekers in Libya, where many endure a range of abuses, including arbitrary detention, torture and sexual violence.

ANALYSIS

The current political crisis has its origins in the 2011 overthrow of the Libyan government by various rebel forces. Since 2011 the transitional governing bodies have failed to restore stability and the UN-facilitated peace process has faced continual obstacles. While the conflict has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances. The intervention of Turkey and Egypt could significantly escalate the conflict.

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

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

INTERNATIONAL RESPONSE

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

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

On 19 January, at a conference in Berlin, several states involved in the conflict committed to refrain from further interference in Libya. On 12 February the UNSC adopted Resolution 2510 endorsing the conclusions of the Berlin Conference and welcoming the 5+5 JMC.

On 22 June the HRC established a Fact-Finding Mission to Libya to investigate the human rights situation and document alleged abuses since 2016.

NECESSARY ACTION

The UNSC should impose targeted sanctions against all individuals and entities who actively seek to subvert the Libyan peace process. All armed groups need to uphold their obligations under IHL and cease military operations in heavily populated areas. All UN member states need to uphold the arms embargo.

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



NIGERIA

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

BACKGROUND

Since 2009 the armed extremist group, Boko Haram, has pursued a violent campaign aimed at overthrowing Nigeria's secular government. Over the past year Boko Haram and the so-called Islamic State West Africa (ISWA) have intensified their attacks in the north-east of Nigeria, killing hundreds of people. On 9 June at least 81 people were killed in an attack by suspected Boko Haram fighters in Borno State. On 18 August ISWA took hundreds of residents in Kukawa town in Borno State hostage, following a battle with the Nigerian military.

In an attempt to neutralize Boko Haram, the Nigerian government has increased its military operations since the start of 2020, reportedly killing hundreds of fighters. However, the military has also reportedly forcibly displaced entire villages in the north-east and arbitrarily detained individuals suspected of supporting armed extremist groups.

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

Conflict in Nigeria's "Middle Belt," often rooted in historical grievances between herders and farming communities, has also escalated in recent years. Clashes between herders and farmers left more than 1,300 people dead and displaced 300,000 across the country between January and June 2018. Hundreds of people were also killed in clashes in Kaduna, Nasarawa and Adamawa states between February and April 2019. On 13-14 April 2020 at least 25 people were killed in violence between the Shomo and Jole communities in Taraba State.

Since early 2019 increased armed banditry in Zamfara, Kaduna, Katsina, Sokoto and Niger states has displaced more than 160,000 people. Recent attacks have reportedly been carried out by suspected Fulani armed men against farmers from other ethnic and religious groups. Despite efforts by the security forces, "bandits" killed at least 70 people on 27 May in Sokoto State and 57 people on 9 June in Katsina State.

ANALYSIS

Although the regional Multinational Joint Task Force (MNJTF) has made significant progress in confronting Boko Haram and ISWA, civilians remain at risk of terrorist attacks and identity-based violence. Civilians also face the threat of human rights abuses during counter-terrorism operations by the security forces.

While the "Middle Belt" region has experienced recurring inter-communal violence for many years, growing desertification has exacerbated the situation. 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. Arms proliferation has helped make these conflicts more deadly.

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

INTERNATIONAL RESPONSE

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

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

NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence in the "Middle Belt" through

socio-economic initiatives and political reforms that tackle land rights and poor governance. The government should work with local civil society to ameliorate long-standing grievances between herding and settled communities. The government should also implement its “National Policy on Climate Change and Response Strategy” and accelerate initiatives in regions affected by drought and desertification.

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



SOUTH SUDAN

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

BACKGROUND

During September 2018 parties to the civil war signed the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), formally ending a conflict that started during December 2013. Despite severe delays, on 22 February a new Transitional Government of National Unity (TGoNU) was formed.

While the formation of the TGoNU provided an opportunity to address long-standing divisions, there has been an increase in inter-communal violence since the start of 2020, particularly in Jonglei State and the Greater Pibor Administrative Area. According to OHCHR, inter-communal clashes led to 658 civilian deaths, 592 abductions and 65 cases of sexual violence during the first quarter of 2020. On 16-17 May clashes between the Lou Nuer and Murle in 28 villages in Jonglei State resulted in at

least 300 people being killed. On 3 July at least 38 people, including five children, were killed during an attack by armed Murle youth in Duk County, Jonglei State.

In an attempt to end the rising inter-communal violence, the government launched a disarmament campaign across the country. However, at least 148 people were killed, including 85 civilians, in Tonj County, Warrap State, on 8-9 August when security forces clashed with local youths.

The TGoNU is attempting to overcome years of civil war. Between December 2013 and August 2015 an estimated 400,000 people were killed as the Sudan People's Liberation Army (SPLA) and armed rebels from the SPLA-In Opposition (SPLA-IO) perpetrated war crimes and crimes against humanity.

Although armed violence between government forces and non-state armed groups has reduced since the signing of the R-ARCSS, on 9 March the HRC-mandated Commission on Human Rights (CoHR) in South Sudan reported ongoing killing, torture, sexual violence, intentional starvation of civilians, displacement and enforced disappearances. Clashes between the South Sudan People's Defence Forces (formerly the SPLA) and rebel groups outside the R-ARCSS also continue.

Since December 2013 an estimated 4 million South Sudanese have been forced to flee their homes, with 2.2 million refugees still in neighboring countries.

ANALYSIS

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

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

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

The TGoNU is struggling to uphold its responsibility to protect.

INTERNATIONAL RESPONSE

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

On 11 June the EU expressed concern about the increase in violence and called upon the TGoNU to accelerate implementation

of the peace agreement. The UN High Commissioner for Human Rights and the CoHR have also expressed alarm over the escalation of inter-communal violence.

NECESSARY ACTION

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

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



SUDAN

Increased inter-communal violence in Sudan threatens the country's fragile democratic transition and leaves civilians at risk of a recurrence of atrocity crimes.

BACKGROUND

Inter-communal violence and militia attacks against civilian populations have been increasing in Sudan since the start of 2020, particularly in West and South Darfur. Disputes over land ownership and competition for scarce resources between herder and farming communities have provoked violent clashes that are often ethnically motivated, resulting in hundreds of people killed and tens of thousands displaced.

According to OCHA, at least seven violent events were reported in West Darfur from 19–26 July, leaving dozens of people killed or injured and several villages burned down. On 25 July at least 60 people from the ethnic Masalit community were killed when approximately 500 armed men attacked Masteri village. Earlier in January, clashes between Arab and Masalit communities

near El Geneina resulted in at least 70 people being killed and 40,000 displaced. Since the beginning of July, thousands of people in Darfur have organized demonstrations against the government's inability to provide adequate protection against ongoing attacks by armed groups.

On 31 August the transitional government and the leaders of the Sudan Revolutionary Front, a coalition of armed groups from Darfur, South Kordofan and Blue Nile, signed a peace agreement aimed at ending almost two decades of conflict and atrocities. The peace agreement also calls for the establishment of transitional justice mechanisms.

The rise in inter-communal violence started less than six months after the formation of a new joint military-civilian government in Sudan, the Sovereign Council. Following months of mass protests against his government, on 11 April 2019 the Sudanese military overthrew President Omar al-Bashir. During the mass demonstrations between December 2018 and August 2019, more than 200 people were killed and thousands arrested.

ANALYSIS

During his 30-year rule, Bashir and other government officials committed crimes against humanity, war crimes and genocide while fighting armed groups in South Kordofan, Blue Nile, Darfur and elsewhere. The peace agreement aims to bring an end to atrocities in Sudan and is as an opportunity to address the root causes of conflict. Despite recent violence in Darfur, the UNSC still plans to draw-down the AU-UN Hybrid Operation in Darfur (UNAMID), replacing it with an unarmed political mission (the UN Integrated Transition Assistance Mission in Sudan, or UNITAMS) that will be unable to provide physical protection to civilians.

Impunity continues for perpetrators of mass killings during the 2019 protests. Similarly, although Bashir has been convicted of corruption, he has not been held accountable for past atrocity crimes. At least one member of the Sovereign Council – Mohamed Hamdan “Hemedti” Dagolo – is also implicated in atrocities committed in Darfur, South Kordofan and Blue Nile.

Sustained international support is necessary to assist the Sovereign Council in upholding its responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has imposed an arms embargo on Darfur since 2004 and a travel ban and asset freeze against six individuals since 2006. Following a UNSC referral, the ICC has issued arrest warrants for three Sudanese government officials, including Bashir, and two anti-government militia leaders, for atrocities perpetrated in Darfur, including war crimes, crimes against humanity and genocide.

On 4 June the UNSC extended UNAMID's mandate until 31 December. The UNSC also established UNITAMS to assist the country in its transition to democracy.

On 17 October 2019 Sudan was elected to the HRC for the 2020–2022 term.

NECESSARY ACTION

The drawdown of UNAMID and the transition from peacekeeping to peacebuilding should be cautiously pursued by the UNSC while working in close cooperation with the transitional authorities in Sudan. The protection of civilians in Darfur and elsewhere should remain central to any UN-authorized mission.

The Sovereign Council, with the support of the UNSC and the international community, should actively support efforts to bring former President Bashir and other ICC indictees to justice.



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

VENEZUELA

Ongoing state-sanctioned persecution in Venezuela leaves populations at risk of potential crimes against humanity.

BACKGROUND

After President Nicolás Maduro took office during 2013, a catastrophic economic crisis resulted in hyper-inflation, food shortages and the collapse of essential services in Venezuela. Popular discontent with the government led to widespread protests, which the authorities have responded to with disproportionate force as well as the mobilization of pro-government groups, including so-called armed "colectivos." During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of crimes against humanity.

The political crisis escalated during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. Since then more than 50 countries, including many Latin American and European governments, have recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President instead, resulting in an ongoing political impasse.

In addition to the government's violent crackdown on protests, the Special Action Forces have been accused of widespread extrajudicial killings. According to the UN High Commissioner

for Human Rights, Michelle Bachelet, these killings are utilized to maintain social control and instill fear. The Venezuelan government has reported that 6,856 people were killed in "security operations" between January 2018 and June 2019 alone. OHCHR has also assessed reports of 1,324 individuals allegedly extrajudicially killed during security operations from January-May 2020.

High Commissioner Bachelet has also warned about increasing violence, arrests and public threats directed against opposition members, media, human rights defenders and military defectors. This includes patterns of arbitrary detention, as well as allegations of torture and sexual and gender-based violence. Systematic violations and abuses of human rights have intensified since the imposition of a "State of Alarm" in March in response to COVID-19, including the prosecution of government critics.

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

ANALYSIS

Despite international isolation, the Maduro government remains in control of key state institutions and the security forces. The government has utilized the COVID-19 pandemic to further empower the security forces to systematically persecute alleged opponents.

Widespread impunity has emboldened the security forces to continue perpetrating extrajudicial killings, torture and other crimes. Although the HRC established a Fact-Finding Mission on Venezuela, the government refuses to fully cooperate with OHCHR and other international human rights mechanisms.

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

INTERNATIONAL RESPONSE

Since November 2017 the EU has imposed asset freezes on 36 senior government officials. On 3 December 2019 a number of regional governments also imposed targeted sanctions on 29 senior officials. The US government has imposed extensive sanctions on President Maduro, his family and senior members of his government.

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

On 27 September 2019, under the leadership of the "Lima Group," the HRC adopted a resolution establishing the FFM, which is mandated to investigate extrajudicial executions, arbitrary detentions, torture and ill-treatment of detainees since 2014. Despite ongoing human rights violations and abuses,

on 17 October 2019 Venezuela was elected to the HRC for the 2020-2022 term.

NECESSARY ACTION

The government must end the systematic persecution of its opponents and ensure impartial investigations of all extrajudicial killings and other violations and abuses. The government should grant the FFM unrestricted access to the country and

fully cooperate with UN mechanisms, including OHCHR. The government and opposition should commit to renewed dialogue to ensure a peaceful solution to the political crisis.

The HRC should renew the mandate of the FFM during its 45th session. UN member states should continue to impose targeted sanctions on all senior government officials responsible for systematic violations and abuses of human rights.



**Global Centre for the
Responsibility to Protect**

**Ralph Bunche Institute for
International Studies**

The CUNY Graduate Center,
365 Fifth Avenue, Suite 5203,
New York, NY 10016, USA

Phone: (+1) 212.817.1929

www.globalr2p.org

Email: info@globalr2p.org

**R2P Monitor is a bimonthly publication of
the Global Centre for the Responsibility
to Protect (GCR2P).**

Executive Director

Simon Adams

Deputy Executive Director

Savita Pawnday

Publications Director

Jaclyn D. Streitfeld-Hall

Contributors

Christine Caldera, Sarah Hunter,
Nadira Kourt, Zoe Leung, Aidan
McGirr, Juliette Paauwe, Jahaan
Pittalwala, Elisabeth Pramendorfer

For more updates, join the more than
350,000 people who follow the Global
Centre on Facebook and Twitter



Subscribe to our publications, including the weekly
Atrocity Alert, on our website: globalr2p.org