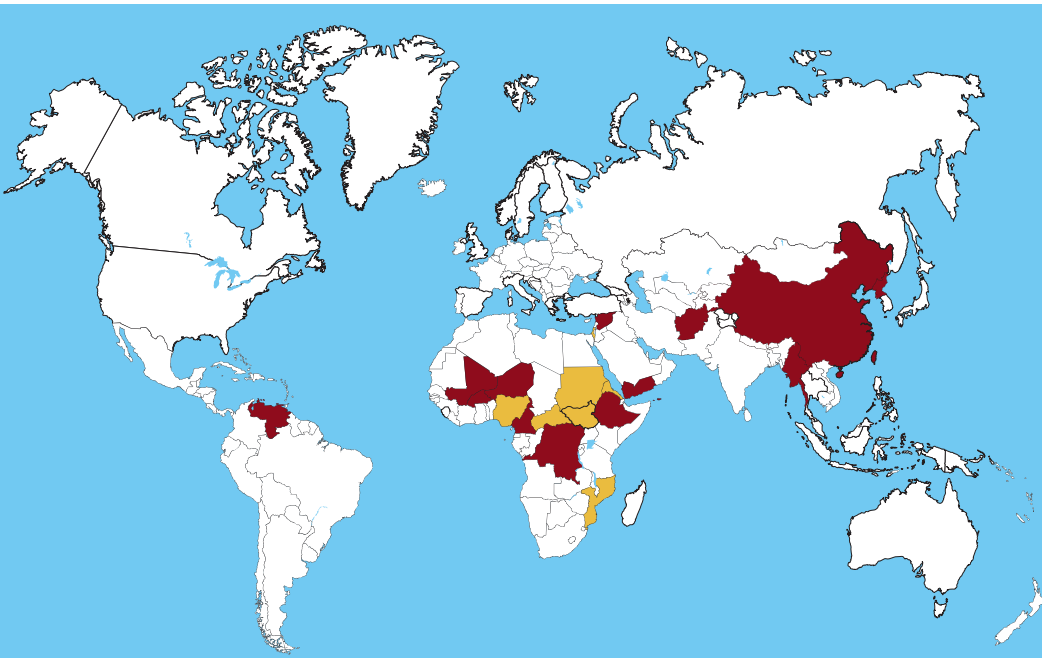


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Responsibility to Protect

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

Afghanistan {p. 2}
Cameroon {p. 3}
Central Sahel {p. 5}
China {p. 6}
DRC {p. 8}
Ethiopia {p. 9}
Myanmar (Burma) {p. 11}
Syria {p. 12}
Venezuela {p. 14}
Yemen {p. 15}

CAR {p. 17}
Mozambique {p. 18}
Nigeria {p. 19}
South Sudan {p. 20}
Sudan {p. 21}

*Updates for DPRK, Eritrea, and Israel and the Occupied Palestinian Territories are available on our website.

globalr2p.org

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



More than 10,000 civilians killed or injured each year between 2014–2019

AFGHANISTAN

Populations in Afghanistan remain at risk of mass atrocity crimes as the Taliban continues its armed conflict with the government. Other armed extremist groups also threaten 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. The UN Refugee Agency (UNHCR) also reported that 2.1 million people are internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

Despite the finalization of a peace agreement between the United States (US) and the Taliban on 29 February 2020, as well as the commencement of intra-Afghan talks on 12 September, the Taliban have continued their military campaign against the Afghan government. On 11 October the Taliban renewed their offensive in Lashkar Gar, Helmand province, forcing 35,000 civilians to flee. Since then, ongoing violence in Helmand, Kandahar, Kunduz and Uruzgan provinces has killed or maimed hundreds of civilians.

Rocket attacks and improvised explosive devices (IEDs) have frequently been used to target civil servants, journalists, human rights defenders and politicians, resulting in dozens of civilian casualties every week. The Taliban has been blamed for most of the attacks, although they deny responsibility. The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) have also claimed responsibility for attacks on media workers and other civilians.

According to the UN Assistance Mission in Afghanistan (UNAMA), 8,820 civilians were killed or injured in 2020, with children comprising 30 percent of all civilian casualties. UNAMA has attributed 45 percent of all civilian casualties in 2020 to the Taliban, 8 percent to ISIL-K and 22 percent to Afghan security forces.

Ongoing violence is preventing the delivery of health services to vulnerable communities amidst the COVID-19 pandemic. UNAMA has reported 12 deliberate attacks on healthcare personnel and facilities – eight by the Taliban and three by Afghan security forces – since the World Health Organization declared COVID-19 a global pandemic on 11 March 2020.

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

Civilians in Taliban-controlled areas suffer widespread human rights abuses, including the recruitment of child soldiers, torture 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 115 civilians were killed or maimed in attacks targeting places of worship in 2020. UNAMA also verified at least 18 attacks targeting religious leaders in 2020. ISIL-K has been implicated in many of these incidents and in other attacks targeting minority populations.

ANALYSIS

During nearly two decades of war the Taliban, government troops and some international forces have violated International Humanitarian Law (IHL). The US-Taliban agreement and the start of intra-Afghan talks are welcome steps towards ending the war, but Afghanistan remains one of the deadliest conflicts in the world for civilians. Civilian casualties have significantly escalated since the start of intra-Afghan talks last September.

The threat of further war crimes and crimes against humanity will remain until a comprehensive ceasefire is fully implemented and the protection of civilians is prioritized by all sides. Attacks targeting minority populations and human rights defenders will endure unless sustained action is taken to end impunity, improve security and enhance local governance.

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

INTERNATIONAL RESPONSE

Since 2011 the UN Security Council (UNSC) has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. On 10 March 2020 the UNSC unanimously adopted Resolution 2513, welcoming the US-Taliban agreement.

In line with the agreement's provisions, approximately 2,500 US troops remain in Afghanistan, with a deadline of 1 May 2021 for a complete withdrawal. However, NATO has warned that the Taliban must do more to meet the terms of the agreement ahead of the deadline. 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 sanctions on Chief Prosecutor Bensouda and the Head of the ICC's Jurisdiction, Complementarity and Cooperation Division, Phakiso Mochochoko, in retaliation for ICC staff investigating possible war crimes perpetrated by US troops and intelligence officials in Afghanistan. The UN Secretary-General, Office of the UN High Commissioner for Human Rights (OHCHR), over 30 UN independent human rights experts, and a cross-regional group of 67 states all expressed concern regarding this US policy.

On 6 November the Australian Inspector-General concluded a special inquiry into alleged war crimes perpetrated by Australian special forces in Afghanistan between 2009-2013. Potential prosecutions are pending.

NECESSARY ACTION

All parties to the conflict should help create an environment conducive for intra-Afghan negotiations by committing to a comprehensive ceasefire. Afghan security forces and all international military forces must ensure the protection of civilians and strictly adhere to IHL and International Human Rights Law (IHRL).

International forces should increase efforts to ensure the security of vulnerable ethnic and religious minorities. Intra-Afghan talks should include meaningful representation of women, ethnic and religious minorities and civil society. Avenues for justice and the rights of victims should also be prioritized. The international community should continue to pursue international justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator.



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

CAMEROON

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

Security forces have perpetrated extrajudicial killings, burned Anglophone villages and subjected individuals with alleged separatist ties to torture and ill-treatment. Security forces have also been accused of sexual and gender-based violence. Armed separatists have also perpetrated abuses, including kidnapping and killing civilians. Since 2016 at least 3,000 civilians and hundreds of members of the security forces have been killed in the Anglophone regions.

Separatists have banned government education and frequently attacked schools and teachers, resulting in 80 percent of schools in the two regions being closed or destroyed and 700,000 children forced out of school. Between 24 October and 4 November 2020 eight children were killed and eleven kidnapped during attacks on schools in the north-west and south-west regions.

Several attempts have been made to find a solution to the conflict. During 2019 Switzerland mediated peace talks in June, and President Paul Biya subsequently organized a national dialogue in October. On 3 February 2021 Cardinal Pietro Parolin, Secretary of State of the Vatican, concluded a visit to Cameroon

and announced the Catholic Church's readiness to facilitate a dialogue between the government and separatist groups.

Meanwhile, 12 people were killed and 100 buildings burned during inter-communal violence between 22–26 February in north-west Cameroon. The north-west region has a long history of inter-communal tension between the Muslim Mbororo/Fulani herders and Christian farming communities, particularly in the Bamenda Grassfields area. Armed separatist groups have also perpetrated attacks on Fulani communities, including kidnappings and cattle theft, forcing 12,000 people to flee and killing 250 since 2016. Fulani vigilante committees, established in response to increased attacks, have been accused of collaborating with the government's military operations against armed separatists.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that at least 705,800 people have been internally displaced in the north-west and south-west regions, while 63,200 have fled to Nigeria. According to OCHA, there are currently 4 million people in need of assistance. A significant increase in targeted attacks against aid workers during 2020 further restricted the delivery of vital humanitarian aid. Approximately 30 percent of health facilities are unable to operate due to insecurity.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. On 8 January at least 13 civilians, including 8 children, were killed after suspected Boko Haram fighters attacked the village of Mogozi. There have also been widespread allegations of the security forces perpetrating extrajudicial killings during military operations against the group.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone and Francophone civilians and may amount to war crimes and crimes against humanity. The 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 Anglophone and Francophone areas of Cameroon have been unified since 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west regions. What began as a political conflict in the Anglophone regions has now become a complex and deadly humanitarian crisis.

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 an Arrria Formula meeting on the crisis in Cameroon, its first and only meeting on the situation.

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 2020 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.

On 1 January 2021 the US Senate adopted Resolution 684 calling on the government of Cameroon and armed separatist groups to end all violence, respect human rights and pursue an inclusive dialogue to help resolve the conflict in the Anglophone regions.

NECESSARY ACTION

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

The government and armed separatists should declare a ceasefire as a prelude to peace talks. In order to work towards a negotiated 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, UNSC and African Union (AU) should support attempts by the Vatican to mediate a comprehensive ceasefire in the Anglophone regions.

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 assistance to Cameroon until its security forces have made demonstrable progress towards upholding the human rights of all Cameroonians. The AU and Economic Community of Central African States (ECCAS) should work with the government to prevent any further deterioration of the armed conflict. The UNSC should add the situation in Cameroon to its formal agenda.



Almost 7,000 people killed in attacks in Burkina Faso, Mali and Niger during 2020

CENTRAL SAHEL

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

BACKGROUND

Civilians across the Central Sahel are facing increased attacks by Islamist armed groups and state security forces, as well as inter-communal violence perpetrated by rival militias. Almost 7,000 people were killed during 2020, making it the deadliest year in the Central Sahel since the conflict began. In Burkina Faso and Mali, more civilians were killed by local militias and national security forces than by attacks by Islamist armed groups.

Violence and instability have been endemic in Mali since 2012 when Tuareg separatists and Islamist armed groups seized territory in the north following a military coup. Despite the presence of several international forces, including a UN peacekeeping mission (MINUSMA), the conflict in Mali has expanded from a separatist rebellion into inter-communal and extremist violence.

The International Commission of Inquiry (CoI) on Mali has reported that between 2012-2018 Islamist armed groups committed crimes against humanity and war crimes, including murder, torture, recruitment of children, maiming, rape and other forms of sexual violence, as well as attacks against humanitarian workers and MINUSMA. More than 130 MINUSMA peacekeepers have been killed since July 2013, including six since January 2021.

Since Islamist armed groups expanded their activities from northern to central Mali during 2015, violence has spilled into neighboring Burkina Faso and Niger. The porous tri-border area has facilitated the expansion of Islamist armed groups linked to al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL). The Africa Center for Strategic Studies has

recorded an almost sevenfold increase in violent incidents connected to these groups in the Central Sahel since 2017, with a 44 percent increase in attacks in 2020. On 2 January 2021 armed men, allegedly affiliated with an Islamist armed group, launched coordinated assaults on two villages in the Tillabéri region of Niger, killing at least 105 civilians, including 17 children. This massacre was one of the deadliest attacks in Niger's recent history.

Islamist armed groups have increased their attacks on civilian infrastructure, including places of worship, health centers and schools. These groups targeted state education across the Central Sahel, burning schools and threatening, abducting or killing teachers for using the secular state curriculum. UNHCR has warned of a sharp increase in grave human rights violations committed against children in Mali, including human trafficking, forced recruitment by armed groups, rape and being forced into sexual or domestic servitude. Armed groups have also used landmines and IEDs, indiscriminately killing and maiming civilians. From January–September 2020 IEDs killed 181 civilians in Mali.

In response to attacks by Islamist armed groups, counterterrorism operations by Sahelian security forces have led to grave human rights abuses against civilians. The CoI determined that the Malian defense and security forces committed war crimes, including targeted killings, rape and torture. According to MINUSMA, between June–December 2020 the Malian security forces were one of the leading perpetrators of extrajudicial, summary or arbitrary executions and enforced or involuntary disappearances. MINUSMA also reported that the security forces sometimes conducted "reprisal operations against civilian populations" accused of supporting Islamist groups. On 30 November Niger's National Human Rights Commission found that elements of the Nigerien Defense and Security Forces were responsible for the summary and extrajudicial execution of more than 70 unarmed civilians whose remains were discovered in six mass graves in Inatés, Tillabéri region.

Inter-communal violence between rival ethnic militias and "self-defense" groups is also rising across the Central Sahel. Violence in Mali 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, particularly in the Mopti and Ségou regions. During the second quarter of 2020 there was also increasing violence within the Dogon community. One armed group, Dan Nan Ambassagou, has carried out attacks against other community members who have participated in reconciliation efforts. In Burkina Faso, meanwhile, 89 percent of attacks by government-affiliated civilian security volunteers have targeted the Fulani community, killing dozens of civilians.

The Central Sahel is one of the fastest growing displacement crises in the world with approximately 1.7 million people displaced, including over 1 million children. A record 14.4 million people need humanitarian assistance, a 60 percent increase since January 2020.

ANALYSIS

While violent incidents along the tri-border area decreased from June–December 2020 – due in part to the rainy season, mediation initiatives and counterterrorism activities – militias, self-defense groups and security forces continue to target populations on the basis of their ethnic and/or religious identity. Islamist armed groups also target people's livelihoods, including destroying crops and food reserves.

Weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict across the Central Sahel. Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. The conflict in the Central Sahel has been exploited by Islamist armed groups who have targeted young Fulani men for recruitment. Violence and atrocities by Islamist armed groups continues to fuel ethnic tensions.

Despite support from international military forces, Sahelian security forces have been unable to adequately protect civilians in the vast regions of central Mali, northern and eastern Burkina Faso and western Niger. The Burkinabè government's "Volunteers for the Defence of the Homeland" law provides arms and training to civilian volunteers, but the proliferation of arms and militias has led to further violence.

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

INTERNATIONAL RESPONSE

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

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violating human rights, including recruiting child soldiers and attacking UN personnel. On 29 June 2020 the UNSC renewed MINUSMA's mandate for an additional year. The UNSC issued a Presidential Statement on 3 February 2021 that underscored the need for a holistic approach to address inter-communal violence in the region.

Operation Barkhane, a 5,100-member French force, has become the leading external counterterrorism operation in the Central Sahel. During July 2017 the G5 Sahel Joint Force was established using troops from Burkina Faso, Chad, Mali, Mauritania and Niger. On 12 June 2020 the G5 Sahel countries and France launched the International Coalition for the Sahel to coordinate responses to security, political and development issues in the region. During July 2020 a counterterrorism force composed of special forces from European Union (EU) countries was launched to supplement Operation Barkhane.

During January 2021 the G5 Sahel Joint Force launched the Civilian Casualties Identification, Tracking and Analysis Cell, in partnership with OHCHR and the Center for Civilians in Conflict,

and with funding by the EU, to enhance civilian harm mitigation practices.

NECESSARY ACTION

While countering violent extremism remains crucial for Burkina Faso, Mali and Niger, it is essential that all three governments and international forces ensure that their efforts do not further exacerbate inter-communal tensions and distrust in state authority. 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. Community-based dispute resolution mechanisms should also be supported.

The governments of the Central Sahel, with the support of MINUSMA, OHCHR and the UN Office on West Africa and the Sahel, should investigate all violations and abuses of IHL and IHRL and help restore confidence in state accountability. The governments of Burkina Faso, Mali and Niger should establish a special entity to investigate and prosecute international crimes.



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

CHINA

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

BACKGROUND

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

An estimated 1 million Uyghurs and other Muslim minorities have been detained in "re-education" or "de-extremification"

facilities without formal charges or due process. During September 2020 the Australian Strategic Policy Institute (ASPI) released a report that identified more than 380 suspected detention facilities in XUAR, including so-called “re-education” camps, detention centers and prisons, that have been built or expanded since 2017. On 2 February the BBC published evidence of widespread and systematic rape, sexual abuse and torture of ethnic minorities in detention facilities. An estimated 250,000 children under the age of 15 in XUAR have lost one or both parents to detention, with many placed in state-run orphanages or boarding schools.

During March 2020 ASPI reported that over 80,000 Uyghurs are also working under “conditions that strongly suggest forced labor,” with many transferred directly from detention camps to factories. Other reports have identified 135 detention facilities in Xinjiang that have on-site factories where detainees are reportedly forced to work. The factories are part of supply chains that allegedly provide goods for 82 global brands, including Apple, BMW, Nike and Samsung. On 14 December the Center for Global Policy published new evidence on coerced labor in Xinjiang’s cotton sector, where hundreds of thousands of ethnic Uyghurs and other minorities are forced to work. As Xinjiang produces 20 percent of the world’s cotton, the findings have grave implications for global supply chains.

The Chinese government is also conducting a campaign to forcibly reduce birth rates among Uyghurs and other Muslim populations in XUAR. According to investigations, the practice has been widespread since 2017 and includes forced abortions and sterilizations. Authorities have also engaged in the systematic destruction of Uyghur cultural heritage, including by demolishing shrines, cemeteries and pilgrimage sites. Approximately 16,000 mosques have been destroyed or damaged as a result of government policies.

Chinese authorities monitor the daily lives of almost all Uyghurs by collecting DNA during medical checkups, surveilling mobile and online communications, and installing a GPS tracking system on all vehicles. Data is used to profile individuals prior to sending them to “re-education” camps. The Associated Press published leaked information that demonstrates that the Chinese government focused on religious devotion as one of the main reasons for detention, including activities such as fasting, praying or regularly attending mosque.

These measures have been imposed in conjunction with increased restrictions on religious practice. In March 2017 XUAR authorities passed the “Regulation on De-extremification,” which prohibits a range of “extreme” behaviors, such as “abnormal” beards. Leaked government documents reveal that the crackdown in Xinjiang was a result of pressure from senior officials, including President Xi Jinping. The Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uyghur persecution and expanded the detention camps. Despite this, the Chinese government has denied genocide and persecution of the Uyghurs and banned media agencies, including the BBC, who have exposed abuses in Xinjiang.

ANALYSIS

Under customary international law and the Rome Statute of the ICC, the widespread or systematic persecution of Uyghurs and other Muslim minorities on religious, cultural, ethnic and gender grounds; the large-scale detention program; abuse of detainees; forced 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 intentionally perpetrating at least four acts prohibited under Article II of the Genocide Convention: “imposing measures intended to prevent births” within a targeted group; “causing serious bodily or mental harm to members of the group;” “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;” and “forcibly transferring children of the group to another group.”

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

INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested that China allow her office to carry out an independent assessment of reports of enforced disappearances and arbitrary detentions. On 26 June 2020 a group of 50 UN Special Procedure 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 6 October Germany delivered a statement to the UN General Assembly’s (UNGA) Third Committee on behalf of 39 governments, calling on China to allow independent observers “immediate, meaningful and unfettered access to Xinjiang” and refrain from arbitrarily detaining Uyghurs and other minorities.

On 12 January Canada and the United Kingdom (UK) announced a set of measures to prohibit products that profit from Uyghur forced labor from entering their countries. On 19 January the US became the first government to formally declare that China is committing genocide and crimes against humanity against the ethnic Uyghur population and members of other Muslim minority groups. This declaration followed numerous economic measures taken by the US government, including a 13 January decision to ban the import of all cotton and tomato products if they are produced in Xinjiang.

During February the parliaments of Canada and the Netherlands passed motions recognizing that China’s treatment of the Uyghur minority constitutes genocide. The Canadian Parliament adopted an amendment asking Canada to urge the International Olympic Committee to move the 2022 Winter Olympics from Beijing if China continues its repression of the Uyghurs.

During the 46th regular session of the HRC several governments condemned China’s treatment of ethnic minorities in Xinjiang.

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 must end the enforced separation of Uyghur children from their families, stop the practice of forcibly preventing births, and cease the deliberate destruction of Uyghur cultural heritage.

The Chinese government should grant unfettered access to OHCHR. 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, the Organization of Islamic Cooperation, Muslim-majority countries and neighboring states should urge China to respect the rights of minorities and cease their persecution of the Uyghur population. All UN member states should ban imports of products produced with forced labor in Xinjiang.



5.2 million people
internally displaced

At least 120 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. More than 120 militias and armed groups are currently active in the eastern DRC.

According to the UN Joint Human Rights Office (UNJHRO) in the DRC, during 2020 an estimated 2,487 civilians were killed by armed groups in North Kivu, South Kivu, Tanganyika and Ituri provinces. The majority of victims were in Ituri and North Kivu provinces, where inter-communal violence, as well as fighting between the FARDC and ethnic militias, have escalated. According to UNHCR, over 5.2 million Congolese are currently internally displaced, including an estimated 3 million children, while more than 934,000 refugees have fled to neighboring countries, making it the largest displacement crisis in Africa.

In North Kivu attacks by the Allied Democratic Forces (ADF) armed group, which has been perpetrating atrocities in the Beni region for more than six years, escalated after the FARDC launched an offensive against them in October 2019. Since then, the ADF has carried out retaliatory violence against villages near Beni, as well as in Ituri province, killing nearly 850 civilians and kidnapping 534 during 2020. UNJHRO has reported that attacks by the ADF have been “systematic and brutal” and may amount to crimes against humanity and war crimes. The group has continued to target civilians during 2021, killing more than 50 people during the first two weeks of February alone.

Elsewhere in North Kivu fighting between factions of the Nduma Defense of Congo-Rénové (NDC-R) has displaced more than 40,000 people since July. NDC-R fighters have been implicated in killings, rape, child recruitment and torture of civilians in territories they control. The leader of one NDC-R faction, Guidon Shimiray Mwissa, is wanted by the DRC authorities for perpetrating crimes against humanity. The NDC’s former leader, Ntabo Ntaberi “Sheka,” was sentenced to life imprisonment by a military court on 23 November 2020 for war crimes and crimes against humanity previously perpetrated by the group.

UNHCR and the UN Children’s Fund (UNICEF) have warned that atrocities in North Kivu are putting internally displaced persons (IDPs) and children at particular risk. According to UNHCR, between December 2020 and January 2021, armed groups committed at least seven incursions into five sites for displaced populations in North Kivu. Some armed groups have also forcibly occupied schools and attacked health centers in North Kivu. During the first half of 2020 UNICEF registered a 16 percent increase in grave violations against children, including recruitment into armed groups and sexual violence.

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 inter-communal tensions, is straining the capacity of the FARDC and MONUSCO to provide adequate protection to civilians.

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias,

groups like the ADF have a history of violent reprisals targeting civilians. The FARDC and police have also been implicated in widespread violations of IHL and IHRL, including arbitrarily killing civilians, while combatting armed groups.

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

INTERNATIONAL RESPONSE

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

On 18 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 must be independently investigated and the perpetrators punished.

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 needs to implement a credible disarmament, demobilization, reintegration and repatriation program to encourage the ADF and other armed groups to lay down their arms.

Neighboring states should continue to uphold the PSC Framework and provide assistance in confronting armed groups.



2.2 million people displaced by fighting in Tigray since 4 November 2020

ETHIOPIA

Parties to the conflict in the Tigray region have perpetrated possible crimes against humanity and war crimes. Populations across Ethiopia are also at risk as a result of a surge in ethnically motivated attacks.

BACKGROUND

On 4 November 2020, following months of escalating political tensions, the federal government of Ethiopia launched a military offensive against the Tigray People's Liberation Front (TPLF) in the Tigray region. Since then, thousands of people have been killed and at least 2.2 million have been displaced by the fighting, including over 61,000 who fled to Sudan. Despite a communications blackout, reports have surfaced of violations of IHL and IHRL, including ethnic-based killings, forced recruitment to armed groups, widespread sexual violence and forced displacement. Numerous cultural heritage sites have also reportedly been damaged and looted. Preliminary analysis by OHCHR indicated that the Ethiopian National Defense Forces, the TPLF, Eritrean armed forces, and Amhara Regional Forces and affiliated militias may have committed abuses that amount to war crimes and crimes against humanity.

Despite the Ethiopian government declaring an official end to the conflict in Tigray on 28 November, satellite images analyzed by DX Open Network appear to reveal the intentional razing and ongoing destruction of rural communities in Tigray as recently as 23 February. In a 21 January statement the UN Special Representative on Sexual Violence in Conflict detailed ongoing reports of sexual violence, including individuals allegedly forced to rape members of their own family.

According to a report by the Ethiopian Human Rights Commission (EHRC), on 9 November over 600 ethnic Amhara men were massacred in the town of Mai-Kadra in the South West Zone of Tigray by local ethnic Tigrayan forces in what the EHRC classified as war crimes and crimes against humanity. Ethiopian refugees in Sudan have also reported similar massacres of Tigrayans by Amhara Regional Forces and allied militias in Mai-Kadra, Humera

and surrounding areas. According to an internal US government report leaked to The New York Times, ethnic Amhara militias allied with the federal government have undertaken a campaign to forcibly displace the Tigrayan population, “deliberately and efficiently rendering Western Tigray ethnically homogeneous.”

During February fresh reports detailed massacres by Eritrean forces in Aksum and Dengelat. At least 800 people were massacred around Aksum in late November, including civilians sheltering in St. Mary of Zion church. In Dengelat civilians were massacred between 30 November and 2 December 2020, including at Maryam Dengelat church where Eritrean forces opened fire on congregants.

Delivery of aid continues to be impeded, leaving 4.5 million people in need of emergency food supplies. According to the Ethiopian Red Cross, as of 10 February an estimated 80 percent of Tigray was cut off from aid. Half of the region’s hospitals are also inaccessible, looted or destroyed. Two camps hosting Eritrean refugees, Hitsats and Shimelba, were destroyed during January.

Since 2018 ethnically motivated attacks have also been on the rise throughout Ethiopia, displacing at least 1.8 million people. Attacks in Southern Nations, Nationalities and People’s region, Benishangul-Gumuz, and Oromia alone have killed over 600 people and displaced over 200,000 since September 2020. In Oromia the security forces and the Oromo Liberation Army armed group have both committed alleged extrajudicial killings, enforced disappearances and attacks on civilians.

ANALYSIS

The violence in Tigray is a result of unresolved political tensions. The TPLF controlled Ethiopia’s government for 27 years until a mass protest movement eventually led to the appointment of Prime Minister Abiy Ahmed in 2018.

The country’s federalist system has resulted in widespread allegations of ethnic favoritism, with many groups feeling marginalized by the central government. A history of dictatorship and past human rights abuses carried out by security forces has also left many Ethiopians deeply distrustful of state power.

The federal government has struggled to protect civilians from the recent surge in targeted ethnic attacks. Abuses perpetrated by federal troops and their allies in Tigray, including widespread sexual violence, ethnic-based killings, and the destruction of refugee camps and cultural heritage sites, may amount to war crimes and crimes against humanity.

The Ethiopian federal government bears responsibility for the commission of alleged war crimes and crimes against humanity in Tigray. The government has failed to uphold their responsibility to protect all populations in Ethiopia, regardless of ethnicity or affiliation.

INTERNATIONAL RESPONSE

Since 4 November 2020 the UN, Intergovernmental Authority on Development (IGAD) and AU have condemned the violence in Tigray and called for a military de-escalation. The US, EU and others have also called for the immediate withdrawal of Eritrean troops from Tigray. The EU has withheld 88 million Euros in budgetary aid to Ethiopia due to the human rights situation in Tigray.

On 13 November the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect released a statement urging Ethiopian authorities to protect their population from further violence, emphasizing that the threat of atrocity crimes remains high. On 5 February the Special Adviser on the Prevention of Genocide released another statement calling for accountability for reported abuses in Tigray.

On 21 November the AU appointed three high-level envoys to broker peace in Tigray. On 27 November the envoys visited Addis Ababa where Prime Minister Abiy rejected their entreaties.

On 26 February Germany delivered a joint statement to the HRC on behalf of 42 member states calling on the Ethiopian government to hold perpetrators of human rights violations accountable.

On 4 March the UN High Commissioner for Human Rights called on the government of Ethiopia to grant access to independent monitors “to establish the facts and contribute to accountability, regardless of the affiliation of perpetrator.”

NECESSARY ACTION

All parties operating in Tigray must ensure ongoing military operations are conducted in strict adherence with international law and ensure the protection of civilians. The federal government must allow unfettered delivery of humanitarian aid to vulnerable populations. Refugees and other displaced persons must also be protected, in keeping with international law.

All potential war crimes and crimes against humanity in Ethiopia must be thoroughly investigated and the perpetrators held accountable, regardless of rank or affiliation.



More than 130 people have been killed and over 2,000 arrested since the 1 February coup

MYANMAR (BURMA)

Populations in Myanmar are facing crimes against humanity perpetrated by the military following the 1 February coup.

BACKGROUND

On 1 February Myanmar's military, headed by Commander-in-Chief Min Aung Hlaing, overthrew the civilian-led government and declared a state of emergency. The coup was launched in response to the decisive victory of the National League for Democracy (NLD) in the November 2020 elections, where military-backed candidates were comprehensively defeated. The situation in the country remains extremely volatile, with troops deployed in all major cities and daily large-scale protests across the country.

The security forces have recklessly used tear gas, water cannon, rubber bullets, stun grenades and live ammunition against protesters, killing over 130 people since the military takeover. Overnight raids on the homes of activists, as well as beatings and arrests, have been widespread. At least three political detainees have already died in custody. On 11 March the UN Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, said that abuses committed by the military since the coup may amount to crimes against humanity.

According to the Assistance Association of Political Prisoners, more than 2,000 people have been arrested, charged or sentenced since 1 February. On 14 February the military-installed State Administrative Council amended Myanmar's laws to guarantee impunity for military leaders and increase prison sentences for inciting hatred of the military.

Myanmar's armed forces – also known as the Tatmadaw – previously ruled the country from 1962–2011, overseeing the violent repression of the democracy movement and waging war against several ethnic armed groups. Despite the beginning of a transition to civilian rule in 2011, the military retained control of significant ministries, maintained 25 percent of seats in parliament, and controlled large sections of the economy.

Although the NLD won the 2015 elections, enabling Aung San Suu Kyi to become de facto head of the government, the Tatmadaw continued to commit atrocities.

In 2018 the HRC-mandated Fact-Finding Mission (FFM) on Myanmar concluded that senior members of the military, including General Min Aung Hlaing, should be prosecuted for genocide against the Rohingya as well as for crimes against humanity and war crimes in Kachin, Rakhine and Shan states. The FFM also asserted in 2019 that Myanmar breached its obligations under the Genocide Convention and “continues to harbor genocidal intent” toward the Rohingya.

The majority of Myanmar's Rohingya population were forced to flee the country after the military launched “clearance operations” in Rakhine State on 25 August 2017, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. The estimated 600,000 Rohingya who remain in Rakhine State are still subject to severe restrictions on their freedom of movement and other basic rights. Myanmar's 1982 Citizenship Law rendered most of the Rohingya population stateless.

Between November 2018 to November 2020 the military engaged in an armed conflict with the Arakan Army, an armed group seeking self-determination for the ethnic Rakhine population. A temporary ceasefire is currently in place. During the two-year conflict, Myanmar's security forces shelled villages, blocked food supplies and arbitrarily detained civilians. The UN High Commissioner for Human Rights, Michelle Bachelet, has said that attacks on civilians in Rakhine and Chin states may amount to war crimes and crimes against humanity.

ANALYSIS

Impunity for atrocities has previously enabled the security forces to commit widespread and systematic human rights violations and abuses against civilians, particularly those from ethnic minority populations. Anti-coup protests are unlikely to subside and the risk of further violence by the security forces remains extremely high. The widespread and systematic use of deadly force against unarmed protesters may constitute crimes against humanity under international law.

The coup also complicates the prospects for a safe, dignified and voluntary repatriation of Rohingya refugees from Bangladesh. Given its past history and public declarations, the military regime is unlikely to address the denial of citizenship for the Rohingya and accountability for past atrocities.

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

INTERNATIONAL RESPONSE

The only formal response by the UNSC to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017 that stressed the “primary responsibility of the

Myanmar government to protect its population.” On 4 February 2021 the UNSC issued a Press Statement in response to the coup. On 10 March the UNSC adopted a Presidential Statement that “stresses the need to uphold democratic institutions and processes, refrain from violence, fully respect human rights and fundamental freedoms.”

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

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

On 11 November 2019 The Gambia filed a lawsuit at the International Court of Justice (ICJ), accusing Myanmar of violating its obligations under the Genocide Convention. On 23 January 2020 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.

Since the 1 February coup, Canada, UK and US have imposed targeted sanctions on some senior military officials. The UK has also launched an enhanced due diligence process to “mitigate the risk of military businesses operating in the UK” and suspended all trade promotion with Myanmar. The US has also implemented restrictions on any exports that could be put to military use. On 4 March the EU suspended all development aid to Myanmar to avoid providing financial assistance to the military. On 12 March the Republic of Korea restricted military exports and suspended bilateral defense exchanges with Myanmar.

On 12 February the HRC held a Special Session on the Myanmar crisis and adopted a resolution calling for “the immediate and unconditional release of all persons arbitrarily detained.”

On 25 February the World Bank halted all withdrawal requests by Myanmar.

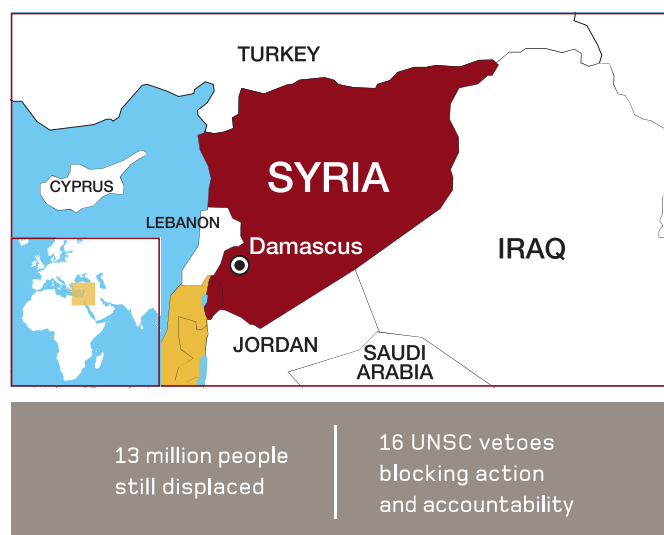
NECESSARY ACTION

The UNSC should immediately impose a comprehensive arms embargo on Myanmar and sanction senior military officials, including General Min Aung Hlaing. All UN member states and regional organizations should take urgent measures in response to the reimposition of military rule. The military regime should not be diplomatically recognized as the legitimate representatives of Myanmar.

Foreign companies should immediately divest and sever ties with businesses linked to Myanmar’s military rulers, including the

military-controlled conglomerates Myanmar Economic Holdings and Myanmar Economic Corporation.

General Min Aung Hlaing and other senior coup leaders who bear responsibility for crimes against humanity, war crimes and genocide should face international justice.



SYRIA

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

BACKGROUND

After a decade of fighting in Syria, various parties to the conflict continue to perpetrate serious violations and abuses of international law, with the Syrian government remaining the primary perpetrator. Over the past six months the conflict has shifted away from large-scale military hostilities, with various parties now consolidating their control over civilian populations. Despite the decrease in fighting, civilians continue to endure grave human rights violations and abuses.

In northern Syria Turkish-backed armed groups, such as the Syrian National Army (SNA), have perpetrated torture, sexual violence, systematic looting and arbitrary detention of civilians. Clashes in Ain Issa between the SNA and the Kurdish Syrian Democratic Forces (SDF) escalated during December, causing 10,000 civilians to flee. Meanwhile, clashes between non-state armed groups and Syrian government and Russian forces, are ongoing in Idlib, where civilians and humanitarian workers also face arbitrary detention and extrajudicial killings by Hayat Tahrir al-Sham and other groups. Northern Syria has also seen an increase in the use of IEDs, resulting in over 600 civilians killed or injured during 2020.

Meanwhile, in southern Syria clashes continue between government forces and armed opposition groups with indiscriminate attacks causing scores of civilian casualties.

Syrian government forces have regained control over much of the south and continue to commit murder, torture and sexual violence as a matter of state policy. The government is also imposing arbitrary restrictions on freedom of movement and depriving individuals of their property in areas previously held by the opposition, which the HRC-mandated Col on Syria has asserted may amount to the war crime of collective punishment.

ISIL has continued to carry out attacks in Deir Ezzour, Hasakeh, Badiya Al-Sham and Resafa. At least 58,000 children of alleged ISIL fighters from 57 countries remain trapped in squalid detention camps run by the SDF in northeastern Syria.

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. The Col has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. 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 remain in need of humanitarian assistance.

ANALYSIS

For the past decade the government of Syria, its allies and armed opposition groups have all perpetrated attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict have committed acts that may amount to war crimes and crimes against humanity and continue to perpetrate violations of IHL and IHRL.

As various armed groups attempt to consolidate their control over territory in a fragmented Syria, civilians continue to face indiscriminate attacks and systematic human rights violations. The Syrian government and other parties to the conflict continue to perpetrate detention and disappearance as a strategy to control and intimidate civilians. The fragility of the current ceasefire agreements, particularly in the northwest, increases the risk of a recurrence of large-scale conflict.

The grave situation across Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from international accountability measures.

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 censured 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.

On 21 December 2016 the UNGA voted to establish an International, Impartial and Independent Mechanism to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have also initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction. The first conviction of a member of President Bashar al-Assad's intelligence services for complicity in crimes against humanity was delivered in Germany on 24 February 2021.

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

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

NECESSARY ACTION

All parties must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and establish a timetable for the release of all detainees and abductees. All 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.

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. Ten years after the conflict first began, the UNSC should refer the situation in Syria to the ICC and ensure that atrocity crimes do not continue with impunity.



Over 8,200 people reportedly killed in "security operations" between January 2018 and May 2020

VENEZUELA

Ongoing state-sanctioned persecution in Venezuela amounts to crimes against humanity.

BACKGROUND

Since 2014 Venezuelan security and intelligence forces have been accused of widespread torture, sexual and gender-based violence, arbitrary detention and short-term enforced disappearances in an attempt to silence political dissent. State agents, including the Special Action Forces (FAES), have also allegedly perpetrated thousands of extrajudicial killings. According to reports by the UN High Commissioner for Human Rights, an estimated 8,200 individuals were killed in "security operations" between January 2018 and May 2020 alone. The HRC-mandated FFM on Venezuela has also reported that more than 200 people have been killed by police forces since January.

On 16 September 2020 the FFM warned that patterns of violations and abuses over the past six years have been ordered and authorized at the highest level of government, committed as part of a "widespread and systematic attack" against the civilian population and may amount to crimes against humanity. The Chief Prosecutor of the ICC presented a report on 14 December asserting that there are reasonable grounds to believe that civilian authorities, members of the armed forces and pro-government individuals have committed crimes against humanity since at least April 2017.

On 2 December the General Secretariat of the Organization of American States released a report reaffirming the FFM's findings while noting that crimes against humanity have "increased in scale, scope and severity." Security operations continue, and at least 14 people were killed in the La Vega neighborhood of Caracas between 7-9 January. Since November 2020 the government has also intensified its systematic persecution and harassment of human rights activists, humanitarian organizations and independent media.

The ongoing crisis in Venezuela began after a catastrophic economic crisis resulted in hyper-inflation and the collapse of essential services during President Nicolás Maduro's first term. Popular discontent with the government led to the launch of mass protests in 2014, which the authorities responded to with disproportionate force. The political crisis escalated further during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. More than 50 countries recognized the then leader of the National Assembly, Juan Guaidó, as "caretaker" President instead. However, the Maduro government remained in control of key state institutions and allied parties regained control of the National Assembly during December 2020.

Approximately 5.5 million people have left Venezuela since 2014. According to OCHA, an estimated 7 million people in Venezuela are in need of urgent humanitarian assistance.

ANALYSIS

Widespread impunity has emboldened state agents to continue perpetrating extrajudicial killings, torture and other crimes. Structural factors that facilitated the commission of possible crimes against humanity in the past remain in place. Extrajudicial killings appear to be part of a systematic strategy to combat crime and reinforce political and social control.

The government refuses to fully cooperate with the FFM and other human rights mechanisms. The ongoing deadlock between the government and divided opposition parties risks further instability.

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 55 senior government officials. The US government has imposed extensive targeted sanctions against the government, as well as broader sanctions that have exacerbated the humanitarian crisis.

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

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

NECESSARY ACTION

Venezuelan authorities must end the systematic persecution of civil society and their political opponents. The government should also dissolve the FAES and ensure impartial investigations of all serious violations and abuses of human rights. The government

should grant the FFM unrestricted access to the country and fully cooperate with all UN mechanisms.

States should continue to impose targeted sanctions on officials responsible for systematic violations and abuses of human rights, but lift all measures that may further limit the population's access to basic goods and services.

In the absence of domestic accountability mechanisms, other states should consider taking legal action, including under universal jurisdiction, against those responsible for extrajudicial killings, torture and other possible crimes against humanity.



18,500+ civilians killed or maimed in coalition airstrikes since March 2015

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

For almost six years civilians in Yemen have suffered from ongoing war crimes and crimes against humanity perpetrated by parties to the conflict. Fighting between Houthi rebels, the Southern Transitional Council (STC), members of the General People's Congress, and forces loyal to the internationally recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has resulted in the deaths of thousands of civilians since March 2015. The conflict has displaced at least 3.6 million people and created the world's largest humanitarian crisis.

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, with at least 47 active frontlines across the country. Over 2,000 civilians were killed or maimed in 2020 according to the Civilian Impact Monitoring Project, with children accounting for one quarter of all civilian casualties. According to OCHA, September saw the highest number of casualties, as civilian infrastructure – including markets, schools and farms – were hit by missiles and artillery. Since then, hostilities

in Hodeidah, Taizz, and Sa'adah have increased, and Houthis renewed offensives in Marib and Al-Jawf governorates. At least 150,000 civilians were displaced during 2020, including over 90,000 who fled violence in Marib.

The coalition carried out more than 1,000 air raids during escalations in Sana'a, Marib and Al-Jawf governorates in the first half of 2020, reversing a downward trend observed from 2017 to 2019. Air raids killed approximately 212 civilians in 2020, bringing the total number of civilians killed or maimed as a result of coalition airstrikes to over 18,500 since 2015. During their 45-day "ceasefire" from 9 April to 23 May, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. Forty-five percent of all civilian casualties from coalition airstrikes in 2020 were children.

Since its first report in 2018, the HRC-mandated Group of Eminent Experts (GEE) on Yemen has consistently documented violations and abuses of international law perpetrated by parties to the conflict that may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention, and sexual and gender-based violence. The GEE alleges that Canada, France, Iran, UK and US may be complicit in these violations due to their provision of military intelligence, arms and logistical support to some parties to the conflict.

The UNSC-mandated Panel of Experts on Yemen has reported since 2015 that arbitrary arrests, enforced disappearances, ill-treatment and torture of detainees have been conducted by the governments of Yemen and Saudi Arabia, as well as the Houthis, STC and forces affiliated with the UAE. The Panel has also warned of ongoing arrests of humanitarian workers in Houthi-controlled areas in the north.

More than 24 million Yemenis need humanitarian assistance and 10 million are facing acute food insecurity. The GEE has reported that parties to the conflict may have used starvation of civilians as a military tactic. The distribution of essential vaccines and other humanitarian aid has been systematically blocked by parties to the conflict, particularly the Houthis.

ANALYSIS

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

Although parties to the conflict signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, they continue to perpetrate widespread violations of IHL and IHRL. The protracted conflict has been characterized by fragmenting coalitions and a multitude of fronts, as well as a climate of impunity that enables ongoing crimes. Hostilities have escalated over the past year with increased coalition air raids, ground offensives and atrocity crimes, including indiscriminate attacks on civilian areas. The recent Houthi offensive in Marib puts hundreds of thousands of IDPs at risk.

The dire humanitarian situation is a direct result of the armed conflict and requires a political solution. Escalating violence in Hodeidah and other governorates not only threatens the viability of the ceasefire but also the delivery of life-saving aid to millions of vulnerable Yemenis. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen confronts the COVID-19 pandemic.

All parties to the conflict in Yemen 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 a resolution endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team. The UNSC has not passed any substantive resolution related to the situation in Yemen since then. On 14 July 2020 the UNSC renewed the mandate of the UN Mission to support the Hodeidah Agreement for one year.

In its September 2020 report, the GEE recommended that the UNSC refer the situation in Yemen to the ICC and expand the list of persons subject to sanctions. The UN Panel of Experts has also recommended that the UNSC explore mechanisms for justice and accountability for violations of international law.

On 25 October 2019 the European Parliament called on all EU member states to halt weapons exports to Saudi Arabia.

On 12 February 2020 complaints were filed under the principle of universal jurisdiction in Turkey, UK and US to indict senior UAE officials on charges of war crimes and torture in relation to acts committed in Yemen.

On 4 February 2021 the US government announced an end to its support for the Saudi/UAE-led coalition's offensive operations in Yemen.

NECESSARY ACTION

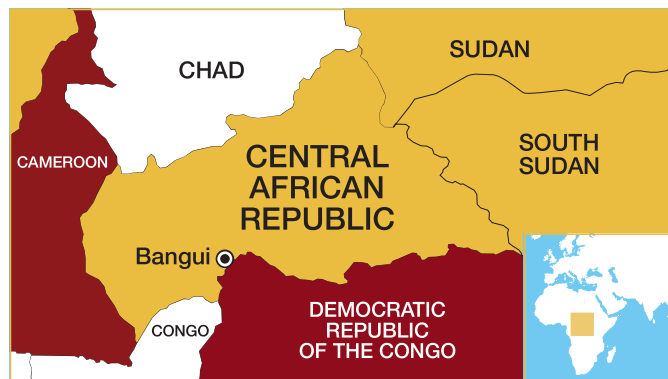
All parties to the conflict should fully implement the terms of the Stockholm Agreement and extend the Hodeidah ceasefire to all conflict-affected governorates. The government of Yemen should allow access to the GEE, as well as representatives from OHCHR, and ensure that all potential war crimes and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

The distinction between military and civilian targets is central to IHL and must be adhered to at all times. In keeping with the Arms Trade Treaty, all UN member states should immediately halt the sale of weapons to parties to the conflict who routinely violate IHL, including Saudi Arabia and the UAE.

The UNSC should adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance. The UNSC should refer the situation in Yemen to the ICC.

SERIOUS CONCERN

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



1.3 million Central Africans have fled their homes since 2013

CENTRAL AFRICAN REPUBLIC

Ongoing violence by armed groups leaves populations in the Central African Republic at risk of atrocity crimes.

BACKGROUND

Despite the end of the 2013–2015 armed conflict in the Central African Republic (CAR), violence by predatory armed groups – including factions of the ex-Séléka rebel alliance and anti-balaka militias – continues to threaten populations throughout the country. Although the government and 14 armed groups signed a peace deal on 6 February 2019, some signatories continue to violate the agreement and have consolidated their control over territory.

Tensions in CAR rose ahead of the country's 27 December 2020 general elections as an alliance of six anti-balaka and ex-Séléka armed groups, known as the Coalition of Patriots for Change (CPC), launched a series of attacks across the country to disrupt the elections. During December the Human Rights Division of the UN peacekeeping mission in CAR (MINUSCA) documented numerous violations and abuses of human rights and international law, with armed groups party to the peace agreement, including members of the CPC, responsible for 90 percent of incidents.

During January the CPC seized several towns, blocked the country's primary trade route and attacked the outskirts of the capital, Bangui. The violence prompted the government to impose a state of emergency during January. However, soldiers from the Armed Forces of CAR (FACA) have reportedly utilized disproportionate and excessive force to enforce the curfew, resulting in civilian casualties. Although FACA retook control

of several strategic areas during mid-February, instability and violence persists, particularly in the west, center and south-east regions. On 5 February the government extended the state of emergency for six months.

UNHCR has reported increased incidents of grave human rights violations in CAR during February, including the abduction and killing of civilians, unlawful detention, torture, assault, looting, conflict-related sexual violence and gang rape, and forced recruitment. According to Amnesty International, 14 people were killed at a religious site during clashes in Bambari on 16 February. Almost 3,000 children have also been recruited by armed groups across the country so far in 2021.

The UN Panel of Experts on CAR has documented evidence of FACA perpetrating abuses against civilians between September–December 2020, including sexual violence against minors, recruitment and use of children, military use of schools, summary executions and forced disappearances, as well as arbitrary arrests and detentions.

The protracted 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.

More than 1.5 million people – almost a third of the country's population – have fled their homes since 2013, including at least 200,000 who have fled since December 2020. At least 2.8 million people are in need of humanitarian assistance and protection.

ANALYSIS

Ongoing violence and allegations of serious human rights violations by armed groups highlight the risks resulting from limited governmental capacity outside the capital. Armed groups continue to control the majority of territory in CAR and profit from illegal taxation and arms trafficking. The cross-border flow of foreign fighters, arms and natural resources are fueling the crisis in CAR.

Although the 2019 peace agreement was hailed as an opportunity to bring an end to the armed conflict, the climate of impunity enabled human rights violations and abuses to persist. Two years later, the CPC's offensive threatens to formally end the agreement.

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

INTERNATIONAL RESPONSE

The UNSC has passed 14 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 13 individuals and two entities.

During May 2014 the government referred the situation in CAR to the ICC. On 16 February 2021 the trial of two former anti-balaka leaders, Alfred Yekatom and Patrice-Edouard Ngaïssona, for war crimes and crimes against humanity began at the ICC. Both were transferred to the Court by the CAR government. On 24 January CAR authorities surrendered the first Séléka suspect, Mahamat Said Abdel Kani, to the ICC to face charges of war crimes and crimes against humanity committed in 2013.

On 14 January 2021 UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect issued a statement expressing their concern over the deteriorating situation in CAR, stating that recent attacks constitute atrocity crimes.

On 16 February the Peace and Security Council of the AU adopted a communiqué condemning attacks by the CPC, noting that they amount to “flagrant violations of human rights, war crimes and crimes against humanity” and calling on political actors and armed groups to desist from propagating hate speech.

On 12 March the UNSC adopted a resolution increasing the military and police deployment for MINUSCA to support the protection of civilians and facilitate humanitarian access.

NECESSARY ACTION

The CPC must immediately cease hostilities and ensure unimpeded access to humanitarian aid. Signatories to the peace deal must comply with their commitments, refrain from any action limiting the restoration of state authority and fully adhere to their obligations under IHL.

National authorities should prioritize accountability for atrocity crimes to end the cycle of impunity.

The AU and ECCAS should urgently assist MINUSCA and the CAR government in their attempts to end ongoing violence. The UNSC and AU should impose sanctions on any groups or individuals that endanger the peace agreement. MINUSCA must be given the necessary support to strengthen its capacity to protect civilians. The international community should continue to call for security sector reform to bolster FACA's capacity to protect civilians while respecting human rights.



2,000+ civilians killed and 670,000 displaced since October 2017

MOZAMBIQUE

Attacks by armed extremists from "Al-Shabaab" leave populations in Mozambique at risk of atrocity crimes.

BACKGROUND

Since October 2017 an armed extremist group, known locally as “Al-Shabaab,” has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, abductions, recruitment of child soldiers and destroying civilian infrastructure. More than 2,000 people have been killed and 670,000 displaced since October 2017. According to a report by Amnesty International, both Al-Shabaab and government security forces, as well as a government-contracted private military company, have perpetrated extrajudicial executions and other violations of IHL that amount to war crimes.

According to the Armed Conflict Location and Event Data Project, over 365 violent incidents took place in northern Mozambique during 2020, resulting in at least 650 civilians killed, including dozens of civilians beheaded or dismembered while Al-Shabaab temporarily occupied several towns in Cabo Delgado. Since August 2020 significant fighting between the group and security forces has taken place near Mocímboa da Praia, Palma, and other port towns where several major offshore liquefied natural gas projects are under development. Fighting between Al-Shabaab, government forces and local militias, as well as Al-Shabaab raids on villages, have resulted in thousands of displaced civilians arriving in Pemba since October.

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

fighters, possible extrajudicial executions, and the transport and disposing of corpses into apparent mass graves.

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

ANALYSIS

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

Recent government offensives and the impact of Tropical Cyclone Eloise resulted in decreased fighting during January and February, but the threat to local populations remains.

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

INTERNATIONAL RESPONSE

During April 2020 the EU expressed its growing concern regarding the situation in Cabo Delgado and called upon the government to protect civilians and hold perpetrators of atrocities accountable. The EU has agreed to assist the government in confronting the threat of armed Islamist groups.

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

The Southern African Development Community (SADC) announced plans to host a January 2021 summit on armed violence in Cabo Delgado, but the event was postponed due to COVID-19.

NECESSARY ACTION

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



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

NIGERIA

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

BACKGROUND

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

Over the past few years, Boko Haram and the so-called Islamic State in West Africa (ISWA) have intensified attacks on civilian and military targets in north-east Nigeria, killing at least 3,000 people since January 2018. On 1 March Boko Haram fighters attacked Dikwa, Borno State, abducting seven aid workers and reportedly setting several aid agencies and a hospital ablaze.

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

According to UNHCR, there has been a surge of violence in north-west Nigeria as result of fighting between herders and farmers since the start of 2021. Those fleeing the violence have described murders, kidnapping and looting. Armed banditry in the north-west also resulted in more than 1,600 people being killed during the first half of 2020 and has displaced more than 300,000 civilians in Zamfara, Kaduna, Katsina, Sokoto, Niger and Kebbi states since June 2020. Armed bandits have also perpetrated attacks on secondary schools in Zamfara, Katsina and Niger states, including kidnapping 333 boys on 11 December 2020 and 279 girls on 26 February. All children were released several days after the kidnappings.

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 has left more than 8,000 people dead and displaced 300,000 across the country since 2011.

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. During counterterrorism operations, the military has allegedly forcibly displaced entire villages in the north-east and arbitrarily detained individuals, including thousands of children, suspected of supporting extremist groups.

While Boko Haram has been responsible for mass kidnappings in the north-east, including more than 270 girls in the town of Chibok in 2014, the recent kidnappings in the central and north-western states are raising fears about the possible expansion of Boko Haram's influence, or increased cooperation between the armed extremist group and local bandits.

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

Nigerian security forces have a history of using excessive and deadly force against civilians, including during counterterrorism operations and while suppressing peaceful demonstrations.

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

INTERNATIONAL RESPONSE

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

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

On 11 December the Chief Prosecutor of the ICC announced the completion of her preliminary examination into the situation in Nigeria, concluding that Boko Haram and Nigerian forces committed war crimes and crimes against humanity. According to the Chief Prosecutor, the Nigerian authorities failed to investigate and prosecute these crimes.

NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence and armed extremism through socio-economic initiatives and political reforms that tackle poverty, corruption, youth unemployment

and environmental degradation. The government should work with local civil society to ameliorate long-standing grievances between herding and settled communities.

Utilizing the Economic Community of West African States' Early Warning System, the government should increase police and military deployments to vulnerable areas. The government should continue to support programs that strengthen security and the rule of law in areas where ISWA and Boko Haram operate. The government needs to urgently reform the security sector, including by incorporating IHL and IHRL into all military and police training, and ensure accountability for human rights violations.



2,000+ killed in local conflicts during 2020

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, as well as increased inter-communal violence, poses a threat to civilians in South Sudan.

BACKGROUND

Populations in South Sudan continue to suffer as a result of increased localized violence, as well as clashes between government forces and armed opposition groups. According to the Head of the UN Mission in South Sudan (UNMISS), more than 2,000 civilians died in localized conflicts during 2020. During January violence continued to displace people in Central and Western Equatoria, Upper Nile and Warrap states. The HRC-mandated Commission on Human Rights in South Sudan (CHRSS) has asserted that the current level of localized violence may be higher than during the country's 2013-2015 civil war.

Since the Transitional Government of National Unity (TGoNU) was formed in February 2020, it has been unable to address the underlying causes of inter-ethnic conflict. Violence between the South Sudan People's Defence Forces (SSPDF) and non-state armed groups has reduced since the signing of the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), which formally ended the

civil war. However, the UNSC-mandated Panel of Experts on South Sudan recorded evidence of the SSPDF and armed rebels from the Sudan People's Liberation Army in Opposition (SPLA-IO) perpetrating attacks against civilians, civilian infrastructure and humanitarian workers during 2020.

An estimated 1.62 million civilians remain displaced as a result of past conflict, with 2.19 million refugees still in neighboring countries. Nearly 5.8 million people in South Sudan are acutely food insecure and an estimated 1.4 million children under the age of five are malnourished. The CHRSS alleges that between 2017–2019 government troops and opposition forces deliberately used the starvation of civilians as a method of warfare, particularly in Western Bahr el Ghazal and Jonglei states.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its almost ten years of independence. Between December 2013 and August 2015 an estimated 400,000 people were killed as the army and SPLA-IO perpetrated war crimes and crimes against humanity, but there has been no substantive attempt to hold perpetrators accountable. After years of delay, on 29 January the TGoNU announced its intention to establish the Hybrid Court for South Sudan to investigate atrocities committed during the civil war.

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 climate change, arms proliferation and the decline of state authority.

Although the formation of the TGoNU was supposed to provide an opportunity to address long-standing divisions in the country, senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities.

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 2021 the UNSC extended the mandate of UNMISS until March 2022, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

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

The CHRSS, the Chairperson of the AU Commission, the UN Special Adviser on the Prevention of Genocide and the UN Special Representative of the Secretary-General on Sexual Violence in Conflict have all welcomed the decision to establish the Hybrid Court and other transitional justice institutions.

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, IGAD 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, regardless of their affiliation or position. The HRC should enable the CHRSS to continue its work until an appropriate court or tribunal is fully operational.



Historic peace deal aimed at ending conflict in Darfur, South Kordofan and Blue Nile signed on 3 October 2020

SUDAN

Populations in Sudan, especially in the Darfur region, continue to face atrocity risks posed by armed groups and inter-communal violence.

BACKGROUND

Inter-communal violence and militia attacks have escalated in Sudan since the start of 2021, particularly in West and South Darfur. Disputes over land ownership and competition for scarce resources between herder and farming communities have led to violent clashes that are often ethnically motivated, resulting in hundreds of people being killed and thousands displaced.

From 16–17 January violence broke out between individuals from the Massalit and Arab communities around the city of El Geneina, West Darfur, prompting allied militias to mobilize. In the resulting clashes, at least 250 people were killed and an estimated 100,000 displaced. Meanwhile, during a series of attacks by armed groups in East Jebel Marra between 24–31 January, at least 14 people were killed and thousands forced to flee their homes. Armed groups also burned 11 villages and stole 15,000 head of cattle. Following the latest attacks, OCHA reported that the security situation in affected villages remains tense and unpredictable.

In response to the violence, Sudan's transitional government has deployed Rapid Support Forces (RSF) to restore security and mediate an agreement to end hostilities between the Massalit and Arab communities.

The sharp increase in violence in West and South Darfur started less than a month after the mandated end for the AU-UN Hybrid Operation in Darfur (UNAMID). The UN's newly established Integrated Transition Assistance Mission (UNITAMS), which is mandated to assist the government during the democratic transition, has no uniformed armed personnel to protect civilians.

Following months of mass protests, former President Omar al-Bashir's government was overthrown on 11 April 2019. Since then, the new joint military-civilian government, the Sovereign Council, has been unable to effectively protect civilians against increased violence in the Darfur region. On 3 October 2020 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.

ANALYSIS

While the October 2020 peace agreement was an opportunity to address the root causes of conflict, tensions in the Darfur region remain high. The recent increase in militia attacks puts tens of thousands of civilians at risk of further violence. The Sudanese security forces, who are primarily responsible for the protection of civilians following the withdrawal of UNAMID, have previously committed atrocities against populations in Darfur.

During his 30-year rule, Bashir and other government officials committed crimes against humanity, war crimes and acts of genocide while fighting armed groups in South Kordofan, Blue

Nile, Darfur and elsewhere. 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 as commander of the RSF.

Sustained international support is necessary to assist Sudan's transitional authorities in upholding their 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 issued arrest warrants for three Sudanese government officials, including Bashir and two anti-government militia leaders, for atrocities perpetrated in Darfur. During October 2020 the ICC Chief Prosecutor, Fatou Bensouda, traveled to Khartoum to meet with Prime Minister Abdalla Hamdok to discuss cooperation regarding the potential prosecution of ICC indictees.

On 4 June the UNSC established UNITAMS to assist Sudan in its transition to democracy. The UNSC ended UNAMID's mandate as of 31 December.

On 14 December the US removed Sudan from its list of state sponsors of terrorism, providing opportunities to access foreign loans.

NECESSARY ACTION

Despite the withdrawal of UNAMID, the UNSC must continue to closely monitor the precarious security situation in the Darfur region. 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.



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