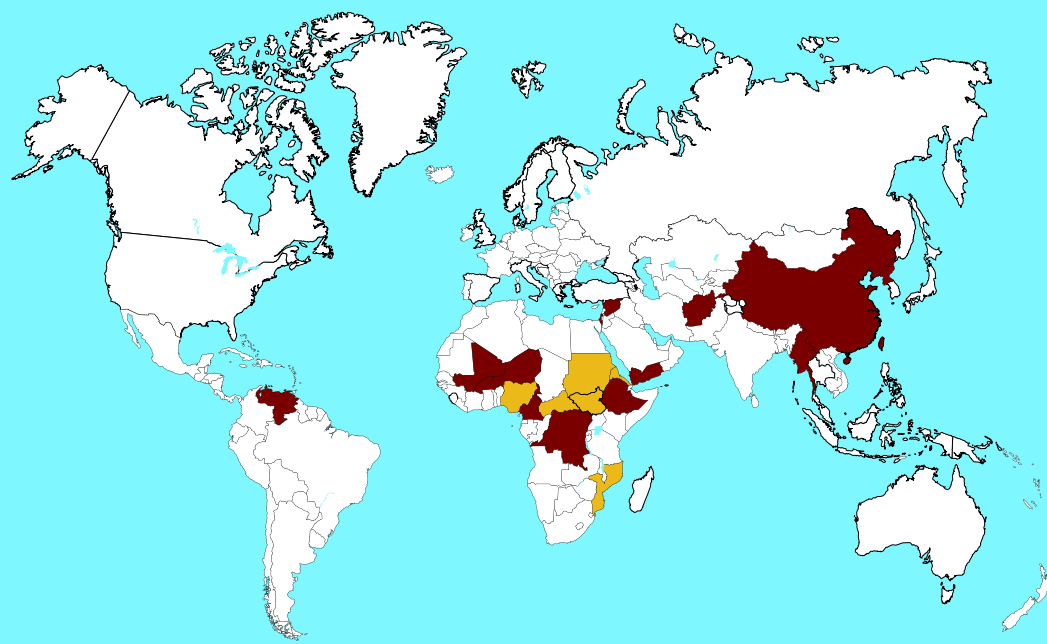




R2P MONITOR

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the Global Centre for the
Responsibility to Protect

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

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*Updates for DPRK and Eritrea are available on our website.

globalr2p.org

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



More than 3,750 civilians killed or injured from 1 May to 16 August

AFGHANISTAN

Populations in Afghanistan remain at risk of further mass atrocity crimes as the Taliban consolidates its rule. Other armed extremist groups also threaten civilians.

BACKGROUND

Following a military offensive launched by the Taliban in May 2021 – during which they perpetrated acts that may amount to war crimes and crimes against humanity – on 15 August Taliban forces entered Kabul, effectively overthrowing the Afghan government. In the first two weeks of August the Taliban rapidly overran 26 of Afghanistan's 34 provincial capitals as Afghan government forces quickly capitulated. Negotiations regarding a new Taliban-led government are currently underway between the Taliban, former Afghan President Hamid Karzai and the former Chairman of the Afghan delegation for peace talks, Abdullah Abdullah.

According to the UN Assistance Mission in Afghanistan (UNAMA) and the Office of the UN High Commissioner for Human Rights (OHCHR), over 3,750 civilians were killed or maimed between 1 May and 15 August in Taliban attacks and retaliatory airstrikes by the former Afghan government, both of which targeted civilian objects, including homes, schools and medical clinics. Civilians in areas forcibly captured by the Taliban have also faced summary executions, looting and burning of homes and enforced disappearances. OHCHR has received reports indicating a pattern of grave human rights violations against women and girls as previously experienced under Taliban rule, including forced marriage and strict restrictions on freedom of movement.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), between 1 January and 31 July over 546,000 Afghans were newly displaced, 80 percent of whom are women and children. Since the takeover of Kabul, thousands of Afghan

civilians have attempted to flee the country amid fears of the consequences of a return to Taliban rule.

When the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization coalition of military forces, they conducted a prolonged insurgency against the internationally recognized Afghan government. During two decades of war the Taliban, government troops and some international forces violated International Humanitarian Law (IHL). According to the Chief Prosecutor of the International Criminal Court (ICC), the Taliban have potentially committed crimes against humanity and war crimes while the former Afghan security forces and members of the United States (US) military may have also committed war crimes, including the torture of detainees and summary executions. Despite the finalization of a peace agreement between the US and the Taliban in February 2020, as well as the commencement of intra-Afghan talks in September 2020, the Taliban escalated their military campaign against the Afghan government. After the start of intra-Afghan negotiations, civilian casualties increased by 50 percent.

From 2009–2019 UNAMA recorded more than 10,000 civilian casualties per year. Over 5,183 civilians were killed or maimed from January–June 2021. Over one-third of civilian casualties this year were the result of improvised explosive devices (IEDs) or targeted killings. Civil servants, journalists, professional women, human rights defenders and the minority Shia Hazara community were the most frequent targets. The Taliban has been blamed for most attacks, but deny responsibility. The so-called Islamic State of Iraq and the Levant-Khorasan have claimed responsibility for some attacks, including a 26 August bombing at the airport in Kabul that killed at least 170 Afghan civilians and 13 US troops.

ANALYSIS

The threat of further war crimes and crimes against humanity has dramatically escalated since the Taliban takeover. Vulnerable populations, including women, minorities, journalists, civil servants, those affiliated with the former Afghan government, and anyone who previously worked for or with foreign governments, are at high risk of retaliatory attacks.

For months UN officials and Afghan civil society issued unheeded warnings regarding the escalating security crisis in Afghanistan, as an emboldened Taliban – with close ties to al-Qaeda – strengthened their military position.

When the Taliban last ruled Afghanistan from 1996–2001 populations suffered widespread human rights abuses with women and minorities, particularly the Shia Hazara community, facing systematic persecution. Since then, Afghan civilians have endured a seemingly endless cycle of war crimes and crimes against humanity. The Taliban perpetrated widespread abuses, including the recruitment of child soldiers, torture and extrajudicial killings.

All parties to the conflict must honor their obligations under international law and uphold their responsibility to protect the people of Afghanistan.

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.

During 2017 then Chief Prosecutor of the ICC, Fatou Bensouda, requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. On 5 March 2020 the Appeals Chamber allowed the investigation to proceed. On 17 August Chief Prosecutor Karim Khan issued a statement reminding parties that the Court may exercise its jurisdiction regarding any acts of genocide, crimes against humanity or war crimes committed within Afghanistan.

On 24 August the UN Human Rights Council (HRC) adopted a resolution on Afghanistan during an emergency special session, but failed to establish a proposed investigative mechanism.

Since May 2021 the UNSC has held several special sessions and issued two press statements on the Taliban takeover. On 30 August the UNSC adopted Resolution 2593, calling for safe passage of those wishing to leave and unhindered humanitarian access. The resolution also emphasized the importance of upholding human rights, particularly of women and girls.

NECESSARY ACTION

All parties, including international actors engaging with Taliban representatives, must ensure respect for international law as well as the promotion and protection of human rights for all Afghans. The Taliban must uphold recent public pledges to refrain from reprisals and respect the universal rights of women and girls.

Recognition of a new government in Afghanistan must be contingent upon respect for human rights, severance of all terrorism ties and adherence to Afghanistan's international treaty obligations. The vital work of UNAMA and all human rights and humanitarian organizations in Afghanistan must be safeguarded. The Taliban have a responsibility to ensure the safety of all humanitarian workers.

The UNSC and HRC must act to safeguard the human rights and humanitarian needs of the Afghan people. Foreign governments must take every necessary step to ensure safe passage out of Afghanistan of civilians at risk of being targeted by the Taliban, including by welcoming asylum seekers. 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.



775,000+ 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 continued to clash, 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 widespread sexual and gender-based violence. Armed separatists have also perpetrated abuses, including kidnapping and killing civilians. Since 2016 at least 3,500 civilians and hundreds of members of the security forces have been killed in the Anglophone regions. Separatists have also banned government education and frequently attack schools and teachers, resulting in 80 percent of schools in the two regions being closed or destroyed and 700,000 children denied an education.

The security situation has deteriorated since the beginning of 2021 due to increased fighting between government forces and armed separatist groups. Approximately 30 percent of health facilities are now unable to operate, with at least 29 reported attacks on facilities in the north-west and south-west regions between January-June 2021. A significant increase in targeted attacks on humanitarian workers over the past year has also restricted the delivery of vital aid. Meanwhile, the use of IEDs and kidnappings has increased. In the first five months of 2021,

separatists carried out at least 27 IED attacks in 13 towns, more than in all previous years of the crisis combined.

Several attempts have been made to find a solution to the conflict. During June 2019 Switzerland mediated peace talks which were followed by a national dialogue organized by President Paul Biya that October. During February 2021 Cardinal Pietro Parolin, Secretary of State of the Vatican, visited Cameroon and announced the readiness of the Catholic Church to facilitate a dialogue between the government and separatist groups.

With more than 200 different ethnic communities living in Cameroon, there is a history of inter-communal tensions in some parts of the country. In the Far North region violent clashes broke out between Shao Arab cattle herders and Mousgoum fishermen in Kousseri on 10 August, resulting in 36 people killed while more than 18,000 fled. In the north-west tensions between the Muslim Mbororo/Fulani herders and Christian farming communities, particularly in the Bamenda Grassfields area, has led to violent clashes. Armed separatist groups have also perpetrated attacks on Fulani communities, forcing 12,000 people to flee and killing 250 since 2016. Fulani vigilante committees, established in response to these attacks, have allegedly collaborated with the government's military operations against Anglophone separatists.

OCHA estimates that at least 712,800 people have been internally displaced by violence in the north-west and south-west regions, while at least 67,500 have fled to Nigeria. According to OCHA, 1.15 million people are currently severely food insecure.

The armed extremist group Boko Haram is also active in Cameroon, particularly in the Far North region on the border with Nigeria. Since December 2020 at least 80 civilians have been killed by Boko Haram. 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 current crisis and has failed to address the root causes of the 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. What began as a political dispute in the Anglophone regions is now a complex armed conflict and major 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 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 2020 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.

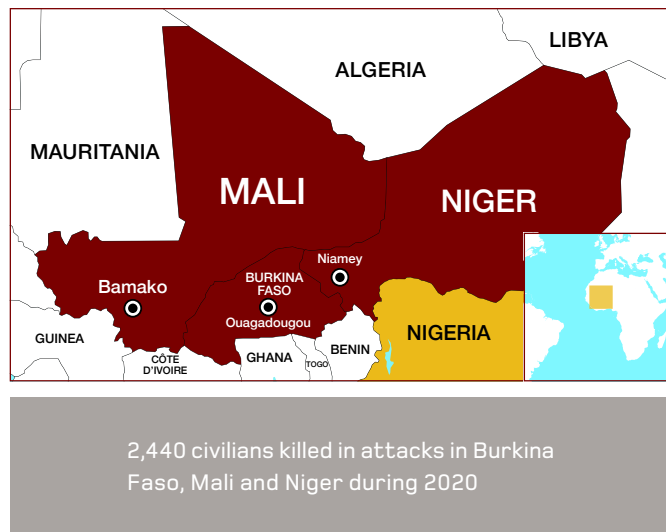
On 1 January 2021 the US Senate adopted Resolution 684, calling on the government of Cameroon and armed separatist groups to end all violence, respect human rights and pursue an inclusive dialogue to help resolve the conflict in the Anglophone regions.

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 International Human Rights Law (IHRL) should be investigated and held accountable. Armed separatist groups must also halt attacks on civilians and civilian infrastructure.

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 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.



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

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 international forces, including a UN peacekeeping mission (MINUSMA), the conflict in Mali has shifted from a separatist rebellion into inter-communal and extremist violence. Since Islamist armed groups expanded their activities from northern to central Mali during 2015, violence has spilled into neighboring Burkina Faso and Niger, as well as parts of southern Mali. More than 2,440 civilians were killed across the Central Sahel during 2020.

The porous tri-border area has facilitated the expansion of groups linked to al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL). These groups have isolated some areas under their control and are now enforcing repressive policies based upon their interpretation of Islam.

The UN's 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 sexual violence, as well as attacks against humanitarian workers and MINUSMA. Such groups routinely attack and loot civilian infrastructure, including places of worship and health centers. Armed groups have also used landmines and IEDs, indiscriminately killing and maiming civilians. More than 140 MINUSMA peacekeepers have been killed since July 2013, including 10 so far this year.

Attacks by Islamist armed groups against civilians in the Central Sahel have become more frequent since the start of 2021. In the volatile Tillabéri and Tahoua regions of Niger, more than 450

civilians have been killed since January. A series of massacres targeting populations from the Zarma and Tuareg communities account for most of these deaths. In northern Burkina Faso, alleged child soldiers affiliated with the so-called Group for the Support of Islam and Muslims perpetrated the deadliest attack in the country since 2015, killing over 130 people on 5 June.

The UN has recorded an increase in grave violations committed against children, including killing and maiming, abduction and forced recruitment by armed groups. Armed groups have targeted secular state education across the region, burning schools and threatening, abducting or killing teachers. At the end of 2020 more than 4,000 schools remained closed due to insecurity.

Some counterterrorism operations by Sahelian security forces, the G5 Sahel Joint Force (FC-G5S) and Operation Barkhane – France's regional force – have led to grave human rights violations and abuses. The CoI on Mali has alleged that the Malian security forces have committed war crimes, including targeted killings, rape and torture. MINUSMA recorded a sharp increase in human rights violations by the Malian Defence and Security Forces between January–June 2021, including the extrajudicial, summary or arbitrary execution of over 60 civilians.

Violence between rival ethnic militias and "self-defense" groups is also rising across the Central Sahel. In Mali violence has taken place between Dozos – traditional hunters mainly from the Dogon ethnic community – and ethnic Bambara fighters against members of the predominantly Muslim Fulani community, as well as within the Dogon community. One Dogon armed group, Dan Na Ambassagou, has carried out attacks and dozens of abductions of civilians from Dogon villages who participated in reconciliation efforts or did not contribute to the group's "war efforts." Several community-based groups in central Mali have also been responsible for inflammatory online messages that incite violence and hatred against the Fulani community.

The Central Sahel is one of the fastest growing displacement crises in the world with approximately 2 million people internally displaced, including more than 1.3 million in Burkina Faso alone. A record 14.4 million people need humanitarian assistance.

ANALYSIS

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, destroying crops and food reserves and blockading villages, exacerbating humanitarian needs. The rise in inter-communal tensions and creation of self-defense groups in southwestern Niger highlights the growing risk of further atrocities.

Historically, the Dogon, Bambara and Fulani communities have clashed over land, water and grazing rights. However, weak state institutions, porous borders, a climate crisis and arms proliferation have exacerbated conflict. These conditions have also been exploited by Islamist armed groups who have targeted young Fulani men for recruitment.

Despite support from international military forces, Sahelian security forces have been unable to adequately protect civilians. The Burkinabé 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 fueled further violence and heightened ethnic cleavages.

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. On 30 March 2021 the ICC's Trust Fund for Victims, UNESCO and the government of Mali awarded symbolic reparations to victims of atrocities in 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 2021 the UNSC renewed MINUSMA's mandate for an additional year. In response to rising violence against civilians, on 15 July the UN Secretary-General requested that the UNSC increase MINUSMA's uniformed personnel in order to enhance the protection of civilians. On 17 August the UNSC issued a Presidential Statement condemning continued attacks against civilians and stressing the need for accountability.

In June 2020 the International Coalition for the Sahel was launched to coordinate efforts led by the FC-G5S and its partners. Operation Barkhane is scheduled to be drawn down by early 2022 with a reconfiguration of French forces into Task Force Takuba – a counterterrorism force composed of European special forces.

On 29 June 2021 the UN High Commissioner for Human Rights expressed concern over the rise in human rights violations and abuses in Mali since August 2020.

Mali remains suspended from the AU and Economic Community of West African States (ECOWAS) following a coup d'état on 24 May 2021.

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

The governments of the Central Sahel, with the support of MINUSMA, OHCHR and the UN Office for West Africa and the Sahel, should investigate all violations and abuses of IHL and IHRL. The governments of Burkina Faso, Mali and Niger should establish a special entity to investigate and prosecute international crimes. The transitional authorities in Mali must take concrete steps to implement the recommendations of the Col.



Approximately 1 million Uyghurs and other Turkic Muslim minorities are currently being detained in "re-education" or "de-extremification" facilities

CHINA

The systematic 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 persecution 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 repressive population control policies.

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. According to the Australian Strategic Policy Institute (ASPI), more than 380 suspected detention facilities in XUAR have been built or expanded since 2017. The BBC and other outlets have reported on widespread rape, sexual abuse and torture of ethnic minorities in detention facilities. Meanwhile, an estimated 250,000 children under the age of 15 in XUAR have lost at least one parent to detention, with many children placed in state-run orphanages or boarding schools.

During 2020 ASPI reported that over 80,000 Uyghurs are also working under “conditions that strongly suggest forced labor,” with many transferred 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. According to the Center for Global Policy, hundreds of thousands of ethnic Uyghurs and other minorities are also forced to work in Xinjiang’s cotton sector, which produces 20 percent of the world’s cotton. According to the Coalition to End Forced Labour in the Uyghur Region, 45 percent of the world’s polysilicon also comes from XUAR, supplying the global solar panel industry.

The Chinese government is also conducting a campaign to reduce birth rates among Uyghurs and other Muslim populations in XUAR. The coercive campaign reportedly includes forced abortions and sterilizations. Chinese government statistics reveal that the birthrate in XUAR for 2020 was only 8.14 per 1,000 people, nearly half the figure from 2017.

Chinese authorities have engaged in the systematic destruction of Uyghur cultural heritage, including by demolishing shrines, cemeteries and pilgrimage sites. As a result, 16,000 mosques have been destroyed or damaged.

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. According to evidence collected by the Uyghur Human Rights Project, 1,046 imams and other religious figures from XUAR have been detained in camps or imprisoned since 2014.

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.

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 unfettered access to XUAR for nearly three years, but no visit has been granted by the Chinese government.

On 22 June the government of Canada delivered a statement on behalf of 44 countries on the human rights situation in Xinjiang at the HRC. The statement urged China to end the arbitrary detention of Uyghurs and other Muslims and allow immediate access to Xinjiang for independent observers. This was the third consecutive year that such a statement was delivered at the HRC.

On 19 January the US became the first government to formally accuse China of committing genocide and crimes against humanity against the ethnic Uyghur population and members of other Muslim minority groups. Since then, the parliaments of Belgium, Canada, Czech Republic, Lithuania, Netherlands and the United Kingdom (UK) have also recognized the situation in Xinjiang as constituting genocide and/or crimes against humanity. A number of parliaments have also called for a boycott of the 2022 Olympic games in Beijing.

On 12 January Canada and the UK announced measures to prohibit products that profit from Uyghur forced labor from entering their countries. The US government has also banned the importation of products from Xinjiang for utilizing forced labor, including cotton and tomato products as well as XUAR-based producers of polysilicon. On 13 July the US issued a Xinjiang Supply Chain Business Advisory, warning businesses and individuals to exit supply chains, ventures and/or investments connected to Xinjiang. The governments of Canada, UK and US, as well as the European Union (EU), have also imposed sanctions against officials in China over human rights abuses in XUAR.

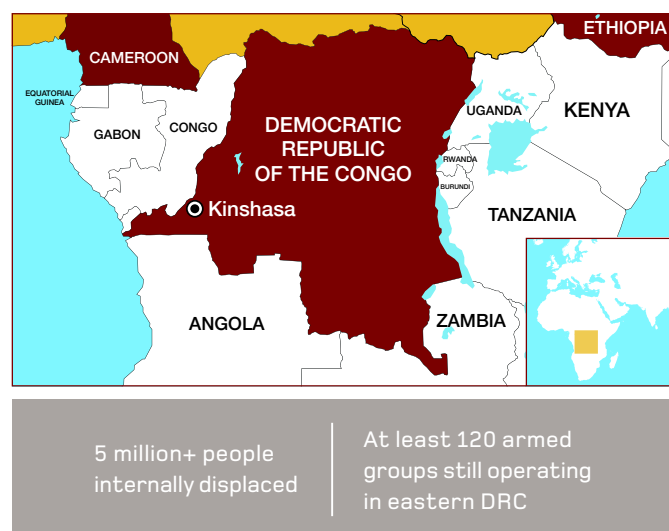
On 8 July the UK Parliament Foreign Affairs Committee published a report on atrocities in Xinjiang that cited evidence from experts, including the Global Centre for the Responsibility to Protect, and provided wide-ranging recommendations for the UK government to help end abuses in Xinjiang.

NECESSARY ACTION

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

The HRC should mandate a Special Rapporteur on the situation of human rights in China or a Fact-Finding Mission (FFM) 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 goods produced with forced labor in Xinjiang.



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. An additional 963 civilians, including 212 women and 58 children, were summarily executed by armed groups in the first half of 2021. The majority of victims were in Ituri and North Kivu, where inter-communal violence, as well as fighting between the FARDC and various militias, has escalated. According to the UN Refugee Agency (UNHCR), over 5 million Congolese are currently internally displaced, including an estimated 3 million children, while more than 942,000 refugees have fled to neighboring countries, making this the largest displacement crisis in Africa. The World Food Programme and UN Food and

Agriculture Organization estimate that 27.3 million people are critically hungry.

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 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 reported that attacks by the ADF have been "systematic and brutal" and may amount to crimes against humanity and war crimes. UNHCR and the UN Children's Fund (UNICEF) have warned that the ADF and other armed groups in North Kivu are putting internally displaced persons (IDPs) and children at particular risk, including by committing incursions into IDP camps.

In Ituri armed groups, particularly factions of the Cooperative for the Development of Congo (CODECO), a predominantly ethnic Lendu armed group, have perpetrated numerous attacks on villages. According to OCHA, during April at least 40 people were killed in attacks that also involved kidnappings, rape and burning of homes, especially in Djugu and northern Irumu territories. OCHA estimates that at least 70,000 people fled as a result of the violence.

On 30 April President Felix Tshisekedi announced a "state of siege" for North Kivu and Ituri provinces to increase FARDC presence and improve civilian security. Since that time, the ADF, CODECO and other armed groups have continued to perpetrate attacks. During May UNJHRO recorded a 24 percent increase in human rights violations as compared to April, including armed groups summarily executing at least 130 people. On 27 June suspected ADF members detonated several bombs in Beni city, including at a Catholic church.

Meanwhile, rival armed groups and militias, who are competing for control of mining areas or retaliating against recent government offensives, have perpetrated violence in Tanganyika. During the first two weeks of August UNHCR received reports of more than 243 incidents of rape across 12 villages as well as of extreme violence and the abduction of women and girls to be used as sex slaves. More than 300,000 people are currently displaced by insecurity in Tanganyika.

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 sexual violence and arbitrarily killing civilians, while combatting armed groups.

Renewed attacks by CODECO elements could result in a recurrence of atrocities in Ituri. CODECO and its affiliates were implicated in the killing and rape of hundreds of civilians during the first half of 2020 prior to signing ceasefire agreements. UNJHRO has previously accused CODECO of potential crimes against humanity for its role in inter-communal violence between ethnic Lendu and Hema communities between December 2017 and September 2019.

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 2020 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.”

On 31 March the UNSC issued a Press Statement expressing concern regarding rising inter-communal violence and armed group activity in the eastern DRC.

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, CODECO and other armed groups to permanently lay down their arms.

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



5.2 million people in need of emergency assistance in the Tigray region

ETHIOPIA

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

BACKGROUND

On 4 November 2020, following months of political tensions, the federal government of Ethiopia launched a military offensive in the Tigray region against the governing Tigray People's Liberation Front (TPLF). The resulting conflict has killed thousands of people, internally displaced an estimated 2.1 million and caused over 63,000 to flee to Sudan.

Clashes continue between forces affiliated with the Ethiopian National Defense Forces (ENDF) and the Tigray Defense Forces (TDF) – a recently formed TPLF-aligned armed group. Following a unilateral ceasefire declared by the Ethiopian government on 28 June, TDF forces rapidly retook territory and have waged offensives into Western Tigray and the neighboring Afar and Amhara regions, displacing over 300,000 people. On 2 August Sudanese officials reported finding at least 50 bodies floating down river from Humera, Western Tigray. Some victims had been shot or had their hands bound while others bore markings indicating they were ethnic Tigrayans. Ethiopian Prime Minister Abiy Ahmed and regional leaders have called citizens to arms in order to help bolster ENDF positions.

Reports indicate that widespread violations of IHL and IHRL have been committed in Tigray by the ENDF and allied Eritrean forces, the TPLF/TDF, Amhara regional forces and affiliated militias. These abuses include indiscriminate bombings and attacks on civilians, ethnic-based killings, sexual violence, forced displacement, use of child soldiers, and the systematic destruction of food, water and healthcare systems. The UN Special Representative on Sexual Violence in Conflict and the Head of OCHA have asserted that sexual violence and access to food are being used as weapons of war in Tigray.

International human rights groups have documented massacres of civilians by Eritrean forces and the ENDF, including in Aksum, Dengelat and Mahibere Dego. On 22 June an ENDF airstrike on a busy market in Togoga, Tigray, killed 51 people. On 5 August UNICEF reported the killing of at least 200 civilians, including 100 children, sheltering at a health facility and school in the Afar region. The Ethiopian Human Rights Commission (EHRC) also documented evidence of ethnic Tigrayan forces committing war crimes and crimes against humanity during a massacre of over 600 ethnic Amhara men in the town of Mai-Kadra on 9 November 2020. Ethiopian refugees in Sudan have reported similar massacres of Tigrayans by Amhara regional forces and allied militias in Mai-Kadra, Humera and surrounding areas.

Numerous cultural heritage sites, as well as camps hosting at least 50,000 Eritrean refugees, have reportedly been damaged and looted. Eritrean refugees hosted in these camps have been subjected to abuses by parties to the conflict due to their perceived allegiances.

The ongoing conflict has also created a humanitarian catastrophe. According to UNICEF, 100,000 children in Tigray could face starvation over the next year. Approximately 400,000 people in Tigray are living in famine and at least 5.5 million people in Tigray, Amhara and Afar are facing acute food insecurity. Humanitarian aid convoys have routinely been blocked, attacked, looted and accused of supplying TDF forces. Twelve aid workers have already been killed during the conflict.

Ethnically motivated attacks have also been on the rise elsewhere in Ethiopia. Violence in Amhara, Benishangul-Gumuz, Oromia and Southern Nations, Nationalities and People's regions has killed hundreds of people and displaced over 200,000 since September 2020. In the Amhara region clashes between Amhara and Oromo populations in the North Shewa and Oromia Zone reportedly killed 500 people during March and April. In Oromia security forces and the Oromo Liberation Army (OLA) armed group have allegedly committed enforced disappearances and attacks on civilians, including ethnic Amharas. The EHRC reported that on 18 August at least 150 people were killed in ethnically motivated attacks by the OLA, while a further 60 were killed in subsequent reprisals.

Regional border disputes also continue to result in inter-communal violence. From 2-6 April at least 100 civilians were killed in the Afar and Somali regions. On 27 July forces from Afar attacked the disputed border town of Gedamaytu/Gabraiisa in the Somali region, reportedly killing up to 300 civilians and displacing 35,000.

ANALYSIS

Civilians in Tigray, Amhara and Afar regions remain at risk of further atrocities due to repeated violations of IHL and IHRL. All parties to the conflict bear responsibility for potential war crimes and crimes against humanity. Inflammatory statements by regional and federal government leaders, including Prime Minister Abiy, threaten to fuel further ethnic conflict.

Ethiopia's ethnic-based federalist system has resulted in widespread allegations of ethnic favoritism. Under the former TPLF-dominated ruling coalition, which controlled the government for 27 years prior to Prime Minister Abiy coming to power in 2018, many groups felt marginalized by the central government. A history of dictatorship and impunity for past human rights abuses carried out by security forces has also deepened distrust between ethnic groups.

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

INTERNATIONAL RESPONSE

Since November 2020 the UN, Intergovernmental Authority on Development (IGAD) and AU have all condemned the violence in Tigray. The federal government has rejected multiple offers by the AU and IGAD to mediate the conflict. The UN, 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 23 August the US imposed sanctions on Filipos Woldeyohannes, the chief of staff of the Eritrean Defense Forces, for his alleged involvement in serious human rights abuses in Tigray.

On 25 March OHCHR and EHRC agreed to conduct a joint investigation into reports of human rights violations committed in Tigray. On 15 June the African Commission on Human and Peoples' Rights announced that it was also launching a Col on the situation in Tigray.

After eight months of conflict, the UNSC held its first public meeting on the situation in Tigray on 2 July.

On 13 July the HRC adopted Resolution 47/13, mandating the UN High Commissioner for Human Rights to update the Council on reports and findings of serious human rights violations in Tigray.

On 30 July 2021 the UN Special Adviser on the Prevention of Genocide expressed alarm at the continued deterioration of ethnic violence in Tigray, Afar, Somali, Oromia and Amhara regions and called on government officials to end hate speech.

NECESSARY ACTION

All parties to the conflict in northern Ethiopia must operate in strict adherence with IHL and ensure the protection of civilians. Parties to the conflict should agree to a humanitarian ceasefire and allow unfettered delivery of emergency aid to vulnerable populations. Refugees and other displaced persons must be protected in compliance with international law.

Eritrean forces should immediately withdraw from Tigray.

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



At least 270 Palestinians and 12
Israelis killed from 10–21 May

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

Despite a 21 May ceasefire, populations in Israel and the Occupied Palestinian Territory remain at risk of recurring war crimes and crimes against humanity.

BACKGROUND

Palestinian territory – encompassing the Gaza Strip and West Bank, including East Jerusalem – has been illegally occupied by Israel since 1967. According to a July 2021 report of the UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory (OPT), expanding Israeli settlements amounts to a war crime. The report further determined that Israel's 54-year occupation has been characterized by widespread human rights violations and settler violence, a two-tier legal system that subjugates Palestinians, and settlement expansion aimed at permanently altering the ethnic demographics of East Jerusalem.

There are now close to 300 illegal settlements in Occupied East Jerusalem and the West Bank with more than 680,000 Israeli settlers. According to OCHA, at least 546 Palestinian-owned structures have been demolished or seized by Israeli government authorities since January. Hundreds of Palestinians, including entire Bedouin communities, have been forcibly displaced.

Meanwhile, Israel's ongoing air, sea and land blockade of Gaza has been in place for 13 years and has inflicted collective punishment on 2 million Palestinians, facilitating a humanitarian crisis. Hamas' security forces have also committed grave abuses against Palestinian civilians in Gaza, including arbitrary arrests, summary executions and torture.

Armed conflict intensified from 10–21 May in Israel, Gaza and other parts of the OPT. The escalation came after weeks of tensions and protests against the possible forced eviction of several Palestinian families in the Sheikh Jarrah neighborhood

of Occupied East Jerusalem. Israeli authorities used excessive force while arresting protesters and carried out violent raids on the Al-Aqsa Mosque compound between 7–10 May, injuring over 1,000 Palestinians. Hamas responded by indiscriminately firing rockets into Israel, prompting retaliatory airstrikes.

During the May conflict 270 Palestinians, including 66 children, were killed and 1,900 injured by Israeli airstrikes on Gaza. At least 450 buildings – including 17 hospitals – were seriously damaged or destroyed, and over 58,000 people were forcibly displaced. Meanwhile, Hamas and other Palestinian armed groups indiscriminately fired thousands of rockets towards civilian areas of Israel, killing at least 12 people and damaging civilian property. Approximately 90 percent of the rockets were intercepted by Israel's "Iron Dome" defense system. A ceasefire, brokered by Egypt, was eventually reached between Israel and Hamas on 20 May.

The escalation led to increased identity-based violence inside Israel and the Occupied West Bank. According to OCHA, at least 27 people were killed, including 3 children, and over 6,794 injured in the Occupied West Bank between 10–21 May. Israeli security forces were also complicit in some violent attacks by Jewish settlers on Palestinian citizens of Israel. Then Prime Minister Benjamin Netanyahu reportedly told Israeli police they would be shielded from potential inquiries or investigations into their conduct.

Since the ceasefire, demonstrations against illegal Israeli settlement expansion have been ongoing throughout the OPT, including in East Jerusalem. Israeli forces have responded with live ammunition, stun grenades, and arbitrary arrests.

ANALYSIS

Israeli airstrikes during the 10–21 May escalation appear to have deliberately ignored the principles of proportionality and distinction and may amount to war crimes under international law. Indiscriminate rockets fired by Palestinian armed groups also violated IHL.

The systematic nature of human rights violations in the OPT may amount to crimes against humanity, while the collective punishment of Palestinians as a coercive measure of population control may amount to a war crime. Article 49 of the Fourth Geneva Convention also prohibits an occupying power from transferring parts of its civilian population into occupied territory, also known as "settler implantation."

A growing number of human rights organizations have concluded that the Israeli government is implementing laws, practices and policies to entrench the supremacy of its Jewish population over Palestinians, amounting to the crime of apartheid. Under the Rome Statute of the ICC, apartheid is a crime against humanity.

Impunity for cycles of violence has entrenched a system of structural oppression in Gaza and the Occupied West Bank. There has been no accountability for potential war crimes

committed during the 2014 Gaza war between Hamas and Israel, nor for the disproportionate and deadly use of force by Israeli forces in response to protests along the Gaza border during 2018-2019.

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

INTERNATIONAL RESPONSE

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

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

On 27 May the HRC voted to establish a Col to investigate violations of international law in the OPT and Israel and identify the root causes of recurring conflict.

NECESSARY ACTION

The ICC should investigate all potential war crimes or crimes against humanity committed during the most recent armed conflict.

Israel must lift the blockade on Gaza, cease illegal settlement-related activity and apartheid policies, and end the collective punishment of Palestinians. All parties should condemn anti-Semitic and anti-Arab hate speech and cooperate fully with the investigations of the ICC and Col.

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



More than 1,000 people have been killed and over 6,000 remain detained 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 – the Tatmadaw – headed by Commander-in-Chief Min Aung Hlaing, overthrew the country's civilian-led government and declared a state of emergency. Since then, hundreds of thousands of people have participated in peaceful protests and strikes against the reimposition of military rule, while numerous People's Defence Forces (PDFs) have formed throughout Myanmar as part of an armed resistance to military rule. According to the Assistance Association for Political Prisoners, more than 1,000 people have been killed by the security forces since 1 February and over 6,000 people remain detained for resisting the coup. At least 65 people have been sentenced to death by military tribunals.

On 16 April a coalition of democratic opponents to military rule formed the National Unity Government (NUG), which includes members of parliament ousted by the military – known as the Committee Representing the Pyidaungsu Hluttaw (CRPH) – as well as politicians from ethnic minority groups. The military has charged their members with high treason and declared the CRPH, NUG and PDFs are terrorist organizations. On 1 August General Min Aung Hlaing declared himself prime minister and extended the state of emergency until August 2023, when he promised to hold general elections.

The security forces have also launched offensives against ethnic armed groups and PDFs in some regions of the country. Sporadic clashes continue to occur in Chin, Kachin, Kayah, Kayin, Shan and other states, resulting in civilian casualties and displacement. During June security forces set ablaze Kinma village in the Magway Region, destroying more than 200 homes. During July the bodies of 40 people, who were reportedly killed by the military, were found in the township of Kani, Sagaing region.

The UN Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, and the High Commissioner for Human Rights, Michelle Bachelet, have said that abuses committed by the military since the coup may amount to crimes against humanity. According to the UN's Independent Investigative Mechanism for Myanmar (IIMM), the "security forces have carried out a widespread and systematic attack on the civilian population," and "the reports of murders, sexual assaults, arbitrary detentions, enforced disappearances, torture and persecution collected by the Mechanism, if substantiated, would amount to crimes against humanity."

According to OCHA, 3 million people are currently in need of humanitarian assistance and over 210,000 have been displaced since the coup. Security forces have targeted healthcare professionals treating injured protesters and have issued hundreds of arrest warrants for doctors and nurses accused of supporting the civil disobedience movement. According to Special Rapporteur Andrews, Myanmar's security forces have engaged in at least 260 attacks against medical personnel and facilities, killing 18 people. The military has also taken over at least 50 hospitals. Despite a catastrophic wave of COVID-19 infections, the military continues to confiscate medical supplies from private companies and charities.

Myanmar's armed forces previously ruled the country from 1962-2011, overseeing the violent repression of the democracy movement and waging war against several ethnic armed groups. Despite the beginning of a transition to civilian rule in 2011, the military retained control of crucial ministries and 25 percent of seats in parliament.

In 2018 the HRC-mandated FFM on Myanmar concluded that senior members of the military, including General Min Aung Hlaing, should be prosecuted for genocide against the Rohingya ethnic group as well as for crimes against humanity and war crimes in Kachin, Rakhine and Shan states. In 2019 the FFM also asserted that Myanmar breached its obligations under the Genocide Convention and "continues to harbor genocidal intent" towards 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 subject to severe violations of their universal human rights. Myanmar's 1982 Citizenship Law rendered most Rohingya stateless.

ANALYSIS

Impunity for past atrocities has 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 and armed resistance are unlikely to subside and the risk of further atrocities remains extremely high.

The coup also complicates the prospects for a safe, dignified and voluntary repatriation of Rohingya refugees from Bangladesh. Given its past history, the military regime is unlikely to address the denial of citizenship for the Rohingya or 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." The UNSC has met seven times on Myanmar since the coup and adopted four statements. No substantive action has been taken.

During September 2018 the HRC created the IIMM 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.

A number of governments have imposed targeted sanctions in response to the coup, including Canada, the EU, UK and US. The EU, UK and US have also sanctioned several military-run conglomerates. The Republic of Korea restricted military exports and suspended defense exchanges. The EU also suspended development funds.

On 24 April the Association of Southeast Asian Nations (ASEAN) agreed to a "Five-Point Consensus," which includes an immediate cessation of violence. On 4 August ASEAN announced the appointment of Brunei's Second Minister of Foreign Affairs, Erywan Yusof, as its Special Envoy to Myanmar.

On 18 June the UN General Assembly (UNGA) adopted a resolution calling for the immediate release of all political detainees and for all member states to prevent the flow of arms into Myanmar.

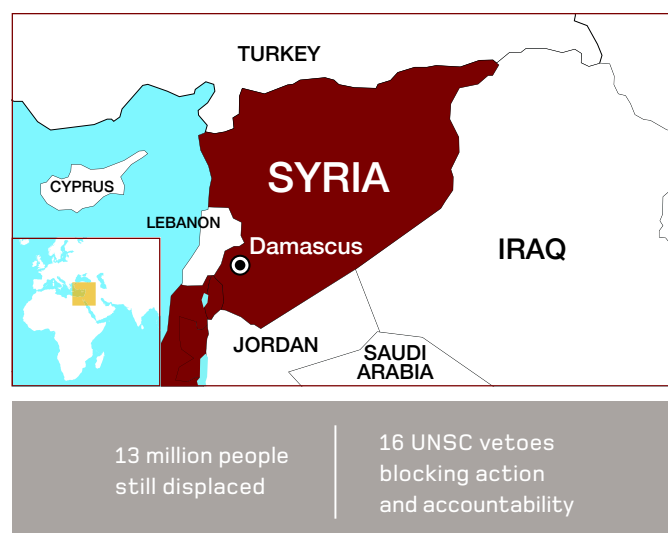
NECESSARY ACTION

The UNSC should immediately impose a comprehensive arms embargo on Myanmar and refer the situation to the ICC. All UN member states and regional organizations should take urgent measures in response to the reimposition of military

rule, including by imposing economic sanctions on Myanmar's oil and gas sector. The military junta should not be diplomatically recognized as the legitimate representatives of Myanmar. Foreign companies should immediately divest and sever ties with all businesses linked to Myanmar's military. The ASEAN Special Envoy should promptly travel to Myanmar and engage with both the junta and the NUG.

Myanmar's military must cease attacking healthcare workers, occupying hospitals and obstructing efforts to respond to the COVID-19 pandemic.

General Min Aung Hlaing and other senior military 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.

BACKGROUND

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. The HRC-mandated Col on Syria 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 13.4 million Syrians remain in need of humanitarian assistance.

While various parties to the conflict continue to perpetrate serious violations and abuses of international law, over the past year the conflict has shifted away from large-scale military hostilities along major frontlines to localized clashes between armed groups and government forces.

In southern Syria, clashes have escalated between government forces and armed opposition groups, particularly in Dara'a governorate, since July. Syrian government forces have launched raids and missile attacks. The government has also besieged towns and imposed heavy restrictions on civilians attempting to flee. More than 24,000 civilians have been displaced.

Government forces also continue to commit murder, torture and sexual violence as a matter of state policy across southern Syria. The Col recorded over 130 targeted killings of medical workers, former judges, and "reconciliation leaders" between July 2020 and April 2021. 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 Col alleges may amount to the war crime of collective punishment.

Despite a ceasefire in northwest Syria brokered in March 2020 between Russia and Turkey, there has been a marked escalation in hostilities since January in Idlib governorate. Ground fighting, shelling and airstrikes – perpetrated by forces loyal to the Syrian government – have damaged medical facilities, markets and schools. Attacks in June and July alone caused over 70 civilian deaths, including dozens of children. In northwest Syria, approximately 3.4 million people are in need of humanitarian aid and 2.7 million are internally displaced.

Elsewhere in northern Syria, the Syrian National Army and other Turkish-backed armed groups have perpetrated torture, sexual violence, systematic looting and arbitrary detention. Meanwhile, indiscriminate shelling and airstrikes by government forces in Aleppo and across northern Syria have hit densely populated neighborhoods, hospitals and displacement camps, resulting in dozens of civilian casualties. Unclaimed IED attacks also killed and wounded hundreds of civilians.

The UN Secretary-General's report on children and armed conflict confirmed more than 4,724 grave violations across Syria in 2020, including killing, maiming and the recruitment and use of children in hostilities. Additionally, at least 58,000 children of alleged ISIL fighters from 57 countries remain trapped in squalid detention camps run by the Kurdish-backed Syrian Defense Forces in northeast Syria.

The Organisation for the Prohibition of Chemical Weapons has documented the illegal use of chemical weapons in Syria. Its Investigation and Identification Team released two reports in 2020 and 2021 that attribute responsibility to government forces for the use of chemical weapons, including chlorine gas and sarin. The Col has also reported on 37 instances of chemical weapons use in Syria since March 2013, including 32 attacks perpetrated by the Syrian government.

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 systematic human rights violations. The Syrian government and other parties to the conflict continue to perpetrate detention and disappearance as a strategy to control and intimidate civilians. Ongoing violations of the ceasefire in the northwest greatly increase 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 also 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 27 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed 10 draft resolutions and Russia has independently vetoed an additional 6. On 9 July the UNSC adopted Resolution 2585, extending authorization for cross-border aid for six months despite efforts by Russia to end all cross-border deliveries. The HRC has also adopted 37 resolutions condemning atrocities in Syria, the majority of which demand that the government uphold its responsibility to protect.

On 21 December 2016 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 Syria's intelligence services for complicity in crimes against humanity was delivered in Germany on 24 February 2021.

On 18 September 2020 the government of the Netherlands formally requested negotiations with the Syrian government 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 request on 4 March.

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

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. 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 universal jurisdiction. Ten years since 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.



More than 5.6 million people have left the country since 2014

VENEZUELA

Ongoing state-sanctioned persecution and violence in Venezuela may amount 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 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 in the name of combatting crime. According to reports by the UN High Commissioner for Human Rights, Michelle Bachelet, an estimated 8,200 individuals were killed in "security operations" between January 2018 and May 2020. Provea, a Venezuelan nongovernmental organization, documented 2,853 killings by state agents in 2020 alone.

Since November 2020 the government has also intensified its persecution of civil society organizations, independent media and opposition members. In June 2021 High Commissioner Bachelet warned that previously identified patterns of serious violations and abuses persist.

On 16 September 2020 the HRC-mandated FFM on Venezuela warned that patterns of violations and abuses over the past six years have been authorized at the highest level of government and committed as part of a “widespread and systematic attack” against the civilian population that may amount to crimes against humanity. In December 2020 the Chief Prosecutor of the ICC also asserted that there are reasonable grounds to believe that crimes against humanity have been committed since at least April 2017.

Venezuela continues to experience an unprecedented humanitarian, economic and political crisis. When mass protests erupted against insecurity, hyperinflation and a lack of essential services in 2014, security forces responded with disproportionate force, torture and sexual violence. The protracted political crisis further escalated in January 2019 when President Nicolás Maduro was sworn in for a second term. Although Juan Guaidó, then President of the opposition-led National Assembly, declared himself caretaker President, President Maduro remained in control of key state institutions and the security forces.

Civilians also remain at heightened risk along the perilous Venezuelan-Colombian border, where fighting between government forces and armed groups escalated in March 2021. FAES and other state agents allegedly committed arbitrary arrests, torture and extrajudicial executions in line with patterns of violations identified by the FFM.

More than 5.6 million people have left the country since 2014 and at least 7 million people in Venezuela are in urgent need of humanitarian assistance.

ANALYSIS

Widespread impunity emboldens state agents to continue perpetrating possible crimes against humanity. Extrajudicial killings appear to be part of a systematic strategy to combat crime and reinforce social control. Venezuela is facing several security crises, with recurring violent confrontations involving state agents or criminal gangs across the country.

While a new round of talks between the government and opposition began on 13 August, the arrest of some key opposition figures and human rights defenders calls into question whether the government is willing to reform its policies and practices.

The government refuses to fully cooperate with the FFM and other human rights mechanisms and is failing to uphold its responsibility to protect all Venezuelans.

INTERNATIONAL RESPONSE

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

In February 2018 the ICC announced a preliminary examination of the situation in Venezuela, analyzing alleged crimes committed since April 2017 in the context of demonstrations and related political unrest. On 26 September 2018 Argentina, Canada, Chile, Colombia, Paraguay and Peru requested that the Chief Prosecutor open a formal investigation into possible crimes against humanity in Venezuela.

On 27 September 2019 the HRC adopted a resolution establishing the FFM. 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, the media and their political opponents. The government should also dissolve the FAES and ensure impartial investigations of all serious violations and abuses of human rights committed by various state agents and agencies. The government should grant the FFM unrestricted access to the country and fully cooperate with all UN mechanisms.

States should actively support renewed negotiations between the government and the wider opposition that are set to resume during September and lift all measures that limit the population's access to basic goods and services. Venezuela and Colombia should work together to prevent further violence along their shared border, ensure safe migration routes and protect vulnerable populations.

In the absence of domestic accountability mechanisms, other states should consider taking legal action, including under universal jurisdiction, against those responsible for possible crimes against humanity in Venezuela. UNSC members should invite the FFM to brief the Council on necessary action to ensure accountability for ongoing crimes against humanity.



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

YEMEN

War crimes and crimes against humanity 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 over six years civilians in Yemen have suffered from ongoing war crimes and crimes against humanity. Fighting between Houthi rebels, the Southern Transitional Council (STC), and forces loyal to the internationally recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has resulted in the deaths of thousands of civilians since March 2015. More than 18,500 civilians have been killed or maimed as a result of coalition airstrikes alone, including over 2,300 children. The conflict has displaced at least 4 million people and created the world's largest humanitarian crisis.

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, with at least 49 active frontlines across the country. Hostilities in Hodeidah, Taizz, Al Jawf and Hajjah have increased and the Houthis launched a new offensive in Marib in February. Indiscriminate missile and artillery fire has regularly hit markets, displacement camps and other civilian objects in and around Marib City. Hundreds of coalition airstrikes and fierce ground fighting have also occurred across the governorate, particularly in Sirwah and Rahabah districts. Houthi forces are also allegedly recruiting and deploying child soldiers.

Since its first report in 2018, the HRC-mandated Group of Eminent Experts (GEE) on Yemen has 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 20 million Yemenis need humanitarian assistance and 13.5 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 pervasive climate of impunity.

The dire humanitarian situation is a direct result of the armed conflict and requires a political solution. Attempted negotiations between parties to the conflict have been unsuccessful. Escalating violence in Hodeidah, Marib and other governorates puts hundreds of thousands of IDPs at risk and threatens the delivery of life-saving aid to millions of vulnerable Yemenis. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen continues to confront 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 on the situation in Yemen since. On 14 July 2021 the UNSC renewed the mandate of the UN Mission to support the Hodeidah Agreement.

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 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 4 February 2021 the US government announced an end to its support for Saudi Arabia's operations in Yemen. However, arms transfers to the UAE continue.

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

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 areas. The government of Yemen should

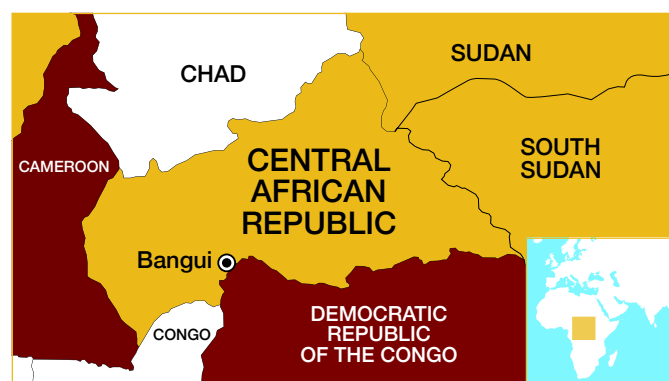
allow access to the GEE, as well as representatives from OHCHR, and ensure that all potential war crimes and crimes against humanity are properly investigated and prosecuted.

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.



More than 1.4 million Central Africans have fled their homes since 2013

CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

During December an alliance of predatory armed groups, known as the Coalition of Patriots for Change (CPC), launched an offensive aimed at preventing general elections in the Central African Republic (CAR) and perpetrated widespread violations of IHL. In response, the Central African Armed Forces (FACA) and Internal Security Forces (FSI) – working closely with Russian military instructors – launched a counter-offensive.

Ongoing military operations and attacks by armed groups, as well as transhumance related violence, has led to a human rights and protection crisis. The CPC has killed and abducted civilians, perpetrated sexual violence, forcibly recruited child soldiers and attacked schools, hospitals, humanitarian workers and the UN peacekeeping mission in CAR (MINUSCA). Between July 2020 and June 2021 the UN recorded 526 incidents of abuses and violations of human rights and IHL, affecting at least 1,221 victims. During July 64,110 people fled clashes, mainly in Basse-Kotto, Haut-Mbomou and Ouaka prefectures.

During military operations, FACA and FSI troops, as well as Russian military instructors, have reportedly perpetrated summary executions, arbitrary killings, torture, forced disappearances, the occupation of schools and the looting of humanitarian organizations. The majority of conflict-related civilian deaths between February–June resulted from indiscriminate, disproportionate or excessive force by FACA and bilateral forces. These forces have also conducted targeted attacks on ethnic and religious minority communities, particularly members of Muslim communities.

The protracted crisis in CAR has its origins in the overthrow of President François Bozizé in March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian anti-balaka militias and the collapse of state institutions. Anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity, however, most perpetrators have not been held accountable. Despite a 2019 peace deal that formally ended the 2013–2015 armed conflict, signatories continue to engage in violence and perpetrate widespread human rights abuses. Former President

Bozizé, who is under UNSC sanctions for his role in the conflict, is now leading the CPC.

Over 1.4 million people have fled their homes since 2013. An estimated 2.8 million people – 57 percent of the population – are in need of humanitarian assistance and protection.

ANALYSIS

Armed groups continue to profit from illegal taxation and arms trafficking. The cross-border flow of foreign fighters, arms and natural resources are fueling the crisis in CAR and contributing to a thriving conflict-economy. Reprisals by FACA directed against certain marginalized populations are bolstering support for armed groups and increasing inter-communal tensions.

Although the 2019 peace agreement was hailed as an opportunity to bring an end to armed conflict in CAR, a climate of impunity has enabled ongoing violence and allegations of serious human rights violations and abuses.

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. On 12 March 2021 the UNSC adopted a resolution increasing the military and police deployment for MINUSCA to support the protection of civilians.

During May 2014 the government referred the situation in CAR to the ICC. The ICC currently has three individuals in custody, including two former anti-balaka leaders and one Séléka leader.

On 28 June the UN Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, expressed concern over the situation in CAR, stating that increasing human rights violations, targeted violence against communities and forced displacement could contribute to atrocity risks.

NECESSARY ACTION

All signatories to the peace agreement must comply with their commitments and refrain from any action limiting the restoration of state authority. Government troops and bilateral security forces must rigorously uphold IHL, ensuring that all civilians are protected and that MINUSCA can effectively carry out its mandate.

All perpetrators of atrocity crimes in CAR should be held legally accountable, regardless of their rank, affiliation or nationality. MINUSCA should continue to investigate IHL violations and share its findings with international partners and the UNSC.



3,000+ people killed and 700,000 displaced since October 2017

MOZAMBIQUE

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

BACKGROUND

Since October 2017 an armed extremist group, known locally as "Al-Shabaab," has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, abductions, recruitment of child soldiers and destroying civilian infrastructure. More than 3,000 people have been killed and nearly 700,000 displaced since October 2017. 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 may amount to war crimes.

The Armed Conflict Location and Event Data Project recorded over 365 violent incidents in northern Mozambique during 2020, resulting in at least 650 civilians killed, including dozens who were beheaded or dismembered when Al-Shabaab temporarily occupied several towns in Cabo Delgado. Since August 2020 significant fighting between Al-Shabaab and security forces has taken place near Mocímboa da Praia, Palma, and other port towns where several major offshore liquified natural gas projects are under development.

Following a period of relative calm at the start of 2021, on 24 March hundreds of Al-Shabaab fighters raided Palma and took control of the city. At least a dozen civilians were killed, including foreign workers. Although the government regained control of the majority of the city in early April, sporadic clashes continued. More than 90,000 people have fled Palma since late March. Al-Shabaab attacks have continued in surrounding areas, including in Muidumbe, Mocímboa da Praia and Nangande districts.

During July regional forces, including troops from Rwanda and members of the Southern African Development Community (SADC), began deploying to Cabo Delgado to assist the Mozambican government in confronting the group. On 8 August Rwandan armed forces helped reclaim Mocímboa da Praia, which Al-Shabaab had occupied for a year.

Mozambique has a history of atrocities stemming from its 1977-1992 civil war, during which approximately 1 million people died. War crimes and crimes against humanity were perpetrated by the armed rebel group, RENAMO, who carried out massacres of civilians and systematically killed teachers and health workers. The government's armed forces were also responsible for war crimes.

ANALYSIS

Although Al-Shabaab was formed in 2017, their attacks have intensified since 2020. The group's willingness to indiscriminately attack civilians increases the risk of further atrocities. Al-Shabaab has exploited popular discontent over corruption and poverty in Mozambique to recruit fighters. The discovery of liquified natural gas off the coast of Mozambique brought hope for a boost to the country's economy, but several companies announced they would halt work on the project, citing growing insecurity following the attack on Palma.

The violence in Cabo Delgado has triggered a massive displacement and humanitarian crisis. Tanzania has been accused of blocking or refouling thousands of civilians attempting to flee the violence.

Despite the security forces' failure to adequately protect populations in Cabo Delgado, for years the government resisted international offers to provide logistical support or troops. Recent agreements to bring regional forces into the country have already resulted in military gains, but could also lead to further displacement.

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

INTERNATIONAL RESPONSE

During April 2020 the EU expressed concern regarding the situation in Cabo Delgado and called upon the government to protect civilians and hold perpetrators of atrocities accountable. On 1 July 2021 the EU agreed to send a military training mission to the country. The US and Portugal deployed small forces in early 2021 to conduct counterinsurgency training.

On 23 June 2021 SADC approved the deployment of a standby force to assist Mozambique. Several SADC members have already deployed troops as part of the agreement. On 9 July, following a request by the Mozambican government, Rwanda also deployed 1,000 troops and police to Cabo Delgado. According to the government of Rwanda, the deployment is "grounded in Rwanda's commitment to the Responsibility to Protect doctrine and the 2015 Kigali Principles on the Protection of Civilians."

NECESSARY ACTION

Security forces should ensure the protection of civilians and IDPs in Cabo Delgado. Neighboring states must respect international refugee law and provide protection to populations fleeing atrocities. All government and regional forces must ensure military operations against Al-Shabaab are carried out with strict adherence to international law and utilize tactics that mitigate civilian harm.



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

NIGERIA

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

BACKGROUND

Multiple security threats leave civilians in Nigeria at ongoing risk of atrocity crimes, including increased attacks by the armed extremist groups Boko Haram and the so-called Islamic State in West Africa (ISWA), as well as by armed groups commonly referred to as "bandits." The deteriorating security situation in Nigeria has resulted in a humanitarian emergency, further exacerbated by the COVID-19 pandemic. According to OCHA, 8.7 million people require urgent assistance.

Violence perpetrated by Boko Haram and ISWA against civilian and military targets has resulted in mass atrocities in northern Nigeria. At least 35,000 people have been killed since 2009 when Boko Haram launched its insurgency aimed at overthrowing Nigeria's secular government and establish an Islamic state. At least 2.2 million people are currently internally displaced in Adamawa, Borno and Yobe states while health services and education have been severely disrupted. These groups have also perpetrated attacks in neighboring countries, killing and displacing civilians in Cameroon, Chad and Niger. Although Boko Haram's leader, Abubakar Shekau, reportedly died on 19 May 2021, the group remains a threat to populations.

Since 2011 inter-communal violence, rooted in competition over scarce resources, has escalated in central and north-west Nigeria. Violence between herding and farming communities have become increasingly deadly as result of the proliferation of armed groups and gangs who engage in organized cattle-rustling, kidnapping, plunder, murder and rape. The emergence and expansion of armed banditry in the north-west resulted in more than 1,600 people killed during the first half of 2020 and has displaced more than 300,000 civilians in Zamfara, Kaduna, Katsina, Sokoto, Niger and Kebbi states over the past year.

Kidnappings by armed extremist groups and bandits have become endemic in northern Nigeria, with more than 950 children kidnapped since December 2020. Between 20–21 August armed men also kidnapped at least 75 people, mainly children and the elderly, from Rini, Zamfara State.

Responding to the multiple security crises, on 27 April Nigeria's House of Representatives called upon President Muhammadu Buhari to immediately declare a state of emergency and impose measures to restore peace in the country.

ANALYSIS

Facing the combined threat of large-scale banditry and ongoing attacks by armed extremists, Nigeria's armed forces have been deployed in two-thirds of the states in the country and are overstretched. President Buhari is facing increased criticism for the government's inability to protect civilians. Despite significant progress by the regional Multinational Joint Task Force (MNJTF) against Boko Haram, civilians remain at risk of terrorist attacks and identity-based violence.

Security forces have also reportedly violated human rights during counterterrorism operations, including extrajudicial killings of suspected Boko Haram and ISWA members.

While parts of Nigeria have experienced recurring inter-communal violence, growing desertification has exacerbated the situation and arms proliferation has made these conflicts deadlier. The loss of grazing land in the north has driven many ethnic Fulani herdsman, who are mainly Muslim, southward into areas farmed by settled communities that are predominantly Christian.

Many of Nigeria's bandit groups have been formed over the past decade in response to growing inter-communal conflict over land and resources. While these groups are driven largely by criminal motives, many bandits are ethnic Fulani and prey on settled farming communities, increasing ethnic tensions.

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

INTERNATIONAL RESPONSE

The MNJTF was established in 2015 to combat armed extremist groups.

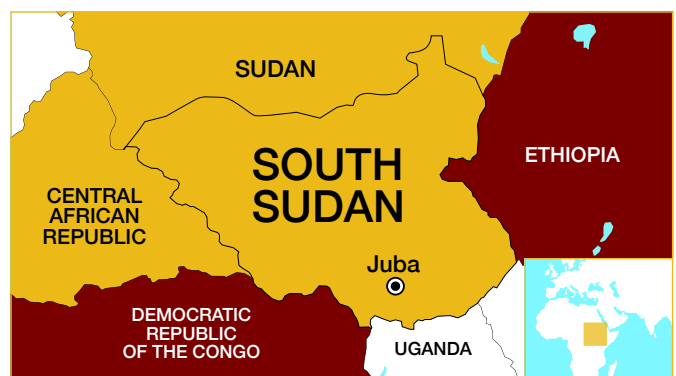
On 11 December 2020 the Chief Prosecutor of the ICC announced the completion of a preliminary examination into the situation in Nigeria, concluding that Boko Haram and Nigerian forces committed war crimes and crimes against humanity.

NECESSARY ACTION

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

Local peace commissions, such as those established in Adamawa, Kaduna and Plateau states to mediate inter-communal tensions and build early warning systems, need to be duplicated in other high-risk regions. In keeping with its commitment to the Safe Schools Initiative, Nigeria's federal government should also work with local communities to enhance security and bring an end to mass kidnappings of children.

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



2,000+ killed in local conflicts during 2020

SOUTH SUDAN

The risk of recurring armed conflict between government forces and armed rebel groups, as well as inter-communal violence, poses an ongoing threat to civilians in South Sudan.

BACKGROUND

Populations in South Sudan continue to suffer as a result of increased inter-communal violence and clashes between government forces and armed opposition groups. 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. During

July an estimated 150 people were killed and 21,000 displaced by fighting in Western Equatoria State while 5,000 were displaced by localized violence in Warrap State.

The Transitional Government of National Unity (TGoNU), formed in February 2020, has been unable to address the underlying causes of localized conflicts. Since March the Human Rights Division of the UN Mission in South Sudan (UNMISS) has documented at least 14 incidents in Warrap State involving members of the South Sudan People's Defence Forces, the National Police Service or the National Security Service that resulted in the extrajudicial execution of 29 men and boys. The spate of extrajudicial executions coincides with the appointment of a new Governor of Warrap State, Aleu Ayieny Aleu, who pledged to end inter-communal violence and restore peace.

Growing discontent within the two main political parties, the Sudan People's Liberation Movement of President Salva Kiir and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) of Vice President Riek Machar, has led to further instability. Defections and political fragmentation have triggered recent violence in Upper Nile, Warrap and Central Equatoria states. During August violent clashes also broke out in Upper Nile State between forces loyal to Machar and those loyal to Lieutenant General Simon Gatwech Dual after he tried to replace Machar as the head of the SPLM/A-IO.

An estimated 1.71 million civilians remain displaced as a result of past conflict, with 2.3 million refugees in neighboring countries. Nearly 7.2 million people in South Sudan are acutely food insecure and an estimated 1.4 million children under the age of five are malnourished. The UN reported that more people are in need of humanitarian assistance during 2021 than ever before.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its 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. There has been no substantive attempt to hold perpetrators accountable. 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.

While there is a history of seasonal inter-communal violence in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by climate change and arms proliferation. Weak state structures, as well as a lack of trust in the justice system, has also driven some communities to favor extrajudicial executions as a means of ending the cycle of retaliatory inter-communal violence. Some local authorities have exploited disputes and used extrajudicial executions to garner public support.

Although the formation of the TGoNU was supposed to provide an opportunity to address divisions in the country, senior political

and military leaders continue to manipulate long-standing enmities between rival ethnic communities. Bitter disagreements between leaders of the TGoNU on how to implement the peace agreement has led to widening divisions that threaten the future security of the country.

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, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

The UN High Commissioner for Human Rights and the CHRSS have expressed alarm over the escalation of inter-communal conflict in South Sudan.

During its 46th session in March 2021, the HRC adopted two resolutions on South Sudan, extending the mandate of the CHRSS until March 2022 and requesting that the High Commissioner provide technical assistance to the government on human rights monitoring and transitional justice.

NECESSARY ACTION

The international community should exert increased 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 existing 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 the threat of inter-communal violence and potential atrocities by armed groups.

BACKGROUND

Inter-communal violence and militia attacks have escalated in Sudan since the start of 2021, with incidents reported in Central, North and West Darfur, South and West Kordofan and Red Sea states. According to OCHA, approximately 225,685 people have been displaced since January.

During 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. Between 16 February and 1 May the UN recorded another 170 people killed as result of renewed inter-communal clashes in the Darfur region, including 144 killed around El Geneina during fighting between the Arab and Massalit communities on 3 April. Violence in North Darfur during July prompted hundreds of people to participate in mass demonstrations in El Fasher, the capital of North Darfur, calling on the state government to urgently protect displaced populations.

During October 2020 the transitional government – the Sovereign Council – and the leaders of the Sudan Revolutionary Front, a coalition of armed groups from Darfur, South Kordofan and Blue Nile, signed a peace agreement aimed at ending almost two decades of armed conflict and atrocities. The agreement also calls for the establishment of transitional justice mechanisms. On 4 August the Sudanese cabinet unanimously passed a bill, pending approval by the Sovereign Council, to become a state party to the Rome Statute of the ICC.

ANALYSIS

While the October peace agreement is an opportunity to address the root causes of conflict, tensions in the Darfur region remain high. Conflict in Darfur stems in part from a long history of

disputes over access to scarce resources, which was exploited by the former regime. The lack of accountability for past atrocities has further contributed to recurring violence in Darfur.

The recent violence in the Darfur region started less than a month after the end of the AU-UN Hybrid Operation in Darfur (UNAMID) in December 2020. 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. The Sudanese security forces, who are responsible for the protection of civilians, have previously committed atrocities against populations in Darfur.

During his 30-year dictatorship, former President Omar al-Bashir and other government officials were responsible for crimes against humanity, war crimes and acts of genocide while fighting armed groups in Darfur, South Kordofan and Blue Nile. Although Bashir was convicted of corruption following his overthrow in April 2020, 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 Rapid Support Forces.

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 sanctions on three individuals since 2006. Following a UNSC referral, the ICC issued arrest warrants for three Sudanese officials, including Bashir, and two anti-government militia leaders for atrocities perpetrated in Darfur. Arrest warrants against four individuals remain outstanding.

On 3 June 2021 the UNSC extended the mandate of UNITAMS until June 2022 to assist Sudan in its transition to democracy.

On 1 February the UN Special Rapporteurs on the human rights of IDPs and on extrajudicial, summary and arbitrary executions urged the government of Sudan to step up its efforts to protect civilians, including by promptly implementing its National Plan for the Protection of Civilians.

On 29 June Sudan became eligible to receive debt relief from the International Monetary Fund, which approved an agreement of \$2.47 billion to support the political and economic transition.

NECESSARY ACTION

Despite the withdrawal of UNAMID, the UNSC must continue to closely monitor the precarious security situation in the Darfur region. The transitional authorities must take immediate steps to disarm armed groups and ethnic militias, provide effective protection to all vulnerable populations and address longstanding grievances over land and water access. The Sudanese authorities, with the encouragement of the UNSC and the international community, should actively support efforts to bring Bashir and other ICC indictees to justice.



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