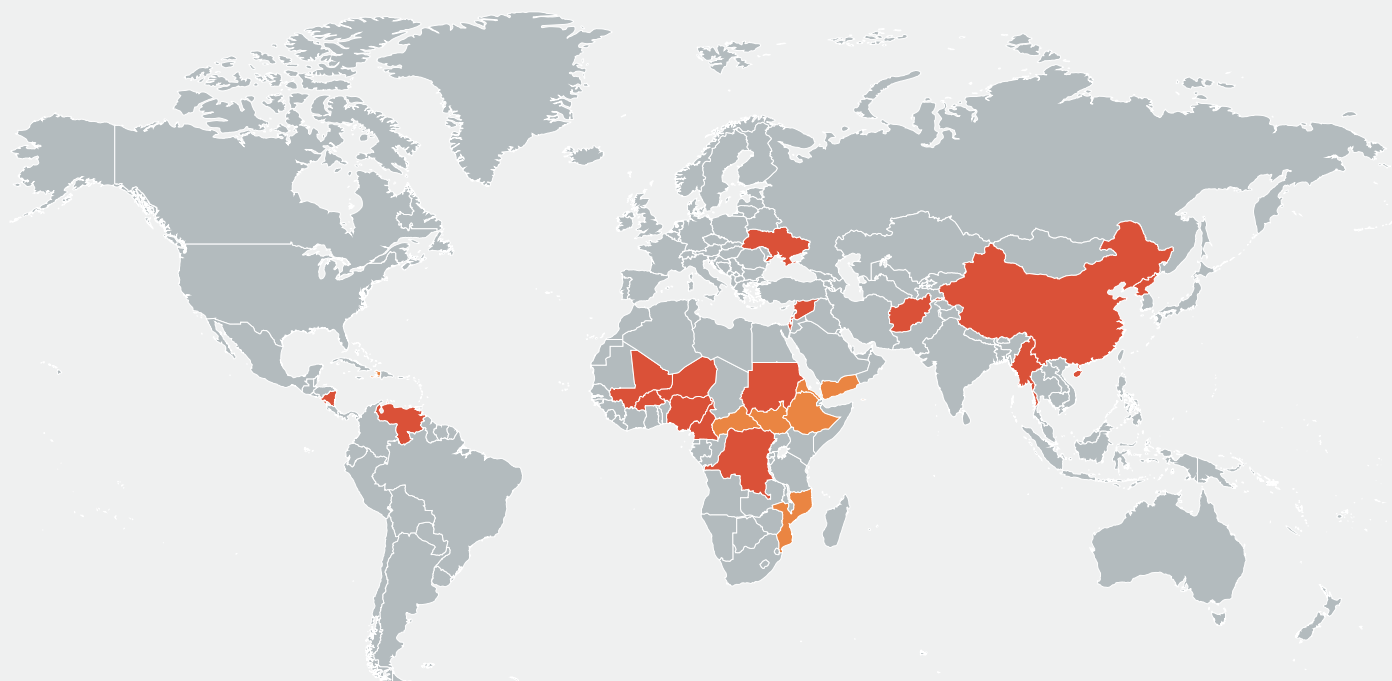


Flygtningenævnets baggrundsmateriale

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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 risk of mass atrocity crimes occurring, or recurring, is significant if effective preventive action is not taken.

The Responsibility to Protect 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.

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AFGHANISTAN

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

BACKGROUND

Since Taliban forces effectively overthrew the Afghan government in August 2021, the Taliban and various armed groups, including the so-called Islamic State in Iraq and the Levant-Khorasan (ISIL-K), have committed widespread and systematic human rights violations throughout the country, including regularly perpetrating attacks that predominantly target ethnic and religious minorities. In addition, the Taliban de facto authorities have imposed severe restrictions on fundamental rights and access to civic and public space, particularly for women and girls. The Human Rights Service of the UN Assistance Mission in Afghanistan (UNAMA) has documented evidence of the Taliban de facto authorities committing a wide range of human rights violations – including extrajudicial killings, arbitrary arrests and detentions, incommunicado detention and torture and ill-treatment – against former government officials and armed forces, media workers and human rights defenders.

The Taliban perpetuate extreme forms of gender-based discrimination against women and girls by implementing restrictive policies and practices that deny them of their human rights and fundamental freedoms, in flagrant violation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Sweeping repressive edicts and decrees targeting women and girls severely limit freedom of movement, freedom of opinion and expression, employment opportunities, political and public representation, and access to education and healthcare. Victims of gender-based violence endure physical and psychological suffering with limited access to protection services or accountability mechanisms. Women's rights activists and human rights defenders have

also faced killings, enforced disappearances, incommunicado detention, attacks and harassment.

UNAMA has verified over 3,774 civilians killed or wounded from 15 August 2021 to 30 May 2023, mostly in attacks with improvised explosive devices (IED) and other deliberate attacks. Many of these attacks were attributed to ISIL-K, and over 1,218 of the documented civilian casualties occurred in IED attacks on places of worship, which have been increasingly targeted since the Taliban forcibly took over Afghanistan. ISIL-K frequently claims attacks that directly target Hazara Shias, other Shia Muslims, Sufi Muslims, Sikhs and other minorities. The UN Special Rapporteur on Afghanistan reported in September 2022 that attacks against ethnic and religious minorities appear to be systematic in nature and reflect elements of an organizational policy, likely amounting to crimes against humanity. The Special Rapporteur also warned of a pattern of forced evictions and land grabbing based on ethnicity or political association. Individuals from ethnic and religious minority communities have been arbitrarily arrested, tortured, summarily executed and forced to flee the country.

The people of Afghanistan are enduring a severe humanitarian crisis, compounded by the impact of sanctions and the freezing of state assets. On 22 December 2021 the UN Security Council (UNSC) adopted Resolution 2615, allowing for humanitarian aid to flow into Afghanistan without violating UN sanctions against the Taliban, which have been in place since 2011. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), two-thirds of Afghanistan's population needs urgent humanitarian aid in order to survive.

The Taliban were the de facto authorities in Afghanistan from 1996-2001 before they were overthrown by a North Atlantic Treaty Organization coalition of military forces. During two decades of insurgency against the internationally recognized Afghan government, the Taliban perpetrated likely crimes against humanity and war crimes while Afghan security forces and members of the United States (US) military and Central Intelligence Agency (CIA) also committed likely war crimes. On 5 March 2020 the International Criminal Court (ICC) authorized the Office of the Prosecutor to investigate alleged atrocity crimes perpetrated in Afghanistan since 1 July 2002. On 27 September 2021 Chief Prosecutor Karim Khan announced his office would focus on crimes allegedly perpetrated by the Taliban and ISIL-K and de-prioritize other aspects of the investigation, including acts committed by Afghan national security forces, US forces and the CIA.

RECENT DEVELOPMENTS

According to a June 2023 joint report by the Special Rapporteur on the situation on human rights in Afghanistan and the Working Group on discrimination against women and girls, the Taliban de facto authorities may be perpetrating gender persecution and gender apartheid as they appear to

be governing by systematic discrimination with the intent to subject women and girls to total domination. Afghanistan is the only country in the world that bans women from working for international organizations, including the UN. On 27 April the UNSC unanimously adopted Resolution 2681, condemning the Taliban's ban on Afghan women from working for the UN in Afghanistan, saying that it undermines human rights and humanitarian principles.

ANALYSIS

The risk of further war crimes and crimes against humanity persists. Ethnic and religious minorities, particularly the Shia Hazara, continue to be systematically targeted, indicating that the Taliban is likely unable or unwilling to protect vulnerable populations. The Taliban de facto authorities have frequently targeted journalists, civil servants, human rights defenders and those affiliated with the former Afghan government with violations that appear to be perpetrated on a widespread and systematic basis. Impunity for past and ongoing violations has enabled crimes to continue. Targeted attacks are largely unreported due to the Taliban's continued crackdown on independent media and a closed civic space.

Efforts by the Taliban to exclude women and girls from social, economic and political spheres, including the institutionalized large-scale and systematic gender-based discrimination and violence against them, likely amounts to gender persecution, a crime against humanity. Continued restrictions on fundamental freedoms and impunity for abuses against women and girls creates an enabling environment for more severe violations of international law and further atrocity crimes.

RISK ASSESSMENT

- Decades of serious violations of International Human Rights Law (IHRL) and International Humanitarian Law (IHL), as well as impunity for those crimes.
- Institutionalized large-scale and systematic gender-based discrimination by Taliban de facto authorities against women and girls.
- Widespread and systematic targeted attacks perpetrated by ISIL-K and the de facto authorities against ethnic and religious minorities.
- Lack of independent media and crackdown on civil society and human rights defenders.
- Weakness of state structures to protect vulnerable populations and an unwillingness of the de facto authorities to uphold obligations under international law.

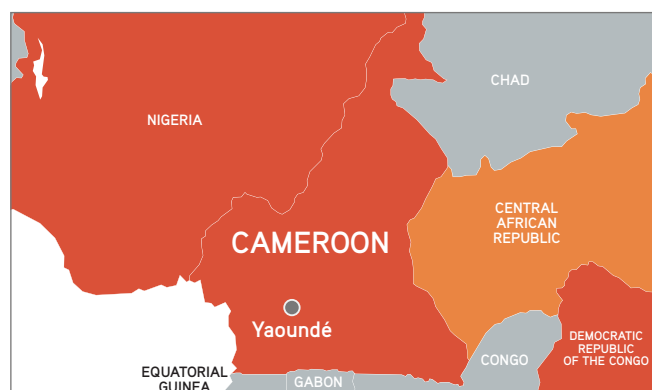
NECESSARY ACTION

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

Afghanistan, regardless of gender, ethnic background, religious belief or political affiliation.

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

The international community should continue to pursue justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator. All UN member states should ensure that UNAMA's Human Rights Service is sufficiently resourced to carry out its full mandate.



CAMEROON

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

BACKGROUND

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

More than 6,000 people have been killed as a result of the crisis since 2016. Security forces have perpetrated

extrajudicial killings and widespread sexual and gender-based violence, burned Anglophone villages and subjected individuals with suspected separatist ties to arbitrary detention, torture and ill-treatment. Armed separatists have also killed, kidnapped and terrorized populations while steadily asserting control over large parts of the Anglophone regions. Since the beginning of 2022 the government has increased its operations against armed separatist strongholds, prompting separatists to step up their attacks against government security forces, using deadlier weapons and IEDs.

Separatists have banned government education and frequently attack, threaten and abduct students and teachers, as well as burn, destroy and loot schools. These attacks, as well as strict lockdowns imposed by armed separatists, have robbed children of their education. According to OCHA, at least 2,245 schools are not functioning in the Anglophone regions due to attacks and threats by armed separatists.

Separatists and government forces have perpetrated targeted attacks on health facilities and humanitarian workers, restricting the delivery of vital aid and forcing various international humanitarian organizations to suspend their operations. According to OCHA, more than 1.7 million people are in need of humanitarian assistance in the north-west and south-west regions. OCHA also estimates that at least 638,421 people have been internally displaced by violence in the two regions while more than 87,033 have fled to Nigeria.

Despite the deteriorating security and humanitarian situation, the government of Cameroon continues to deny the severity of the crisis and has yet to take any meaningful action aimed at ending the conflict or addressing its root causes. The international community has also taken limited action in response to the situation. The Council of the European Union (EU), the UN Committee on the Elimination of Racial Discrimination (CERD) and others have previously appealed for an end to the violence and urged government action while additional actors have previously offered to serve as mediators. The UNSC has held only one meeting on the situation in Cameroon, an Arria-formula meeting on 13 May 2019, which focused on the humanitarian situation.

RECENT DEVELOPMENTS

During June 2023 clashes between the Cameroonian armed forces and armed separatist groups in the Mezam division in the north-west region reportedly resulted in the killing of at least 26 people and the displacement of more than 1,000.

At least 27 people were killed and several homes burned down during a series of attacks in the north-west region during July. The perpetrators of the killings remain unknown, while both sides have denied responsibility and accused the other. Armed separatist groups subsequently set up roadblocks in at least 20 districts, claiming the roadblocks would be

removed when government troops stop abusing civilians. These groups threatened to kill merchants who ignored their ban on the movement of goods and people. The roadblocks caused shortages of basic commodities and price increases of up to 60 percent. On 20 July people in Bamenda demonstrated against the increase in violence.

Separatist groups are also increasingly using kidnappings as a tactic. During May armed separatists allegedly abducted approximately 50 women in the north-west region for protesting violence and separatist-imposed illegal taxes. Some of the women were reportedly tortured with guns and machetes.

ANALYSIS

The international community often perceives the conflict in the Anglophone region exclusively as an insurgency by armed separatist groups against the Cameroonian government. However, the situation is much more complex. Although the Anglophone and Francophone areas of Cameroon have been unified since 1961, there is a long history of disputes over the extent to which access to government resources is controlled by the French-speaking majority. The current situation, which began as a political dispute, has evolved into a multifaceted security crisis and humanitarian catastrophe.

Civilian populations, particularly women and children, are disproportionately bearing the brunt of the devastating scale of destruction and unlawful killings. The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone civilians and may amount to war crimes and crimes against humanity. Ethnic communities are also often targeted for their alleged collaboration with either side of the conflict.

The conflict dynamics in the north-west and south-west regions are changing as the crisis becomes increasingly financially lucrative, with separatist groups having expanded their sources of revenue through kidnapping and extortion. The fact that there is no unified armed separatist group, but rather an increasingly disorganized and competing collection of groups, makes the situation – and possible pathways to peace – extremely challenging.

The risk of atrocities will continue if the root causes of the conflict, including poor quality of government services, weak governance and marginalization of parts of the population by a highly centralized state, remain unaddressed.

RISK ASSESSMENT

- Past or present discriminatory, restrictive or exclusionary practices, policies or legislation against marginalized communities and persons belonging to minority groups.
- Political and social instability caused by disputes over power and growing armed opposition movements.
- Increased politicization of identity, past events or motives to engage in violence.

- Policy or practice of impunity for – or tolerance of – serious violations of IHRL and IHL, atrocity crimes or their incitement.
- Lack of capacity to ensure the security sector adheres to the highest standards of professionalism, international law and the protection of human rights.

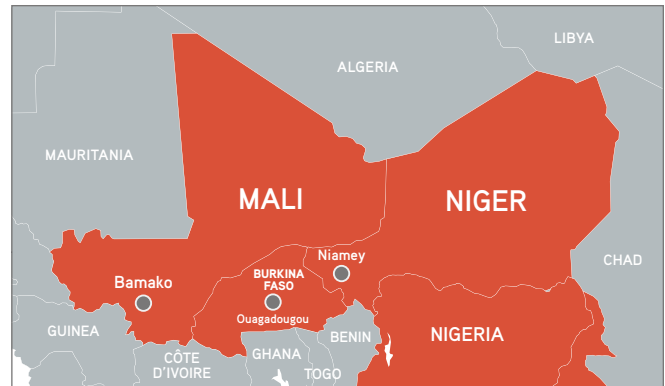
NECESSARY ACTION

Security forces must end all extrajudicial killings of unarmed civilians and ensure that the human rights of all Cameroonians are equally protected, regardless of cultural identity. Security forces implicated in violations of IHL and IHRL should be investigated and held accountable. Armed separatist groups must also halt attacks on civilians and civilian infrastructure. Safe and unfettered humanitarian access must be restored and guaranteed. Foreign governments and regional organizations should suspend all military assistance to Cameroon until its security forces have made demonstrable progress toward upholding the human rights of all Cameroonians.

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

The African Union (AU) and Economic Community of Central African States should work with the government to prevent further deterioration of the conflict. Efforts by the UN's Regional Office for Central Africa, including good offices, must prioritize finding a political solution to the violence and encourage inclusive dialogue. The UNSC should discuss the situation in Cameroon and urge parties to the conflict to end hostilities and find a peaceful solution to the multifaceted crisis.

As Cameroon's human rights record will be assessed via the UN Human Rights Council's (HRC) Universal Periodic Review (UPR) in November 2023, member states should highlight ongoing atrocity crimes and provide recommendations aimed at ensuring that all human rights issues and atrocity risks are urgently addressed by the Cameroonian government, that a culture of inclusivity and diversity is promoted, and that security forces respect human rights and IHL.



CENTRAL SAHEL

Recurrent violence perpetrated by armed Islamist groups, as well as security operations to confront them, threaten populations in the Central Sahel – Burkina Faso, Mali and Niger – with violations that may amount to crimes against humanity and war crimes.

BACKGROUND

During 2012 Tuareg separatists and armed Islamist groups seized territory in northern Mali following a military coup. Despite numerous security initiatives, including the presence of international forces and a UN peacekeeping operation (MINUSMA), the conflict shifted into inter-communal violence and attacks by armed Islamist groups. Recurrent violence perpetrated by such groups – including those affiliated with al-Qaeda and the so-called Islamic State in the Greater Sahara (ISGS) – subsequently spread into neighboring Burkina Faso and Niger, threatening populations across the Central Sahel with violations that may amount to crimes against humanity and war crimes. At least 2.7 million people are internally displaced in the region, including 2.1 million in Burkina Faso alone.

For more than five years armed Islamist groups across the Central Sahel have systematically used sieges, threats, kidnapping, IEDs and landmines as deliberate tactics of war as they seek to control supply routes and increase their areas of influence. In Burkina Faso, over 1 million people are living in areas fully or partially besieged by armed groups and face daily threats of violence. Across the region these groups are imposing “zakat” (forced taxation) and strategically destroying and looting civilian objects, including places of worship, health centers, food reserves, water services and bridges and have targeted humanitarian workers and MINUSMA.

The UN Children's Fund reported that 2022 was the deadliest for children in the Central Sahel since the crisis began. Niger was added as a situation of concern to the UN Secretary-General's annual report on children and armed conflict given the gravity and number of violations reported in 2022. Armed

Islamist groups across the region have routinely targeted secular state education, burning schools and threatening, abducting or killing teachers.

At times counterterrorism operations have led to human rights violations and abuses that may amount to war crimes. A group of UN independent experts concluded that the Malian Armed Forces (FAMA) and allied mercenaries from the Wagner Group have perpetrated possible war crimes and crimes against humanity during counterterrorism operations since December 2021 while OHCHR found evidence of FAMA and mercenary operatives perpetrating hundreds of summary executions, rape, sexual violence and torture against civilians. State-sponsored militias in Burkina Faso, notably the Volunteers for the Defense of the Homeland (VDP), have also been implicated in grave crimes along ethnic lines, particularly targeting the Fulani community.

The region has faced significant political and security upheaval in recent years. Both Mali and Burkina Faso have each undergone two military coups since 2020. In July 2023 a military coup occurred in Niger, prompting widespread condemnation. In the past year, amidst a shrinking of civic space across the region, human rights defenders, journalists and real or perceived critics of the transitional military authorities have faced increasing reprisals, including threats, intimidation and arbitrary arrests. Throughout the region violence has also taken place between rival ethnic militias and community-based self-defense groups resulting in countless abuses.

RECENT DEVELOPMENTS

Since January 2023, there has been an intensification in fighting between ISGS militants and the so-called Group for the Support of Islam and Muslims in Ménaka, forcing thousands of Malians to flee. Militants have perpetrated widespread killings, rapes and lootings of villages, according to Human Rights Watch.

In April Burkinabé authorities announced a “general mobilization” of the military in a purported effort to curtail the spread of violence and recapture territory lost to armed Islamist groups. On 20 April at least 150 civilians, mainly from the Mossi ethnic group, were reportedly killed by the Burkinabé security forces in likely the deadliest incident against civilians since the crisis began. Burkinabé authorities announced during May the deployment of judicial police to ensure accountability during counterterrorism operations.

A July report by the UNSC-mandated Panel of Experts warned that FAMA troops and mercenaries are allegedly perpetrating systematic sexual violence against women and other grave human rights abuses to spread terror. On 30 August, due to a veto by Russia, the UNSC failed to renew the sanctions regime and mandate of the Panel of Experts.

On 16 June the Malian transitional authorities called for the immediate withdrawal of MINUSMA. In keeping with the host state’s request, on 30 June the UNSC unanimously voted to end MINUSMA. The withdrawal of Mission personnel will end by 31 December. The UNSC has authorized MINUSMA to respond to imminent threats of violence to civilians until 30 September.

ANALYSIS

While Burkina Faso, Mali and Niger each face distinct challenges, these states also share a legacy of structural vulnerabilities, weak governance, limited state presence and porous borders. The expanded area of influence and/or control by armed Islamist groups increases protection risks, including targeted attacks against certain communities.

Armed Islamist groups appear to be deliberately targeting civilians as a tactic to pressure local communities into cooperation or forcibly displace them. The UN Commission of Inquiry (Col) on Mali has previously implicated armed Islamist groups in crimes against humanity and war crimes.

Populations continue to be targeted and persecuted on the basis of their ethnic and/or religious identity. According to the Armed Conflict Location and Event Data Project (ACLED), more than half of the civilians killed by the defense and security forces or ethnic militias in Burkina Faso and Mali during 2022 were Fulani despite comprising around 10 and 14 percent of the population in each country, respectively. The reliance on VDPs has fueled abuses and resulted in increasing attacks against villages that armed Islamist groups accuse of supporting the militias. By contrast, prior to the July coup, the Nigerien government had sought to remain reliant on the military, discouraging the creation of ethnic militias and self-defense groups, and pursuing inter-communal dialogue, which resulted in a decrease in ethnic violence since 2021.

The withdrawal of MINUSMA has raised grave concerns regarding the future of civilian protection, as well as independent human rights monitoring and reporting. The drawdown from areas where peacekeepers regularly patrolled may prompt armed Islamist groups to further increase their attacks and exacerbate an existing security and protection vacuum.

Following the coup in Niger, populations may face the erosion of fundamental human rights and severe socio-economic repercussions. Instability in Niger may further aggravate regional insecurity and protection concerns.

RISK ASSESSMENT

- Situation of armed conflict and other forms of instability, including political instability caused by irregular regime changes.
- Unresolved long-standing inter-communal tensions and grievances and the use of militias and self-defense groups that perpetrate targeted attacks along ethnic lines.

- Impunity for large-scale atrocities perpetrated by armed Islamist groups and ethnic militias, as well as national militaries and mercenaries.
- Reliance upon counterterrorism operations that stigmatize certain populations.
- Shrinking civic space and crackdown on independent media, human rights defenders and real or perceived government opponents.

NECESSARY ACTION

While countering violent extremism remains crucial in the Central Sahel, it is essential that all armed actors ensure that their efforts do not exacerbate inter-communal tensions or fuel further violence. All actors should refrain from supporting or collaborating with ethnically aligned militias with poor human rights records. The African Commission on Human and Peoples' Rights (ACHPR) should consider a mechanism to strengthen the protection of civilians in the Sahel at its next session in October 2024.

Additional measures must be implemented to end the proliferation of arms and improve land management and local governance in areas where atrocity risks are greatest. Authorities should support local reconciliation, dialogue and peacebuilding initiatives.

The transitional military authorities of the Central Sahel – with support from national human rights commissions, ACHPR and OHCHR – should investigate all violations and abuses of IHL and IHRL. Malian authorities must respect the mandate of the UN Independent Expert on the situation of human rights in Mali.

The international community should increase funding to community-based protection networks to ensure capacity for the continued monitoring and reporting of atrocity risks as MINUSMA withdraws.



CHINA

The Chinese government is committing possible crimes against humanity and genocide by systematically persecuting Uyghurs and other majority-Muslim ethnic groups.

BACKGROUND

Under the guise of combating religious extremism and terrorism, in recent years Chinese authorities in the so-called Xinjiang Uyghur Autonomous Region (XUAR) have increased persecution of the ethnic Uyghur community, as well as Kazakhs, Kyrgyz and other majority-Muslim ethnic groups. China has perpetrated a repressive campaign against Uyghurs and other majority-Muslim ethnic groups in the northwestern region for several decades, but abuses have significantly escalated since 2017 when XUAR authorities passed the “Regulation on De-extremification,” which prohibits a range of “extreme” behaviors, such as “abnormal” beards.

Over 1 million people, mainly Uyghurs, have been arbitrarily detained in “re-education” or “de-extremification” facilities since 2017. More than 380 suspected detention facilities in XUAR have been built or expanded between 2017 and 2020, according to the Australian Strategic Policy Institute. There are reports of widespread rape, sexual abuse and torture in these facilities. An estimated 880,000 children in XUAR — whose parents are allegedly detained or in exile — have been placed in state-run orphanages or boarding schools. The Chinese government is also conducting a coercive campaign to reduce birth rates among Uyghurs and other majority-Muslim populations in XUAR. The campaign reportedly includes forced abortions and sterilizations.

Approximately 100,000 Uyghurs are also working under conditions that strongly suggest forced labor, including in agriculture and manufacturing sectors. Reports have identified at least 135 detention facilities in XUAR that have on-site factories where detainees are allegedly forced to work. The Helena Kennedy Centre for International Justice has reported

that over 100 international brands may be tied to Uyghur forced labor-produced cotton while the Coalition to End Forced Labour in the Uyghur Region has found that 45 percent of the world's polysilicon comes from XUAR, implicating nearly the entire global solar panel industry.

The governments of Canada, the United Kingdom (UK) and the US and the EU have sanctioned Chinese government officials and taken steps to ban goods tied to Uyghur forced labor. The US government's Uyghur Forced Labor Prevention Act, which took effect in June 2022, prevents the import of goods made "in whole or in part" in XUAR from entering the country.

The expansion of detention and labor facilities have been imposed in conjunction with increased restrictions on religious practice. According to the Uyghur Human Rights Project, at least 1,046 imams and other religious figures from XUAR have been detained in camps or imprisoned since 2014. Uyghurs in XUAR and around the world also face surveillance, including with the use of spies, which reinforces fear and social control by the Chinese government. Authorities have also engaged in the systematic destruction of Uyghur cultural heritage, demolishing or damaging thousands of mosques, shrines, cemeteries and pilgrimage sites, as well as several tangible and intangible Uyghur, Kazakh and Kyrgyz cultural items listed by the UN Educational, Scientific and Cultural Organization (UNESCO).

Leaked Chinese government documents reveal that the crackdown against Uyghurs and other majority-Muslim ethnic groups was a result of pressure from senior officials, including President Xi Jinping. The "Xinjiang Police Files" further implicate top officials and demonstrate how so-called counterterrorism is used to justify the arbitrary detention of Uyghurs.

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

Former UN High Commissioner for Human Rights, Michelle Bachelet, released a report on the human rights crisis in XUAR in August 2022. The report determined that the extent of arbitrary and discriminatory detention of Uyghurs and other majority-Muslim ethnic groups may constitute crimes against humanity, and that conditions remain in place for serious human rights violations to continue. At the HRC in September 2022 a group of countries led a resolution aimed at holding a debate on the High Commissioner's report. Although the resolution was rejected by narrow vote, it marked the first time the HRC considered formal action on China.

RECENT DEVELOPMENTS

During the UN General Assembly's (UNGA) Third Committee on 31 October 2022, Canada delivered a statement on behalf of 50 cross-regional countries expressing grave concern about human rights in XUAR and recalled the findings of the High Commissioner's report, which "makes an important contribution to the existing evidence of serious and systematic human rights violations in China."

In November 2022 CERD adopted a decision under its "early warning and urgent action procedure" and referred the situation to the UN Office on Genocide Prevention and the Responsibility to Protect. During an interactive dialogue at the HRC with the UN Special Adviser on the Prevention of Genocide on 4 July, delegations inquired about follow-up action by the Office regarding the referral.

ANALYSIS

The widespread and systematic persecution of Uyghurs and other majority-Muslim ethnic groups on religious, cultural, ethnic and gender grounds; enforced disappearances; forcible transfers; the large-scale detention program; torture of detainees; forced sterilization and sexual violence; and denial of information regarding the fate of persons in state custody likely 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 Chinese government's systematic destruction of cultural heritage aims to erase the history and identity of Uyghurs and other groups, providing further evidence of genocide. The imposition of strict control over populations, including with mass surveillance, facilitates ongoing persecution and has turned XUAR into a de facto police state.

Efforts by UN member states to mobilize the HRC to hold a formal discussion on XUAR constitute an important step to increase scrutiny of ongoing atrocity crimes perpetrated by Chinese authorities.

RISK ASSESSMENT

- A history of institutionalized discrimination due to real or perceived threats posed by Uyghurs and other majority-Muslim ethnic groups.
- Dangerous rhetoric used by the Chinese government to depict Uyghurs and other majority-Muslim groups as terrorists.

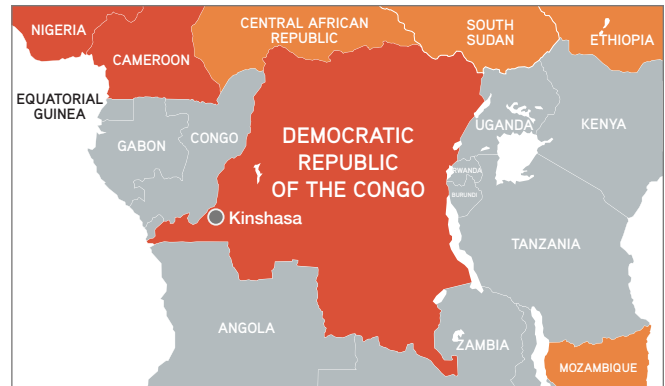
- Widespread or systematic practices or violence against the lives, freedom or physical and moral integrity of Uyghurs and other majority-Muslim ethnic groups, including policies that indicate an intent to erase and/or forcibly assimilate populations in XUAR.
- Policies or measures that seriously affect the reproductive rights of women, including through forced sterilization.
- Attacks against or destruction of homes, farms, businesses or other livelihoods of a protected group and/or their cultural or religious symbols and property.

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.” All of the recommendations issued by OHCHR should also be implemented.

At the HRC’s upcoming 54th session, member states should re-introduce a resolution to debate the High Commissioner’s report on XUAR. Relevant UN experts, including the High Commissioner for Human Rights, should prioritize monitoring the region and provide regular updates to member states. States should utilize the upcoming UPR in January 2024 to draw attention and provide targeted recommendations to Chinese authorities to address ongoing atrocity crimes in XUAR.

The Organization of Islamic Cooperation, Muslim-majority countries and neighboring states should urge China to cease their persecution of Uyghurs and other targeted groups. All UN member states should ban goods tied to forced labor in China.



DEMOCRATIC REPUBLIC OF THE CONGO

Various armed groups in the Democratic Republic of the Congo continue to indiscriminately attack civilian populations and commit violations that may amount to crimes against humanity.

BACKGROUND

Attacks by armed groups and recurring inter-communal violence have threatened populations in the eastern provinces of the Democratic Republic of the Congo (DRC) for nearly 30 years. More than 120 militias and armed groups actively operate in Ituri, North Kivu, South Kivu and Tanganyika provinces, many of whom regularly perpetrate widespread violations and abuses that may amount to crimes against humanity and war crimes. While combating armed groups, the government’s armed forces (FARDC) and police have also been implicated in widespread violations of IHL and IHRL, including sexual violence, torture and arbitrary killings, some of which may amount to crimes against humanity and war crimes.

Despite military offensives conducted by the FARDC, with assistance from the UN peacekeeping mission (MONUSCO), violence has escalated in the eastern provinces for several years amidst a surge in attacks by groups like the Allied Democratic Forces, Cooperative for the Development of Congo (CODECO) and the March 23 Movement (M23). Although the government declared military rule in North Kivu and Ituri in May 2021 under a so-called “state of siege” to confront armed groups, and joint military operations have been deployed, including through the East African Community (EAC), these efforts have failed to stem violence or attacks against populations. In 2022 more than 1,800 civilians were killed and thousands injured in Ituri, North Kivu and South Kivu, according to the UN.

Amidst armed conflict and inter-communal violence, the government has crackdown on dissent and infringed on the rights to freedom of expression, peaceful assembly and association. According to OHCHR, there appears to be systematic efforts to prevent civil society from investigating

allegations of human rights violations and abuses involving the FARDC, particularly in conflict areas. Ahead of the December 2023 general elections, Congolese authorities have imposed growing restrictions on civic and political space; arbitrarily detained and threatened opposition leaders, journalists and human rights defenders; and violently suppressed peaceful demonstrations. From January to June the UN Joint Human Rights Office documented at least 80 victims in election-related incidents, including summary and extrajudicial executions and violations of the right to physical integrity.

Protracted and resurgent violence and insecurity have exacerbated an already dire humanitarian crisis, with 26.4 million people in need of protection and humanitarian assistance. Widespread checkpoints and other deliberate movement restrictions by armed groups and, at times, the FARDC have prevented communities from accessing vital assistance. According to the UN Refugee Agency (UNHCR), there are more than 6.3 million Congolese internally displaced. Armed groups, in particular CODECO, have perpetrated targeted attacks against displacement sites in eastern DRC, killing hundreds of civilians and causing further displacement. At times the FARDC and MONUSCO have failed to prevent or stop these attacks.

RECENT DEVELOPMENTS

The security situation in Ituri and North Kivu has deteriorated in recent months despite diplomatic efforts by the EAC and International Conference on the Great Lakes Region (ICGLR). More than 600 people were killed in a surge of attacks by armed groups in Ituri between April and June. Although there has been a lull in fighting between the FARDC and M23 since late April, sporadic clashes between M23 and local self-defense groups have continued, with M23 fighters killing civilians, looting and burning homes. In July the Southern African Development Community set 30 September as the deadline for the deployment of a regional standby force. In July and August the EU and US imposed sanctions on several individuals, including members of militias or the military forces from the DRC and Rwanda, for grave human rights violations and abuses in the eastern provinces.

A dramatic increase in sexual violence against women and girls has been recorded in Ituri, North Kivu and South Kivu since the start of 2023, with more than 31,000 cases of gender-based violence documented from January to March. The UN and humanitarian actors have received reports of 1,000 sites in Goma, the capital of North Kivu, where displaced women and girls have been forced to engage in survival sex. On 19 June the UK imposed targeted sanctions on several individuals for their involvement in conflict-related sexual violence.

On 6 June the Chief Prosecutor of ICC signed a Memorandum of Understanding with the Minister of Justice of the DRC, which aims to accelerate the implementation of the DRC national

strategy in addressing international crimes and enhancing the capacity of national accountability institutions. On 15 June the DRC government submitted a new referral to the ICC requesting the Court investigate alleged crimes committed in North Kivu from 1 January 2022 to date. In July the ICC confirmed a \$31 million reparations order in its existing case against former rebel leader Bosco Ntaganda.

ANALYSIS

Various armed groups have exploited the absence or weakness of state authority in eastern DRC to perpetrate attacks against civilians for decades. Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. Ethnically motivated and deliberate attacks by armed groups against displaced Congolese have led to waves of secondary displacement. Sexual violence is increasingly being used by armed groups as a tactic to terrorize and control communities affected by conflict.

Widespread violence across the eastern provinces is straining the capacity of the FARDC and MONUSCO to provide adequate protection. FARDC offensives often trigger violent reprisals by armed groups who target civilians. The relative security gains in North Kivu are fledging. Populations in Ituri are suffering from a security vacuum created by the redeployment of the FARDC to North Kivu.

The UNSC-mandated Panel of Experts and several others have alleged that Rwanda supported M23 in 2013 and has provided logistical support and fought alongside the group during its resurgence since November 2021. M23's renewed offensive has aggravated regional tensions and provoked an increase in hate speech and incitement to discrimination in DRC, particularly targeting Tutsis/Banyarwanda individuals and others of or presumed to be of Rwandan descent.

RISK ASSESSMENT

- Increased inflammatory rhetoric and hate speech and the absence of independent mechanisms to combat it.
- Crack down on civic space, including backsliding on fundamental human rights, have created a climate of growing intolerance.
- Long-standing, unaddressed inter-communal tensions and rivalries, as well as the politicization of identity.
- Rising cross-border tensions between Rwandan and Congolese officials and their appeals to ethnic loyalties.

NECESSARY ACTION

The DRC government and all regional and international forces must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The DRC government and MONUSCO should enact measures to re-establish trust with communities, including by consulting with affected populations about protection needs.

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

Neighboring states should continue to uphold the “Peace, Security and Cooperation Framework for the DRC and the region” and ensure that forces deployed to eastern DRC refrain from illicit activities. The international community should suspend military assistance to governments found to be supporting armed groups.

The government, with the support of MONUSCO, should implement measures to mediate inter-communal tensions. MONUSCO, OHCHR and the Special Adviser on the Prevention of Genocide should further mobilize authorities and civil society to condemn hate speech and the stigmatization and racial profiling of communities.



ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY

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

BACKGROUND

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

Palestinian Territory (OPT), including East Jerusalem, and Israel concluded in June 2022 that continued occupation, as well as discrimination against Palestinians, are the key causes of recurrent instability and protraction of conflict in the region.

According to a March 2022 report by the UN Special Rapporteur on the situation of human rights in the OPT, Israel’s political system of entrenched rule in the OPT satisfies the prevailing evidentiary standard for the crime of apartheid. The Special Rapporteur determined in July 2021 that Israel’s occupation since 1967 has been characterized by settlement expansion that aims to permanently alter the ethnic demographics of East Jerusalem and amounts to a war crime. The UNSC previously adopted a resolution in December 2016 reaffirming that Israeli settlements in the OPT violate international law. The Col reached similar conclusions in September 2022, reporting that the Israeli government’s policies and actions have led to the permanent occupation and de facto annexation of Palestinian territory, likely constituting crimes under international law, including war crimes. Both the Col and Special Rapporteur have reported that this ongoing coercive environment has prevented Palestinians from fulfilling their right to self-determination and other fundamental human rights. In December 2022 the UNGA requested the International Court of Justice (ICJ) to give an advisory opinion on the legal consequences of Israel’s ongoing occupation.

Palestinians are regularly subjected to violence by Israeli settlers, including physical attacks, shooting with live ammunition, torching of fields and livestock, theft and vandalization of property. Israeli security forces also perpetrate widespread attacks against Palestinians, particularly in occupied territory, which often lead to deadly escalations, including regular aerial bombardments of the Gaza Strip. According to OCHA and OHCHR, 2022 was the deadliest year for Palestinians residing in the Occupied West Bank, including East Jerusalem, since 2005, with over 150 Palestinians, including 26 children, killed by Israeli security forces.

Meanwhile, Israel’s air, sea and land blockade of Gaza has been in place since 2007 and has inflicted collective punishment on 2 million Palestinians, facilitating a humanitarian crisis. Israeli authorities periodically shut down the crossings into Gaza, preventing the flow of people, medical cases and essential commodities, including food. Hamas’ security forces have also committed grave abuses against civilians in Gaza, including arbitrary arrests, summary executions and torture.

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

threats, arbitrary detention, torture and inhuman and degrading treatment. The Col concluded that the Israeli government has restricted civic space through a strategy of delegitimizing and silencing civil society, which is linked to its goal of maintaining permanent occupation at the expense of the rights of the Palestinian people.

RECENT DEVELOPMENTS

In recent months, Israeli forces have frequently deployed lethal force against Palestinians, regardless of the level of threat. Since the start of 2023, more than 170 Palestinians have been killed in the West Bank and Gaza Strip. From 9-13 May Israel carried out airstrikes and shelling across the blockaded and besieged Gaza Strip while Palestinian armed groups fired numerous rockets toward Israel, resulting in dozens of civilian casualties. For the third year in a row, Israeli forces carried out violent raids from 5-6 April 2023 on the Haram Al-Sharif compound and Al-Aqsa Mosque during the holy month of Ramadan, injuring dozens by using stun grenades and tear gas, firing sponge-tipped bullets and indiscriminately beating Muslim worshippers.

In addition, throughout 3 July and 4 July, Israel carried out its biggest military operation in the Occupied West Bank in over 20 years, killing at least 12 Palestinians, including five children, and injuring more than 140 in a large-scale military operation on Jenin city and Jenin refugee camp. The attack likely constitutes a war crime, as airstrikes and ground operations forced thousands to flee and extensively damaged civilian infrastructure and homes.

This daily violence is perpetrated amidst further international law violations by Israeli authorities, including rapid and illegal settlement expansions. According to OCHA, 530 Palestinian-owned structures have been demolished or seized by Israeli government authorities in 2023 so far, forcibly displacing over 940 Palestinians.

ANALYSIS

The systematic nature of human rights violations and inhumane acts in the OPT likely amounts to crimes against humanity while the collective punishment of Palestinians as a coercive measure of population control may amount to a war crime. Under the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Rome Statute of the ICC, apartheid is a crime against humanity. Israel's two-tiered legal system has institutionalized the systematic racial oppression of Palestinians.

Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory, also known as "settler implantation." Seizures and demolitions of Palestinian and Bedouin land and property leave communities at heightened

risk of forced evictions, arbitrary displacement and forcible transfer. Israel's permanent occupation endangers the cultural existence of the Palestinian people and violates their right to self-determination.

Regular deadly violence directed against Palestinians is used as a tool to maintain and entrench Israel's occupation of Palestinian territory, while impunity for these cycles of violence has entrenched a system of structural oppression against Palestinians in Gaza and the Occupied West Bank. There has been no effective accountability for past crimes by Israeli forces, Hamas or Palestinian armed groups, including potential war crimes.

RISK ASSESSMENT

- Institutionalized systematic racial oppression and discrimination against Palestinians, meeting the prevailing evidentiary standard for the crime of apartheid.
- Ongoing disproportionate violent attacks on Palestinians and occupied territory by Israeli security forces, including collective punishment of Palestinian communities.
- Perpetual occupation amounting to de facto and illegal annexation of Palestinian land, paired with illegal transfer of the occupier's population into occupied territory and the expansion of settlements.
- Violent targeted attacks by Palestinian armed groups and armed Palestinians against Israel and Israeli civilians, which further fuel cycles of violence.
- Hate speech and incitement to violence between groups.

NECESSARY ACTION

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

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

The international community should impose accountability measures for violations of international law in Israel and the OPT. The ICC should investigate all potential war crimes or crimes against humanity perpetrated in the OPT, including the crime of apartheid.



MYANMAR (BURMA)

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

BACKGROUND

On 1 February 2021 Myanmar's (Burma) military – the Tatmadaw – led by Commander-in-Chief Min Aung Hlaing, overthrew the country's civilian-led government and declared a state of emergency. Since then, hundreds of thousands of people have participated in peaceful protests and strikes against the re-imposition of military rule, while numerous civilian militias – known as People's Defence Forces (PDFs) – have also formed as part of an armed resistance. Abuses committed by the military since the coup likely amount to crimes against humanity and war crimes. At least 1.5 million people have been displaced since the coup.

The Tatmadaw has targeted civilian areas with airstrikes, scorched earth campaigns and other attacks, particularly in the anti-military strongholds of Magway and Sagaing regions and Chin, Kachin, Shan, Kayah and Karen states, resulting in civilian casualties and mass displacement. According to Data for Myanmar and the UN High Commissioner for Human Rights, 70,000 homes have been burned or destroyed since the coup. Aerial bombardments have also indiscriminately targeted schools and monasteries. On 11 April military jets perpetrated an aerial attack in Pa Zi Gyi village, Sagaing Region, reportedly killing over 165 people, including women and children, in the deadliest single attack since the coup. Over 4,000 people have been killed by security forces since February 2021. The Women's League of Burma has also documented more than 100 cases of conflict-related sexual violence, including incidents where women have been gang-raped by soldiers and raped at checkpoints due to their inability to pay bribes.

Since the coup the military has arbitrarily detained thousands of people involved in resisting the junta. The military has charged members of the National Unity Government (NUG) – a coalition of democratic opponents formed in opposition to military rule

– with high treason and pronounced that the NUG and PDFs are terrorist organizations. Although the junta has announced several mass prisoner releases, the Assistance Association for Political Prisoners has said that at least 19,950 people remain detained for resisting the coup.

The Association of Southeast Asian Nations (ASEAN) attempted to mitigate the crisis in April 2021 by agreeing to a “Five-Point Consensus,” which called for a cessation of hostilities and other steps to confront the crisis. Subsequent regional and multilateral pressure has been limited. In December 2022 the UNSC passed a resolution condemning the human rights crisis, demanding an end to the violence and calling for political prisoners to be released. Numerous governments have attempted to restrict the military's capacity to commit crimes through a variety of measures, including by imposing extensive targeted sanctions on military leaders, military-affiliated companies and others who enable their crimes, including companies who supply the military with aviation fuel. Some states have also suspended development funds, imposed arms embargos, banned dual-use goods for the military and banned the supply of aviation fuel to Myanmar, among other measures.

In August 2017 the military launched so-called “clearance operations” in Rakhine State with the purported aim of confronting the Arakan Rohingya Salvation Army. During those operations the majority of Myanmar's Rohingya population were forced to flee, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. In 2018 the HRC-mandated Fact-Finding Mission (FFM) on Myanmar concluded that senior members of the military, including General Min Aung Hlaing, should be prosecuted for genocide against the Rohingya ethnic group, as well as for crimes against humanity and war crimes in Kachin, Rakhine and Shan states.

Several processes are underway to investigate and potentially hold perpetrators accountable for crimes against the Rohingya. This includes the UN Independent Investigative Mechanism for Myanmar (IIMM), an ICC investigation and a trial at the ICJ initiated by The Gambia accusing Myanmar of violating its obligations under the Genocide Convention. Canada, Germany, the Netherlands and the UK have announced their intention to intervene in the case. Cases have also been brought forward under the principle of universal jurisdiction in Argentina, Germany and Türkiye.

RECENT DEVELOPMENTS

On 28 June 2023 the UN High Commissioner for Human Rights, Volker Türk, published a report focused on the military's systematic denial of humanitarian aid to civilians, documenting an “all-encompassing system of military measures” aimed at intentionally blocking humanitarian access, including imposing increasing legal and administrative restrictions on travel, banking, finance, importation and procurement. On 8 August the IIMM released its annual report, documenting evidence

of the military and affiliated militias committing “increasingly frequent and brazen war crimes” over the past year in the context of indiscriminate targeting with bombings, killings of those detained and burning of civilian structures.

The Myanmar military and Bangladesh have started promoting a “pilot repatriation program” for Rohingya to return from Bangladesh, which has been widely criticized by international human rights observers. Despite risks related to repatriation raised by High Commissioner Türk and the UN Special Rapporteur on human rights in Myanmar, Tom Andrews, on 14 July the HRC adopted a resolution that called for Myanmar to “immediately commence the voluntary, safe, dignified and sustainable repatriation and subsequent reintegration of all forcibly displaced Rohingya Muslims and other minorities from Bangladesh” and called upon the UN to provide necessary support to expedite the process.

On 1 August the Tatmadaw extended the state of emergency by a further six months. The military has extended successive states of emergency in order to maintain power and avoid holding constitutionally-mandated elections. It has also taken steps to block and ban anti-military parties, including by effectively dissolving the previous government’s National League for Democracy and nearly 40 other political parties in March 2023.

ANALYSIS

Impunity for past atrocities has enabled the military to continue committing widespread and systematic human rights violations and abuses against civilians, particularly those from ethnic minority populations. The risk of further war crimes and crimes against humanity remains high as the Tatmadaw continues to perpetrate indiscriminate aerial bombardments in civilian areas. The Tatmadaw’s reported use of surveillance technology and internet shutdowns appears to help facilitate the commission of atrocities and shield itself from accountability. Military forces perpetrated pervasive sexual and gender-based violence during the Rohingya clearance operations and appear to be continuing this pattern of abuse in their conduct against those perceived as resisting the junta.

Divisions within the UNSC have hampered the development of a coordinated international response to atrocities in Myanmar. Despite the failed implementation of the Five-Point Consensus, ASEAN continues to rely on the strategy as its main approach and the UNSC has consistently deferred to the regional body in place of action.

The coup and ongoing hostilities complicate the prospects for the safe, dignified and voluntary repatriation of Rohingya refugees from Bangladesh.

RISK ASSESSMENT

- Impunity for decades of atrocities perpetrated by the military.

- History of institutionalized persecution and discrimination against ethnic minority groups.
- The military’s continued access to weapons, aviation fuel and money, providing the means to perpetrate atrocities.
- Indiscriminate attacks on civilian infrastructure while targeting anti-military strongholds.
- Increasing legal restrictions on anti-military voices, including dissolution of major political parties.

NECESSARY ACTION

The UNSC should impose a comprehensive arms embargo and targeted sanctions on Myanmar and refer the situation to the ICC. China, Russia, Serbia and India must halt weapons transfers to Myanmar’s military. All UN member states, regional organizations and the UNSC should impose economic sanctions on Myanmar’s oil and gas sector and block the military’s access to aviation fuel. Foreign companies should immediately divest and sever ties with all businesses linked to Myanmar’s military.

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

More states should formally intervene in the ICJ case. All those responsible for atrocity crimes, including senior military leaders, should face international justice.



NICARAGUA

The government of Nicaragua is committing possible crimes against humanity in a systematic attempt to crush dissent.

BACKGROUND

In April 2018 tens of thousands of people took to the streets in Nicaragua to protest severe pension cuts. Police, at times in coordination with pro-government armed elements, were accused of using disproportionate force against protesters, which triggered an escalation in the demonstrations. At

least 320 people were killed and 2,000 injured between April and September 2018. An August 2018 report by the UN High Commissioner for Human Rights detailed widespread and systematic violations and abuses that may amount to crimes against humanity. Further research by the Inter-American Commission on Human Rights (IACHR)-mandated Interdisciplinary Group of Independent Experts determined that crimes against humanity, including murder, persecution and arbitrary deprivation of liberty, were committed by the government between April and May 2018. In response to these reports, the government expelled OHCHR and the Group of Independent Experts from the country.

Since then, the Nicaraguan government has gradually eroded the rule of law and rapidly descended into authoritarianism, resulting in an unprecedented human rights crisis. It has engaged in a broad campaign of repressing dissenting voices, including human rights defenders, women's rights groups, journalists, religious and community leaders, students and academics, business owners and political opponents, as well as violence against indigenous and Afro-descendant peoples. Repression further intensified in the context of the 2021 presidential elections, when the government banned large parts of the opposition from participating, including through criminal prosecutions of presidential candidates. Various government structures are committing widespread human rights violations and abuses that may amount to crimes against humanity, including persecution, murder, imprisonment, torture and sexual violence, deportation and politically motivated persecution.

In its first report released on 2 March 2023, the HRC-mandated Group of Human Rights Experts on Nicaragua (GHRE) found that the government, as well as pro-government groups, have committed crimes against humanity as part of a systematic campaign to "eliminate, by different means, any opposition in the country." President Daniel Ortega and his wife, Vice President Rosario Murillo, have dismantled checks and balances and civic space and instrumentalized the country's executive, judicial, legislative and electoral branches. On 3 April the HRC renewed the mandate of the GHRE for two years.

The systematic crackdown on civic space has resulted in the forced shut down of nongovernmental organizations (NGOs) and independent media outlets and the prosecution of independent journalists on charges of hate crimes and terrorism. Official numbers provided by local rights groups, the GHRE and OHCHR suggest that over 3,000 NGOs have been forcibly shut down since December 2018 – more than half of which were closed in the past year.

Ongoing political persecution has forced many Nicaraguans to flee. According to UNHCR, in 2022 Costa Rica hosted 253,800 refugees and asylum-seekers, of which 88 percent were Nicaraguans.

RECENT DEVELOPMENTS

Since early February 2023 the government has revoked the citizenship of more than 300 alleged political opponents. On 9 February Nicaraguan authorities forcibly deported 222 of these individuals, who had been arbitrarily detained for political reasons, and sent them to the US. On 3 May at least 40 government critics, including political opponents, independent journalists, human rights defenders and peasant activists, were detained in a massive police raid overseen by President Ortega and Vice President Murillo. According to the newspaper *El País*, this operation was likely the highest number of detentions registered on a single day since the so-called "Operation Clean-Up" in 2018.

On 21 June the UN Deputy High Commissioner for Human Rights warned that the silencing of critical voices persists in a context of widespread fear and harassment by authorities. As a sign of intensifying repression, 119 civil society organizations and eight universities have had their legal personality cancelled since March. Dozens of government critics, including prominent members of the Catholic Church, remain arbitrarily detained under what the GHRE has defined as a state policy. On 19 August the US announced the imposition of visa restrictions on 100 Nicaraguan officials who restrict Nicaraguans' human rights and undermine democracy.

ANALYSIS

Ongoing crimes against humanity have been facilitated in part by the deliberate dismantling of democratic institutions and safeguards, as well as impunity for human rights violations since President Ortega took office in 2007. Nicaragua is considered one of the most authoritarian governments worldwide. President Ortega's absolute control over the country's institutions has created a state apparatus that enables systematic policies to silence dissenting voices. Civic space has been under systematic attack and no independent media outlet can operate within the country. In the absence of an independent national judicial system, domestic avenues to ensure justice and redress for victims of state-led violence remain elusive.

Arbitrary criminal prosecutions are used as an instrument of political persecution, which has expanded over time and now targets a broad and diverse range of dissenting voices. Patterns of violence against opponents – including psychological torture – often vary by gender, with specific methods of torture targeting and inflicted upon women.

Since the expulsion of OHCHR and IACHR in 2018, no independent human rights monitoring body has been able to access the country. Nicaragua's isolation from regional and international institutions also helps facilitate the commission of atrocity crimes.

The Nicaraguan government has been unresponsive to targeted sanctions imposed by the EU, US, Canada and other states.

Ongoing investigations and public reporting by the GHRE remain crucial to ensure international scrutiny on the deteriorating crisis and exert pressure on UN member states to respond to ongoing atrocity crimes.

RISK ASSESSMENT

- Efforts by the Ortega administration to maintain absolute power over the state facilitates systematic violations and abuses.
- Expulsion or refusal to allow the presence of NGOs, international organizations, media or other relevant actors limits public scrutiny of the government and consequently enables ongoing persecution.
- Lack of cooperation by Nicaraguan authorities with international and regional human rights mechanisms, creating significant protection gaps for populations at risk.
- Instrumentalization of the country's judicial system facilitates the persecution of actual or alleged opponents. Pervasive impunity for violations committed before and since 2018 enables ongoing crimes against humanity.
- Ongoing violence against indigenous and Afro-descendant peoples.

NECESSARY ACTION

The government of Nicaragua must immediately halt the systematic persecution of actual or alleged opponents, allow independent media and civil society organizations to operate safely and freely and immediately release all arbitrary detained individuals. The government should commit to full and meaningful cooperation with regional and international human rights monitoring mechanisms, including by granting unfettered access to the GHRE. All human rights violations and abuses, including those resulting from political violence, should be independently investigated and those responsible held accountable, including at the highest level of government.

UN member states should utilize the evidence collected by the GHRE to pursue accountability for victims, including through universal jurisdiction. Latin American governments, together with the EU and other allies, should intensify efforts to ensure a coordinated, consistent and holistic response to the crisis which prioritizes human rights protection and democratic reform, in consultation with Nicaraguan civil society.

Governments and regional institutions should also maximize bilateral pressure on the Nicaraguan government to end systematic repression, including when negotiating development or other financial cooperation, and strengthen and expand a robust individual sanctions regime against perpetrators at the highest level within the Nicaraguan government.



NIGERIA

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

BACKGROUND

Since 2011 recurrent violence between herding and farming communities, rooted in competition over scarce resources, has escalated in central and north-west Nigeria. Largely in response to these growing tensions, armed groups and gangs, including so-called “bandits,” have formed and perpetrated widespread abuses, including organized cattle-rustling, kidnapping, plunder, murder and rape. Armed bandits are also occupying vast swaths of farmland. Consequently, many farmers have abandoned their land out of fear of attacks by bandit groups. During 2019 armed bandits were reportedly responsible for half of all violent deaths in Nigeria.

In January 2022, under the Terrorism Prevention Act, the Nigerian government designated these groups as “terrorists.” In attempts to curb the activities of armed bandits, the government has intensified its military operations in affected areas since late 2021, including through airstrikes where such groups operate. Over 100 civilians were killed in government airstrikes in December 2022 and January 2023 in Nasawara, Benue and Zamfara states. On 2 February the UN Special Adviser on the Prevention of Genocide issued a statement urging the Nigerian authorities to ensure that counterterrorism operations are conducted in full respect of IHRL and IHL and called upon the authorities to investigate the airstrikes and hold perpetrators accountable.

Violence perpetrated by armed extremist groups, namely Boko Haram and the so-called Islamic State in West Africa (ISWA), against civilian and military targets has also resulted in mass atrocities in northern Nigeria. More than 35,000 people have been killed since 2009 when Boko Haram launched its insurgency aimed at overthrowing Nigeria's secular government and establishing an Islamic state. Their tactics

include killings, suicide bombings, abductions, torture, rape, forced marriages and the recruitment of child soldiers, as well as attacks that are directed against government infrastructure, traditional and religious leaders and civilians. During 2022 the UN verified 524 grave violations against 307 children in north-east Nigeria, including forced recruitment, abductions, killing, maiming and sexual violence. The UN also verified 10 attacks against schools and hospitals attributable to ISWA. These groups have also perpetrated attacks in neighboring countries, killing and displacing civilians in Cameroon, Chad and Niger. In 2015 the AU authorized the regional Multinational Joint Task Force (MNJTF) to combat armed extremism.

During counterterrorism operations, Nigerian security forces have reportedly committed human rights violations and used excessive force, including extrajudicial killings, rape, torture and arbitrary detentions against suspected Boko Haram and ISWA members, as well as civilians. The Nigerian military has allegedly run a secret, systematic and illegal abortion program in Adamawa, Borno and Yobe states that has terminated at least 10,000 pregnancies since 2013, according to an investigation by Reuters. Many of the women and girls in the abortion program had been kidnapped, forcibly married, beaten and repeatedly raped by members of Boko Haram.

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

According to OCHA, the security situation has resulted in a humanitarian emergency, with more than 8.3 million people – approximately 80 percent of whom are women and children – requiring urgent assistance. There are almost 2.4 million internally displaced persons (IDPs) in the northeastern states of Adamawa, Borno and Yobe where Boko Haram and ISWA are active.

RECENT DEVELOPMENTS

During the first week of June 2023 approximately 132 people were killed by armed bandit groups in Sokoto, Zamfara, Benue and Katsina states in northern Nigeria. On 3 and 4 June at least 36 people were killed by armed bandits in six villages in Sokoto and Zamfara states. On 24 July at least 34 people, including 7 soldiers, were killed by bandits in the Dan Gulbi district of the Maru Local Government Area, Zamfara State.

Meanwhile, since May violence between herding and farming communities in Plateau State has increased, displacing more than 80,000 people. Between May and June approximately 200 people were killed in clashes between the predominantly Christian Berom farming communities and the predominantly Fulani Muslim herding communities in the Riyom, Barkin Ladi and Mangu areas of Plateau State. On 15 May armed men,

allegedly Fulani herdsmen, attacked at least 20 villages in Mangu, killing at least 100 people, including many women and children. On 22 June at least 16 people were killed in two separate attacks in Riyom and Mangu areas.

ANALYSIS

Nigeria's armed forces have been deployed in two-thirds of the states in the country and are overstretched as Boko Haram, ISWA and bandit groups continue to expand their areas of operation. Despite notable progress by the MNJTF against Boko Haram, civilians remain at risk of attacks and identity-based violence.

Violence between herders and farmers has increased in recent years as population growth has led to an expansion of the area dedicated to farming, leaving less land available for open grazing by cattle. Growing desertification has also exacerbated tensions between communities as the loss of grazing land in the north has driven many ethnic Fulani herdsmen southward into areas farmed by settled communities that are predominantly Christian. While armed bandit groups are driven largely by criminal motives, many bandits are ethnic Fulani and prey on settled farming communities, exacerbating existing ethnic tensions.

RISK ASSESSMENT

- Patterns of violence against civilians, or members of an identifiable group based on their ethnicity or religion, as well as their property, livelihoods and cultural or religious symbols.
- Multiple security crises caused by a proliferation of armed groups, criminal gangs and terrorist groups.
- Climate and weather extremes causing increased competition over and exploitation of scarce resources.
- Increased politicization of identity, past events or motives to engage in violence and growing radicalization or extremism of opposing parties within a conflict.
- Lack of awareness and training on IHRL and IHL for military forces, irregular forces and non-state armed groups.

NECESSARY ACTION

While the lack of adequate military protection for vulnerable populations needs to be urgently addressed, social initiatives and political reforms remain crucial for confronting the root causes of conflict, including poor governance, corruption, poverty, youth unemployment and environmental degradation. Local peace commissions established to mediate inter-communal tensions and build early warning systems, such as those in Adamawa, Kaduna and Plateau states, need to be duplicated in other high-risk regions.

Utilizing the Economic Community of West African States' Early Warning System, the government should increase police and military deployments to vulnerable areas while ensuring strict adherence to IHL and IHRL during operations. The government also needs to urgently reform the security sector, including by

incorporating IHL and IHRL into all military and police training, and ensure accountability for human rights violations.

The government of Nigeria needs to investigate all attacks against civilians and hold perpetrators of atrocity crimes accountable. The Chief Prosecutor of the ICC must immediately request authorization to open an investigation into alleged crimes committed by armed extremist groups and government security forces.



SUDAN

Populations in Sudan are enduring war crimes and crimes against humanity due to an armed confrontation between the Sudanese military and paramilitary forces. Non-Arab communities are at risk of genocide in Darfur as result of ethnically motivated killings.

BACKGROUND

On 15 April violent clashes broke out between the Sudanese Armed Forces (SAF) and the paramilitary Rapid Support Forces (RSF). Fighting initially started in the capital, Khartoum, but has escalated and spread across Sudan, with clashes reported in the Darfur and Kordofan regions and Blue Nile State. As of 15 August, more than 4,000 people have reportedly been killed and 12,000 injured, though the actual figures are estimated to be much higher.

The current conflict has triggered an alarming escalation in inter-communal and ethnically motivated violence in various parts of the country. Since April, a systematic campaign of targeting non-Arab communities has led to large-scale attacks on over 27 towns in West Darfur, including El Geneina and Misterei, as well as towns in North Darfur and South Darfur. Evidence suggests that Arab affiliated militias and the RSF are targeting civilians from Massalit and other non-Arab communities on the basis of their ethnic identity and have committed ethnic cleansing. Mass graves have already been identified in El Geneina and Misterei.

The conflict was initially sparked by mounting tensions between General Abdel Fattah al-Burhan, commander of the SAF, and General Mohamed Hamdan “Hemedti” Dagalo, commander of the RSF, regarding the integration of the RSF into Sudan’s regular forces as part of a political agreement aiming to establish a new transitional civilian authority. In their fight to preserve and expand control, both parties have perpetrated indiscriminate and deliberate attacks against civilian objects. RSF fighters have allegedly looted residential areas and gone house-by-house to demand resources or take strategic positions. Access to food, medical care and other essential services has been severely restricted. According to the International Organization for Migration, over 3.4 million people have been internally displaced since 15 April while an additional 1 million have fled to neighboring countries.

Strong condemnation and diplomatic efforts by the UN, AU, Intergovernmental Authority on Development (IGAD) and various countries, including Saudi Arabia, Egypt and the US, have not resulted in a permanent end to hostilities. On 27 May the AU’s Peace and Security Council adopted the “AU Roadmap for the Resolution of the Conflict in Sudan.”

Sudan has undergone significant political changes since former President Omar al-Bashir was overthrown after country-wide protests in 2019. Leadership was handed over to a joint civilian-military transitional Sovereign Council until the military – under the leadership of General Burhan and supported by General Hemedti – seized power on 25 October 2021. Following the coup, millions of protesters demonstrated across the country, demanding the reinstatement of a genuine civilian-led government. Security forces were accused of perpetrating excessive and deadly violence against protesters, including sexual and gender-based violence and arbitrary arrests.

RECENT DEVELOPMENTS

During June the UN High Commissioner for Human Rights, Special Representative for Sudan and Special Adviser on the Prevention of Genocide all raised alarm about the emerging pattern of large-scale targeted attacks against civilians based on their ethnic identities. On 13 July the Chief Prosecutor of the ICC announced his Office is investigating alleged new international crimes committed in Darfur in the context of the current hostilities. Between 24 and 30 July the RSF and allied Arab militias allegedly attacked the predominantly non-Arab town of Sirba and the neighboring Abu Suruj camp area in West Darfur, killing at least 200 people and injuring more than a thousand. Satellite imagery assessed that at least 86 percent of the town’s structures – 4,463 out of approximately 5,200 – have been destroyed.

Violence between the SAF and RSF has continued to spread throughout Sudan. Since June violence in South Kordofan has significantly increased as the SAF, RSF and SPLM-N al-Hilu faction fight for territorial control. Between 15 July and 4

August at least 55 people were killed as result of the violence. During August renewed fighting between the RSF and SAF in Nyala, South Darfur, led to large-scale destruction amid targeted and indiscriminate attacks against civilians. On 23 August alone shelling killed at least 40 people.

Since July more than 30 UN experts, as well as the Special Representative on Sexual Violence in Conflict and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, have expressed alarm about reports of the brutal and widespread use of sexual violence, including rape, sexual assault, exploitation and sexual slavery.

ANALYSIS

Since former President Bashir was ousted, General Burhan and General Hemedti have consistently obstructed Sudan's political transition in order to preserve and expand their power and privileges. Both continued to recruit forces along ethnic lines and strengthen relationships with regional powers, including several Gulf states and Egypt, to further consolidate their positions in Sudan. Despite being supported by the AU, IGAD and the UN, the political agreement that was supposed to be signed on 1 April 2023 received criticism from civil society groups and experts who felt that involving the military in negotiations legitimized the 2021 coup and rewarded actors involved in grave human rights violations and atrocities.

For decades, the Arab-dominated government imposed its control on ethnic minorities and exploited ethnic divisions and the presence of armed Arab militias, resulting in competition and deadly conflicts over shrinking resources and pastoral land. Local authorities lack the capacity and resources to ensure the protection of civilians. Civilians in Darfur, particularly those from non-Arab communities, are at risk of ethnic cleansing and genocide, given the region's genocidal history, entrenched impunity for past crimes and the ethnically charged nature of the current violence. A ceasefire agreement will not bring an end to the parallel campaign of identity-based mass violence in Darfur.

Impunity has allowed those responsible for atrocity crimes and grave human rights violations to remain in leadership positions. During his dictatorship, former President Bashir and other officials were allegedly responsible for crimes against humanity, war crimes and acts of genocide. As a commander of the Janjaweed, the forerunner of the RSF, General Hemedti was also implicated in atrocities committed during the conflict in the Darfur region and beyond. Following a 2005 UNSC referral, the ICC has issued arrest warrants for three Sudanese officials, including former President Bashir and two anti-government militia leaders. Despite this, the Court was only able to open its first trial concerning potential crimes committed in Darfur in April 2022, with the start of hearings for former Janjaweed leader, Muhammad Ali Abd-Al-Rahman.

RISK ASSESSMENT

- Political instability caused by abrupt or irregular regime change or transfer of power and widespread mistrust in state institutions.
- Humanitarian and human rights crisis caused by armed confrontation between military actors, including in densely populated areas.
- Deliberate targeting of civilians based on their ethnicity, which may amount to ethnic cleansing and genocide.
- Past or present serious discriminatory, segregationist, restrictive or exclusionary practices, policies or legislation against marginalized communities and persons belonging to minority groups, some of which may amount to crimes against humanity and acts of genocide.
- Absence of reconciliation or transitional justice processes following conflict and atrocities.

NECESSARY ACTION

General Burhan and General Hemedti must agree to a permanent cessation of hostilities and ensure adherence to IHL and IHRL by all forces under their command. While efforts to establish a ceasefire should continue, the international community must also assess the risk of further atrocities, including evaluating which communities are at imminent risk and determining appropriate response.

It is essential that humanitarian organizations are allowed safe and unhindered access to deliver aid. International donors must utilize more innovative ways of delivering aid to vulnerable populations across Sudan, including by supporting civilian-run Resistance Committees and neighborhood communities.

International and regional actors need to ensure that a permanent ceasefire agreement is followed by a credible political process that respects people's desire for democratic reform. States should urgently consider targeted sanctions against General Burhan and General Hemedti, including freezing personal bank accounts, as well as the accounts of companies to which they are connected. The UNSC must continue to closely monitor the precarious security situation and be prepared to expand the existing sanctions regime, including against those responsible for conflict-related sexual violence and the targeting of communities on the basis of their ethnic identity.



SYRIA

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

BACKGROUND

Since March 2011 the government and opposition groups in Syria have engaged in an armed conflict. The protracted crisis has its roots in President Bashar al-Assad government's brutal suppression of protests in 2011, which quickly devolved into an internationalized country-wide conflict characterized by rampant atrocity crimes, including the illegal use of chemical weapons. During the conflict, Syrian government forces have been bolstered by Russian airstrikes, which commenced in September 2015. Since the start of the conflict at least 580,000 people have been killed, including an estimated 306,887 civilians who died from 1 March 2011 to 31 March 2021, according to OHCHR.

Since 2021, the conflict has shifted away from large-scale military hostilities along major frontlines to regional clashes between armed groups and Syrian government forces. Various parties to the conflict continue to perpetrate serious violations and abuses of international law. Government forces have committed murder, torture and sexual violence as a matter of state policy. In areas previously held by the opposition, the government is imposing arbitrary restrictions on freedom of movement and depriving individuals of their property, which the HRC-mandated Col on Syria alleges may amount to the war crime of collective punishment. Government forces have also reportedly subjected civilians returning to Syria to arbitrary detention, enforced disappearances, extrajudicial killings and torture. Meanwhile, armed groups, like the Syrian National Army (SNA) and other Turkish-backed groups, have perpetrated torture, sexual violence, systematic looting and arbitrary detention.

Despite the ceasefire reached between armed opposition groups and government forces in Dara'a governorate on 1 September 2021, insecurity continues across the south as

Syrian government forces clash with opposition armed groups. The government has also imposed a blockade in northern Aleppo since August 2022, inflicting severe shortages of fuel, aid and medical supplies on tens of thousands of civilians, including those internally displaced. Throughout areas under its control, the government systematically perpetrates arbitrary arrests, torture, enforced disappearances and deaths in detention.

Violence remains ongoing in Idlib governorate where ground fighting, shelling and airstrikes – perpetrated by forces loyal to the Syrian government – have damaged medical facilities, markets, schools and displacement camps, causing dozens of civilian deaths and greatly reducing access to food, water, medical care and adequate housing. The armed extremist group Hay'at Tahrir al-Sham also continues to perpetrate abuses, including arbitrarily detaining activists and journalists. Elsewhere in northern Syria, including the northeast, escalating hostilities and strikes between the SNA and Syrian Defense Forces (SDF) continue to adversely impact civilians. IEDs, as well as indiscriminate shelling and airstrikes, have killed and wounded hundreds of civilians over the past year.

In 2014 the so-called Islamic State of Iraq and the Levant (ISIL) declared a caliphate across Iraq and Syria and perpetrated widespread abuses against civilians until the group was militarily defeated in their last territorial stronghold in 2019. The Col concluded in 2016 that ISIL perpetrated likely genocide against Yazidis and other minorities. At least 23,000 children of alleged ISIL fighters from 60 countries remain trapped in squalid detention camps run by the Kurdish-backed SDF. The Col has reported that the conditions may amount to cruel or inhuman treatment and may constitute the war crime of outrage upon personal dignity, while the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism has reported that the indefinite detention of children with no legal process likely amounts to fundamental breaches of the rights of the child under international law.

Nearly 13 million people have been displaced, including 6.7 million Syrian refugees. An estimated 15.3 million Syrians remain in need of humanitarian assistance and over 12 million people are food insecure.

The grave situation across Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. Since 2013 the UNSC has passed 29 resolutions on the situation in Syria; however, none have been fully implemented and the Syrian government has directly violated many of them. Russia and China have jointly vetoed ten draft resolutions on Syria and Russia has independently vetoed an additional eight, systematically shielding Syria from international accountability measures. The UN Secretary-General and others have repeatedly called for the UNSC to refer the situation to the ICC.

To close the accountability gap, on 21 December 2016 the UNGA voted to establish an International, Impartial and Independent Mechanism to assist in the investigation and prosecution of perpetrators of atrocities in Syria. Several countries have also initiated domestic legal proceedings or convicted suspected Syrian perpetrators under universal jurisdiction.

RECENT DEVELOPMENTS

On 8 June 2023 Canada and the Netherlands jointly initiated proceedings against Syria before the ICJ concerning alleged violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Canada and the Netherlands also filed a request for indication of provisional measures from the Court, for which public hearings will commence on 10 October 2023.

The Col has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. Syrian victim, survivor and family associations, coordinating under the Truth and Justice Charter, articulated their collective needs and identified the necessity for a single contact point to assist them in clarifying the fate of those missing and to support those directly affected. Following their intensive advocacy, on 29 June the UNGA established the Independent Institution on Missing Persons in Syria, mandated to clarify the fate and whereabouts of all missing persons in Syria, as well as to provide support to victims, survivors and their families.

On 11 July, due to a veto by Russia, the UNSC failed to renew the mandate for cross-border humanitarian aid deliveries at the Bab al-Hawa crossing from Türkiye – the only remaining crossing within the cross-border mandate – jeopardizing aid to over four million people in need in northwest Syria.

ANALYSIS

For over a decade the government of Syria, its allies and armed opposition groups have all perpetrated countless attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict continue to commit acts that may amount to war crimes and crimes against humanity. Ongoing violations of various ceasefire agreements greatly increase the risk of recurrence of large-scale conflict.

As various armed groups attempt to consolidate their control over territory in a fragmented Syria, civilians are facing indiscriminate hostilities, as well as widespread and systematic human rights violations. The Syrian government and other parties to the conflict continue to perpetrate detention and disappearance as a strategy to control and intimidate civilians, confirming ongoing patterns of crimes against humanity and war crimes.

RISK ASSESSMENT

- Ongoing likely war crimes and crimes against humanity perpetrated by all parties to the conflict, particularly the government.
- Impunity enjoyed by all perpetrators for atrocity crimes.
- Inadequate state structures to protect the most vulnerable, including IDPs, returning refugees and minorities.
- Inability or refusal to address the situation of those missing and disappeared, as well as the continued commission of enforced disappearances and associated violations and abuses by all parties to the conflict.
- Limited government cooperation with any international mechanisms.

NECESSARY ACTION

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

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

UN member states must ensure the Independent Institution on Missing Persons in Syria receives sufficient resources to be able to fully carry out its mandate. UN member states should also continue to pursue accountability for alleged atrocities under universal jurisdiction. Public hearings at the ICJ related to provisional measures must be as inclusive and representative of all Syrian victims and survivors as possible, centering their rights and needs in the hearings. The UNSC should also refer the situation in Syria to the ICC.



UKRAINE

Russian forces have widely perpetrated possible war crimes and crimes against humanity since their invasion of Ukraine. Ukrainian forces have also committed potential war crimes.

BACKGROUND

Since 24 February 2022, when Russian Armed Forces invaded Ukraine, cities and towns across the country have been bombarded with indiscriminate explosive weapons. The HRC-mandated Col on Ukraine has documented evidence of war crimes committed against the civilian population by Russian forces, including indiscriminate attacks, torture and sexual and gender-based violence. The UN has verified more than 9,511 civilian deaths since the start of the conflict while emphasizing that there are likely thousands of unverified casualties. The conflict has caused a massive humanitarian crisis, displacing at least 11.3 million people, including more than 6.2 million who fled to neighboring countries, and leaving 17.6 million in need of assistance.

The UN Human Rights Monitoring Mission in Ukraine (HRMMU) has documented the widespread use of heavy artillery and multiple launch rocket systems, missiles, airstrikes and illegal cluster munitions in populated areas. Schools, homes, water and sanitation systems and civilian shelters have been routinely targeted. The World Health Organization has verified 1,129 attacks on healthcare since February 2022, the highest number verified in any conflict. Russian forces have bombed and pillaged Ukrainian historical, religious and cultural sites, with UNESCO verifying damage to at least 274 cultural sites since February 2022.

In areas under their control, Russian forces have perpetrated grave abuses that may amount to war crimes, including killings, rape and torture. Mass graves and burial sites containing at least 1,500 bodies have been found in areas retaken from Russian forces in Bucha, Izium and Lyman. According to the Col, the systematic use of torture in Russian-occupied areas, as well as the wave of attacks by Russian forces on

Ukraine's energy-related infrastructure since October 2022, may amount to crimes against humanity. According to the HRMMU, Ukrainian and Russian forces have also committed abuses against prisoners of war, including torture and ill-treatment. The UN has documented violations of international law by mercenary operatives from the Wagner Group, including enforced disappearances, ill-treatment and extrajudicial executions of prisoners of war.

The UN and the Organization for Security and Co-Operation in Europe have verified evidence of grave crimes against children, including killing and maiming, as well as unlawful transfers and deportations of children that may amount to war crimes or crimes against humanity. According to the UN Secretary-General, in 2022 Russian forces and affiliated armed groups were responsible for the killing of at least 136 children and maiming of 518 while Ukrainian armed forces were responsible for the killing or maiming of 255 children. On 17 March 2023 the ICC issued arrest warrants for Russian President Vladimir Putin and the Commissioner for Children's Rights in the Office of the President of Russia, Maria Alekseyevna Lvova-Belova, for their alleged responsibility for the deportation and transfer of population from occupied areas of Ukraine to Russia.

Fighting has escalated in Donetsk and Luhansk oblasts, a region collectively known as Donbas, and international monitors have documented both sides committing violations that may amount to war crimes. Conflict has been ongoing in Donbas since 2014 after a pro-European change of power in Kyiv prompted the Russian government to militarily support majority-ethnic Russian separatists but has been further exacerbated by the invasion of Ukraine. An estimated 14,000 people were killed and millions displaced between 2014-2022 and the ICC found evidence of war crimes and crimes against humanity.

Russia's aggression in Ukraine has been widely condemned and many states and intergovernmental organizations have responded with unprecedented targeted sanctions and other economic measures. Hundreds of multinational corporations have ceased operations in Russia and many countries have closed their airspace to Russian airlines. Some states have provided Ukraine's military with weapons.

Following Russia's veto of a draft resolution on 25 February 2022, the UNSC adopted a "Uniting for Peace" resolution. On 2 March 2022 the UNGA condemned Russia's use of force and on 7 April voted to suspend Russia from its seat on the HRC. The UNGA has also passed numerous resolutions that have demanded humanitarian access to civilians, condemned and demanded the immediate reversal of Russia's annexation of occupied Ukrainian territory and called for reparations and justice for violations of IHL. Meanwhile, after Ukraine filed a case asking for clarification under Article IX of the Genocide Convention, on 16 March 2022 the ICJ imposed provisional measures, calling on Russia to suspend military operations and

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

RECENT DEVELOPMENTS

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

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

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

ANALYSIS

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

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

RISK ASSESSMENT

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

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

NECESSARY ACTION

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

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



VENEZUELA

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

BACKGROUND

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

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

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

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

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

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

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

RECENT DEVELOPMENTS

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

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

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

ANALYSIS

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

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

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

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

RISK ASSESSMENT

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

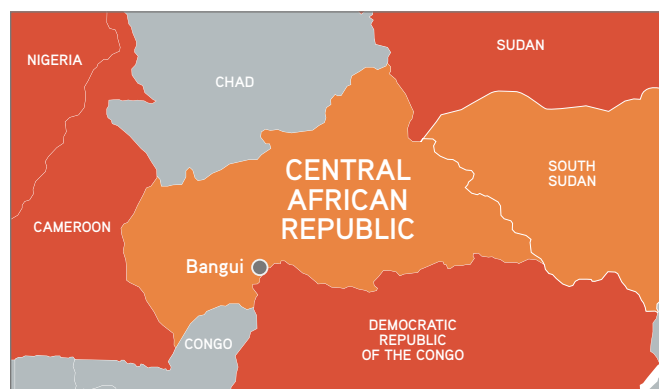
NECESSARY ACTION

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

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

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

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



CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

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

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

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

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

FACA troops and Russian mercenaries. OHCHR has implicated proxy forces – who were recruited, trained and armed by FACA and Russian mercenaries – in incidents targeting and punishing the Muslim and Fulani communities that may amount to war crimes and crimes against humanity. The police have also disproportionately arbitrarily arrested, illegally detained and tortured members of the Fulani community. The UN High Commissioner for Human Rights and the UNSC-mandated Panel of Experts have warned that the pattern of violations against minority communities risks triggering further violence along communal, religious and ethnic lines and may cause setbacks for peace and reconciliation efforts.

The protracted crisis in CAR has its origins in the overthrow of President François Bozizé during 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 between 2013-2015. Although a 2019 peace deal formally ended the conflict, armed groups continued to engage in sporadic violence. In September 2021 the ICGLR adopted a roadmap for peace, which called for the revitalization of the peace deal. In 2023 the government has taken steps to decentralize the peace process by strengthening coordination between national and prefectural monitoring mechanisms, but sporadic clashes between the FACA and CPC-affiliated armed groups have limited the chances for dialogue.

Despite persistent impunity, there have been some advances toward justice for atrocities. Trials are ongoing at the ICC for former anti-balaka leaders and a Séléka leader. From 22-24 August 2023 the ICC held a confirmation of charges hearing of an additional anti-balaka leader. On 31 October 2022 the Special Criminal Court (SCC) in CAR issued its first verdict, finding three suspected members of the “3R” armed group guilty of committing crimes against humanity and war crimes in May 2019.

RECENT DEVELOPMENTS

In recent months, there has been a resurgence of armed group activity in the north, southeast and west. In March a predominantly ethnic Azande armed group, Azande Ani Kpi Gbe, emerged in Haut-Mbomou, forcibly recruiting Azande youth and violently clashing with the UPC, a predominantly Fulani armed group. Clashes have resulted in civilian deaths and the burning of homes, forcing civilians to flee. The UPC has perpetrated human rights abuses, including killings, kidnappings and cruel, inhuman and degrading treatment, as well as rape and sexual violence against Azande women. Myriad armed groups are also fighting to regain control of former strongholds in northern Vakaga prefecture, including transhumance corridors and mining sites.

Government institutions have cracked down on civil society, journalists and opposition political parties ahead of a

controversial constitutional referendum that took place on 30 July and local elections scheduled for September. MINUSCA has recorded cases of hate speech and incitement targeting ethnic and religious communities and migrant workers, particularly transhumance communities, as well as against dissenting voices.

ANALYSIS

The security situation remains precarious amid heightened inter-communal tensions and armed group activity along CAR’s borders. Increasing targeting of ethnic and religious communities, as well as proliferating hate speech and incitement, have heightened atrocity risks. The growing presence of explosive ordnance primarily harms civilians and hampers humanitarian organizations and MINUSCA’s civilian protection efforts.

CAR has a history of widespread impunity that has fueled cycles of armed conflict and atrocities. While there are several mechanisms mandated to deal with international crimes perpetrated in CAR, accountability remains limited with few alleged perpetrators having been arrested, prosecuted or tried for war crimes and crimes against humanity since 2013.

The cross-border flow of foreign fighters, arms and natural resources is contributing to a thriving conflict-economy. Competition for control of profitable minerals has resulted in armed groups committing abuses against civilians. Mercenary operatives have committed human rights abuses as they increase their control of gold-mining areas. The Wagner Group has perpetrated alleged abuses and intimidated civilians in conflict zones around the world, including CAR.

The new constitution has exacerbated political tensions and is a step toward authoritarianism. The constitution removes the presidential two-term limit, creates the post of vice-president, who would be appointed by the president, and will transform the parliament into a single chamber, which may undermine the independence of the judiciary.

RISK ASSESSMENT

- Situation of armed conflict and other forms of instability, including a security crisis caused by, among other factors, defection from a peace agreement and lack of commitment to a ceasefire.
- The creation and mobilization of armed groups at mineral-rich porous border areas.
- Ongoing acts of violence against vulnerable populations, particularly minority groups and women.
- Obstruction of MINUSCA’s freedom of movement, as well as violations of the status of force agreement, impedes civilian protection efforts and the ability to identify and clear explosive ordnance.

- Repressive measures imposed by authorities to close civic space and suppress dissent, resulting in a climate of fear and incitement to violence and discrimination.

NECESSARY ACTION

All armed actors must adhere to their obligations under IHL and IHRL. It is imperative that all parties cooperate with MINUSCA, ensuring the Mission can effectively carry out its mandate. CAR authorities must guarantee the independence of institutions, respect freedom of peaceful assembly and association and counter incitement to violence.

Provincial and local authorities, in coordination with civil society, should implement community-based atrocity prevention and response strategies, including dialogue and mediation to address and mitigate the risks of inter-communal tensions.

All perpetrators of atrocity crimes in CAR should be held legally accountable, regardless of their rank, affiliation or nationality. The government should prioritize accountability by launching and operationalizing all criminal and other courts intending to address cases of human rights violations and abuses. The authorities must cooperate with the SCC to ensure that suspects subject to its arrest warrants are taken into custody, regardless of the political or military status of the individual.



ETHIOPIA

Despite a peace agreement, populations in the Tigray, Afar and Amhara regions of Ethiopia remain at risk of further war crimes and crimes against humanity. Populations across Ethiopia are also at risk due to sporadic inter-communal violence and clashes with government forces.

BACKGROUND

On 2 November 2022 the federal government of Ethiopia and the regional governing Tigray People's Liberation Front (TPLF) agreed to a cessation of hostilities, brokered by the AU, aimed at ending a two-year conflict in northern Ethiopia. Since November 2020 the Ethiopian National Defense Forces (ENDF)

and its allies, including the Eritrean Defense Forces (EDF), fought in an armed conflict with the Tigray Defense Forces (TDF) which was characterized by widespread violations of IHL and IHRL. The fighting initially began in the Tigray region and subsequently spread to neighboring Afar and Amhara regions in July 2021. The conflict has caused a humanitarian catastrophe to unfold across northern Ethiopia, with over 1 million people internally displaced.

Possible war crimes and crimes against humanity were committed by all parties throughout the conflict. Reports by several UN bodies, including the HRC-mandated International Commission of Human Rights Experts on Ethiopia (ICHREE), and investigations by international human rights groups documented indiscriminate bombings, ethnic-based killings, sexual violence, forced displacement, use of child soldiers, destruction of cultural heritage and the systematic destruction of food, water and health infrastructure. Humanitarian convoys were routinely blocked, attacked and looted by parties to the conflict. Aid workers have reported ongoing abuses by the EDF and regional Amhara forces in Tigray despite the peace deal, including looting of civilian property, as well as kidnappings and mass detentions.

Amnesty International and Human Rights Watch found that Amhara regional forces and militias and the EDF, with ENDF complicity, are responsible for the ethnic cleansing of Tigrayans from Western Tigray. Amhara authorities have subjected the Tigrayan population to abuses and restrictions on the basis of their ethnicity and removed them from the area under duress while simultaneously calling for the settlement of Amhara residents into the area.

Inter-communal and inter-religious violence, as well as regional border disputes in other parts of Ethiopia have continued to escalate, particularly between the Amhara and Oromo communities. Oromia regional security forces, the ENDF and the Oromo Liberation Army (OLA) armed group have allegedly committed enforced disappearances and attacks on civilians, including ethnic Amharas. In its 2022 annual report, the Ethiopian Human Rights Commission (EHRC) detailed widespread abuses against civilians in 13 zones of the Oromia region. The report found that hundreds of civilians were killed and at least 100,000 displaced between July and November 2022 amidst fighting between different configurations of armed groups, including the OLA and Amhara 'fano' militias, with federal and Oromia regional security forces. In attempts to mitigate the OLA's insurgency, the ENDF have launched repeated airstrikes in Oromia. The EHRC has determined that government forces were responsible for airstrikes on civilian areas and extrajudicial killings of civilians perceived to be supportive of armed groups. On 26 April the first ever peace negotiations between the Ethiopian government and the OLA started in Tanzania but concluded with no resolution.

RECENT DEVELOPMENTS

During June the US Agency for International Development and the UN World Food Programme (WFP) announced the temporary suspension of all food aid to the 20 million people in need in Ethiopia after discovering that supplies were being diverted and stolen in a widespread and coordinated manner. At least 700 starvation-related deaths have been reported since the aid pause. Both organizations had previously halted food aid to Tigray due to similar suspicions. On 31 July WFP resumed small scale deliveries in Tigray, testing new control measures.

In April the government announced plans to integrate regional militia forces into the federal army and police. The announcement prompted fears amongst populations in several regional, particular the Amhara community, regarding loss of regional autonomy and vulnerability to attacks by other ethnic groups. Protests against the measure in the Amhara region escalated into intense clashes between fano militia and the ENDF, prompting the federal government to declare a state of emergency on 4 August. The EHRC has reported that civilians and civilian property have been targeted throughout the clashes.

ANALYSIS

Despite the cessation of hostilities, risks to populations will continue until the terms of the agreement are fully implemented. Civilians in Tigray, Afar and Amhara remain at risk of further war crimes and crimes against humanity due to repeated violations of IHL and IHRL. Civilians in Tigray also remain at risk due to the continued presence of the EDF, which have repeatedly been accused of atrocity crimes while Eritrean authorities have allegedly sought to settle decades-old grievances with the TPLF through the collective punishment of Tigrayans.

The conflict in northern Ethiopia also sparked an increase in hate speech between ethnic groups across the country and caused other pre-existing ethnic tensions to flare. Inflammatory statements by political leaders may fuel further ethnic conflict.

Myriad conflicts across the country have shown a repeated pattern of abuse by the ENDF and others. Civilians in Oromia remain at heightened risk of atrocities due to ongoing fighting between OLA militants and the ENDF. Amharas in Oromia are also particularly vulnerable to attacks by the OLA. The targeting of civilians based on their identity may amount to crimes against humanity.

Ethiopia's ethnic-based federalist system has resulted in widespread allegations of ethnic favoritism, deepening distrust between ethnic groups. Under the former TPLF-dominated ruling coalition, which controlled the government for 27 years prior to Prime Minister Abiy Ahmed coming to power in 2018, many groups felt marginalized. A history of impunity and

lack of effective transitional justice for human rights abuses perpetrated under successive ruling parties has exacerbated these grievances.

RISK ASSESSMENT

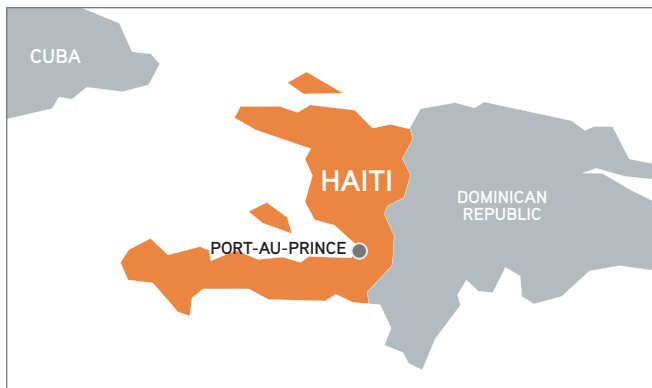
- Residual tensions following the conflict and fragile peace process requiring ongoing negotiations and credible commitment to its implementation by all parties.
- Policy or practice of impunity for or tolerance of serious violations of IHL and IHRL, of atrocity crimes or of their incitement.
- Unresolved inter-communal tensions and the federal government's fight against associated ethnic-based militias – many of whom are fighting for autonomy of their group.
- Inflammatory rhetoric, propaganda campaigns or hate speech by political figures to capitalize on the politicization of ethnic identity.
- Limited cooperation by the government with internationally mandated human rights mechanisms.

NECESSARY ACTION

While meaningful steps to implement the cessation of hostilities agreement and the unfettered delivery of aid have been taken, the process must continue in good faith. The EDF should immediately withdraw from Ethiopia. The UNSC should impose an arms embargo and sanctions on spoilers to the peace process.

The government must take steps to hold a truly inclusive national dialogue to holistically address the root causes of recurrent inter-communal and ethnic-based conflicts. The government should also proceed with transparent accountability efforts for perpetrators of atrocities across the country, including those inciting violence. The government must refrain from violations of international law while conducting military operations and spare no effort to protect civilians. Armed groups must also end the targeting civilians.

Federal and regional authorities should cooperate with the ICHREE and allow it to carry out its mandate, including by allowing the mechanism unfettered access to all conflict areas. The HRC must renew the mandate of the ICHREE during its upcoming 54th session and ensure the full funding and staffing of the mechanism.



HAITI

Populations in Haiti are at risk of possible atrocity crimes due to escalating violence by armed gangs.

BACKGROUND

Over the past two years, since the assassination of then-President Jovenel Moïse in July 2021, violence has intensified in Haiti's capital, Port-au-Prince, where armed gangs are perpetrating killings, rapes, kidnappings and intimidation in a climate of widespread impunity. Gangs have rapidly proliferated, with an estimated 150 criminal groups currently fighting over territory in Port-au-Prince and its metropolitan region. The UN estimates that the groups control nearly 90 percent of the city. In 2022 gang violence reached levels not seen in decades, with more than 2,100 murders and 1,300 kidnappings documented.

In 2022 violence escalated across several neighborhoods in Cité Soleil – a commune on the outskirts of Port-au-Prince – where intense turf wars and protracted conflict involving two of the main gang coalitions – the G9 alliance and G-Pèp federation – have led to grave abuses. Populations have faced killings, disappearances, gang rape, indiscriminate sniper attacks and destruction of property. A report by UN Women and the Global Initiative against Transnational Organized Crime found that 80 percent of those surveyed – 591 women and girls – were victims of one or more forms of gender-based violence in Cité Soleil. A group of UN Special Procedures reported that armed gangs are using systematic sexual violence, including collective rape and mutilation, as a means of exerting territorial control and to terrorize and inflict pain on communities under the control of rival gangs. Refusing sexual demands by armed gangs has led to reprisals, including killings and arson attacks. Although the leaders of G9 and G-Pèp agreed to a truce on 1 July, the agreement remains fragile as they did not commit to disarmament.

The UN Secretary-General's annual report on children and armed conflict added Haiti as a situation of concern due to the gravity and number of violations reported and verified

between September 2022 and March 2023. Schools are frequent targets for violence, as armed gangs perceive looting schools as a lucrative alternative to other forms of extortion and crime. Between October 2022 and February 2023 at least 72 schools were targeted compared to eight the same period the previous year.

Insecurity has compounded an existing humanitarian crisis. Haitians have little or no access to basic necessities, as armed gangs have blocked essential transport routes and looted humanitarian supplies. Nearly 200,000 people have been internally displaced by the violence while tens of thousands have sought refuge outside the country. CERD warned that Haitians on migration routes, at borders and in detention centers in the Americas region have faced killings, disappearances, acts of sexual and gender-based violence and trafficking. In the first six months of 2023 countries in the region have returned at least 73,800 people to Haiti.

The grave security situation is exacerbated by protracted political deadlock. Prime Minister Ariel Henry has controlled executive and parliamentary functions since July 2021 and has been unable to reach a consensus with Haitian political authorities and civil society representatives to enable a democratic transition.

RECENT DEVELOPMENTS

Since the beginning of 2023 various UN officials have warned that insecurity in the Port-au-Prince metropolitan area has reached levels comparable to countries in armed conflict. Since January the UN has estimated that armed gangs have killed at least 2,500 people – an increase of nearly 125 percent compared to the same period in 2022 – and kidnapped 970. In response to escalating violence, a civilian self-defense movement – known as “Bwa Kale” – emerged in April. Gang members retaliated by creating their own movement known as “Zam Pale.” Since late April the UN has documented more than 350 people lynched by local people and vigilante groups.

On 12 April UN High Commissioner for Human Rights, Volker Türk, appointed an Independent Expert on the situation of human rights in Haiti following a resolution adopted by the HRC at its 52nd session. Between 19 and 29 June the Independent Expert visited Haiti and heard reports of grave human rights violations perpetrated by armed gangs and possible summary executions by individuals wearing police uniforms, as well as mass arrests of individuals on grounds of criminal association, imprisoned without trial or access to a lawyer.

Amidst growing insecurity, the Haitian National Police (HNP) has lacked the capacity to combat the territorial expansion of armed gangs and protect residents. On 7 July leaders of the Caribbean Community (CARICOM) stressed the need to create a UNSC-mandated humanitarian and security corridor. Following nearly a year of requests by Prime Minister Henry

for the deployment of a multinational security force to combat gangs, on 29 July Kenya offered to deploy 1,000 police officers. The Bahamas has also pledged to send 150 security personnel. On 15 August the UN Secretary-General recommended the deployment of a new international force comprising “police special forces and military support units.”

ANALYSIS

Populations living in areas under the control of armed gangs are at heightened risk of abuse and possible atrocities. The emergence of Bwa Kale and Zam Pale movements may lead to further violence, as well as mobilization, arming and recruitment of youth into gangs. Civilians have already been targeted because of their support for self-defense groups.

Insecurity in marginalized areas of Port-au-Prince leave many without access to any public services, exacerbating existing inequalities which fuel patterns of exclusion – a driver of violence. Moreover, insecurity has created a climate of mistrust between some host communities and displaced populations, deteriorating social cohesion.

The unprecedented surge in violence stems from intensifying turf wars between armed gangs who are competing for control of strategic resources. Kidnappings and associated requests for ransom are a vital source of income for gangs to carry out operations and purchase weapons.

The prevalence and spread of gang violence across the capital and to the Artibonite region is also fueled by the power vacuum created since the assassination of former President Moïse. The lack of legitimate executive or legislative bodies, as well as a dysfunctional judiciary, has enabled gangs to continue their activities. Many of the armed gangs have alleged ties to state authorities or police officers, raising questions about institutional capacity and commitment to fighting gangs effectively and impartially.

While the request for a multinational force has gained traction among the international community, many Haitians have expressed concerns due to misconduct and serious abuses that resulted from previous international interventions by the UN and others.

RISK ASSESSMENT

- Proliferation and flow of illicit arms and ammunition to armed gangs, providing the means for perpetrating atrocities.
- Growing grave acts of violence, including systematic sexual violence, against vulnerable populations, particularly women and children.
- Limited government capacity to combat armed gang activity, as well as ineffective institutions, particularly the judiciary, to combat corruption and impunity.

- Emergence of vigilante groups have heightened tensions and fears over indiscriminate lynchings and may lead to new cycles of violence.
- Near-complete impunity for killings, kidnappings and sexual violence emboldens gang members to perpetrate further abuses in new territory.

NECESSARY ACTION

National authorities, with the assistance of countries in the region, must bolster efforts to curb the flow of illicit weapons and ammunition. The UNSC arms embargo should be implemented immediately. Those responsible for serious abuses, as well as those providing support and finance to gangs, should be investigated and prosecuted in line with international human rights standards. Victims must have access to adequate medical and psychosocial care.

The international community must strengthen its support to Haitian authorities, including by bolstering the capacity of the HNP with a robust multinational force with civilian harm mitigation mechanisms and guarantees of human rights due diligence. Efforts to secure strategic locations and the country’s main roads should be complemented by initiatives to provide jobs, education and access to basic necessities in gang-controlled areas.

Regional states must end the collective expulsions and forced returns of Haitians and uphold their obligations under international refugee law and IHRL.



SOUTH SUDAN

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

BACKGROUND

On 12 September 2018 a Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), brokered by IGAD, was signed by the parties to the

conflict – including President Salva Kiir and then former Vice President and opposition leader Riek Machar – formally ending the civil war. The subsequent formation of the Transitional Government of National Unity (TGoNU) in 2020 provided an opportunity to address divisions in the country and to support sustainable solutions to the conflict. However, bitter disagreements between and within parties of the TGoNU on how to implement the R-ARCSS have led to widening divisions and further exacerbated tensions at the local level.

The HRC-mandated Commission on Human Rights in South Sudan and the UN Mission in South Sudan (UNMISS) have repeatedly warned of an escalation of violence and the need for urgent attention to the implementation of the peace agreement. Ongoing inter-communal violence and attacks by community-based militias have resulted in increasing civilian casualties. Cattle raiding and revenge killings, as well as increased resource competition between herding and farming communities, have triggered violent clashes. Senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities. In several parts of the country, tensions between the two main political parties, the Sudan People's Liberation Movement and the SPLM-In Opposition, over access to resources and political appointments have also culminated in violent clashes and triggered serious human rights violations, including widespread sexual violence, particularly against women and girls.

Upon request by the TGoNU, the UN Peacebuilding Commission has been supporting efforts to address challenges related to the implementation of the R-ARCSS since 2022. The Commission is working with the TGoNU to mobilize political, technical and financial support for the country's peacebuilding infrastructure at the local level through its governance and reconciliation components.

According to OCHA, over 9.1 million people – more than two thirds of the population – need humanitarian assistance. OCHA has reported that as clashes exacerbate the humanitarian situation, the most vulnerable, including women, children, the elderly and disabled, are bearing the brunt of the prolonged crisis. An estimated 2.3 million people remain internally displaced and 2.32 million have fled to neighboring countries. South Sudan is one of the most dangerous countries for humanitarian workers, with more than 143 killed since 2013.

RECENT DEVELOPMENTS

The outbreak of the conflict in neighboring Sudan during April 2023 has had direct political, social and economic consequences for South Sudan. Import disruptions, the influx of refugees and limited humanitarian resources, as well as a shift of focus by President Kiir and IGAD to the situation in Sudan, are exacerbating existing triggers and drivers of conflict in South Sudan. Increased competition over already scarce resources has led to an escalation of tensions among communities.

On 7 June the killing of a 14-year-old Shilluk resident at the Protection of Civilians (PoC) site in Malakal, Upper Nile State, sparked retaliatory attacks, including the killing of a man from the Nuer community. Clashes between armed youth militias subsequently erupted, killing at least 17 people. Approximately 6,000-7,000 Nuer left the PoC site, turning the site into a monoethnic site with predominantly Shilluks.

Between January and May the Human Rights Division (HRD) of UNMISS verified 22 cases of extrajudicial executions by South Sudanese security forces in Warrap and Lakes States. The HRD further documented 920 incidents of violence against civilians between January and March, resulting in the killing of 405 civilians and the abduction of at least 266.

While national elections were initially scheduled for 2022, the TGoNU has repeatedly extended the transitional period and delayed the elections. On 21 March President Kiir promised to hold free and fair elections in 2024, with no further extensions of the TGoNU. Several politicians and civil society actors warned of potential rigging of elections and increased politicization along ethnic lines. During June the UN Special Representative for South Sudan noted that the country is not yet ready to roll out an electoral process based on information received from government officials, political parties and civil society organizations.

ANALYSIS

The repeated failure to uphold multiple peace agreements shows a lack of genuine commitment to a political solution on the part of South Sudan's leaders. Instead, continuous political competition and the mobilization of armed groups is leading to increasing localized conflict, fragmentation and ethnic divisions. Political leaders have continued to focus on the preservation of their personal power, allowing mistrust to reinvigorate ethnic tensions and fuel violence across the country. Delays in reforming the security sector appear to be a deliberate strategy by President Kiir to retain dominance.

The influx of small arms and light weapons and ammunition during South Sudan's civil war has increased the risk of atrocities, with the accessibility of weapons to civilians and youth groups making inter-communal clashes more deadly. The armed conflict and continued violations of ceasefire agreements underline the importance of the UNSC-imposed arms embargo and targeted sanctions.

Despite some positive steps regarding political and security arrangements, progress on key human rights issues has been limited and justice remains largely elusive for the victims and survivors of atrocity crimes. A pervasive culture of impunity continues to fuel resentment, recurring cycles of armed violence and atrocity crimes. Neither the government nor opposition groups have held perpetrators within their own ranks accountable for past or current atrocities and none of the

transitional justice mechanisms provided for by the R-ARCSS, including the Hybrid Court, have been established.

RISK ASSESSMENT

- Situation of armed conflict and other forms of instability, including a security crisis caused by, among other factors, delays in implementing peace agreements, absence of a unified army under national command and rising political tensions.
- Policy or practice of impunity for serious violations of IHL and IHRL, atrocity crimes or their incitement.
- Weak state institutions and lack of capacity to prevent atrocity crimes and address inter-communal and political tensions.
- Past and present serious tensions and conflicts between communities, the mobilization of armed groups along ethnic lines and the politicization of past grievances.
- Capacity to commit atrocity crimes, including availability of personnel, arms and ammunition.

NECESSARY ACTION

All armed groups must immediately cease hostilities and respect IHL and IHRL to prevent further civilian harm. The TGoNU must make every effort to stop the fighting, address the root causes of inter-communal violence and ensure the safety and security of all populations. The TGoNU must also urgently establish an inclusive electoral system and advance the permanent constitution-making process to allow for free, fair and credible elections by December 2024, including by passing and implementing the National Elections Act without further delay, as well as reconstituting the Political Parties Council, National Constitutional Review Commission and National Elections Commission.

The international community should exert increased diplomatic pressure on all parties to the R-ARCSS to ensure its full implementation. The UNSC must 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.

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

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



YEMEN

Despite a significant decrease in hostilities, populations in Yemen remain at imminent risk of war crimes and crimes against humanity.

BACKGROUND

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

The UNSC-mandated Panel of Experts on Yemen has reported that since 2015 arbitrary arrests and detention, enforced disappearances, ill-treatment and torture of detainees have been conducted by all parties to the conflict. From 2018-2021 the HRC-mandated Group of Eminent Experts (GEE) on Yemen also documented a pattern of violations and abuses of international law perpetrated by all parties to the conflict that may amount to war crimes, including indiscriminate airstrikes and shelling, torture, arbitrary detention and sexual and gender-based violence as well as attacks on essential civilian infrastructure including water reservoirs and hospitals. The GEE alleged that Canada, France, Iran, the 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.

In October 2021, following heavy diplomatic and political pressure from Saudi Arabia, the HRC failed to renew the mandate of the GEE, terminating the only international independent mechanism dedicated to monitoring international law violations in Yemen. The abrupt termination of the GEE

was followed by a dramatic escalation in armed hostilities and indiscriminate bombing, with the Saudi/UAE-led coalition carrying out over 200 air raids per month between October and April 2022. Over 2,050 civilians were killed or injured during this period, including over 471 as a result of coalition airstrikes.

On 2 April 2022 parties to the conflict commenced a truce brokered by the UN Special Envoy for Yemen, Hans Grundberg, which was renewed twice until it expired on 2 October. The six-month truce – the first negotiated country-wide ceasefire since 2016 – included a cessation of all attacks, the entry of fuel ships in Hodeidah ports and the operation of commercial flights in and out of Sana’a airport. Although there was a significant decrease in civilian casualties during the truce, ACLED recorded 2,208 incidents of shelling, artillery and missile attacks, 374 air and drone strikes and 369 armed clashes resulting in over 938 civilian casualties. OCHA recorded approximately 1,205 incidents of interference with humanitarian access, including violence against aid workers. Civilians were also still widely subjected to violations and abuses of human rights, including enforced disappearances, torture and sexual violence.

The UN has recorded evidence of parties to the conflict perpetrating grave violations against children, including recruitment and use of children in armed hostilities, killing and maiming of children and attacks on schools. The UNSC-mandated Panel of Experts reported in January 2022 that over 2,000 children recruited by the Houthis have died in combat since 2020. In April 2022 the Houthis signed an Action Plan with the UN to commit to end and prevent grave violations against children.

The crisis in Yemen has been ongoing for over 20 years, but dramatically escalated during 2014 when, amidst a UN-facilitated political transition process, Houthi forces and military units loyal to former President Ali Abdullah Saleh took control of numerous governorates in Yemen, including the capital Sana’a, and forced then President Abd Rabbu Mansour Hadi and his government to resign. On 26 March 2015 the Saudi/UAE-led coalition launched a military intervention in Yemen to restore the internationally recognized government of President Hadi. There have been several unsuccessful attempts at ceasefires and truces since the start of the conflict.

The UNSC imposed financial sanctions and travel bans on former President Ali Abdullah Saleh and Houthi leaders for the first time in November 2014. On 14 April 2015 the UNSC established an arms embargo on Houthi leaders and individuals acting on their behalf or under their direction. On 28 February 2022 the UNSC altered the arms embargo to include the Houthis as an entity subject to the embargo measures.

RECENT DEVELOPMENTS

Although there has not been a significant escalation in hostilities and no airstrikes have occurred since the truce expired, over

1,464 civilians have been killed or injured since October 2022 as occasional clashes continue across several governorates, including Al Jawf, Shabwah, Marib, Hodeidah, Sa’dah and Ta’izz. Ongoing patterns of violations against minority communities, including followers of the Baha’i faith, demonstrate targeted persecution of religious minorities by Houthi security forces.

Saudi officials and Houthi leadership are currently engaging in negotiations, brokered by Oman and in parallel to the efforts brokered by UN Special Envoy Grundberg. In a step toward reaching a negotiated settlement, 887 conflict-related detainees were released by the Houthis and Saudi/UAE-led coalition from 14-16 April 2023. In July over 60 Yemeni civil society organizations released the Yemen Declaration for Justice and Reconciliation, in which they set forth their common vision for achieving justice and reconciliation in post-conflict Yemen.

ANALYSIS

While the reduction of hostilities provides tangible relief to civilians, large-scale atrocity risks remain until a permanent truce and inclusive negotiated peace settlement are reached and extensive justice and accountability efforts, including reparations to victims, are advanced. Ongoing political negotiations aimed at a more permanent truce currently lack representation from many parties to the conflict, as well as minority groups and women who have been disproportionately affected by the violence. The lack of inclusive dialogue limits the capacity of these groups to advocate for their protection and risks entrenching violations and abuses.

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian objects, amounting to war crimes and crimes against humanity. The protracted crisis in Yemen has been exacerbated by pervasive impunity that has fueled lawlessness and resulted in extensive civilian harm. There is currently no international independent body paving the way toward justice and accountability in Yemen. The dire humanitarian situation is a direct result of the armed conflict and likely atrocity crimes perpetrated by warring parties.

RISK ASSESSMENT

- Ongoing serious human rights violations and violent incidents that adversely affect civilians.
- Legacy of likely atrocity crimes perpetrated before 2014 and recent history of atrocity crimes perpetrated by all parties to the conflict.
- Impunity enjoyed by all perpetrators for previous and ongoing atrocity crimes, fueled by inability and/or unwillingness of the international human rights system to effectively address the situation.
- Inadequate protection for and ongoing threats toward the most vulnerable, including minorities, women, children, human rights defenders and IDPs.
- Interlinked political, economic and social instability that increases the risks of return to large-scale conflict.

NECESSARY ACTION

All parties to the conflict should fully recommit to a country-wide truce, as well as make every effort to reach a negotiated end to the protracted conflict. Any political negotiations should include all relevant parties to the conflict and other key groups in Yemen, as well as ensure that accountability and justice feature prominently in the peace process. All key stakeholders, including the international community, must take urgent steps to implement the Yemen Declaration for Justice and Reconciliation.

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

R2P MONITOR is a quarterly publication that:

Provides *background* on populations at risk of mass atrocity crimes, with particular emphasis on broad trends, key events and actors and their connection to the threat, or commission, of genocide, war crimes, ethnic cleansing and crimes against humanity.

Highlights the *recent developments* in the situation, including salient events that may have increased the risk of mass atrocities, improved circumstances faced by populations or advanced accountability efforts.

Offers *analysis* of the factors and indicators that have enabled the possible commission of mass atrocity crimes or prevent their resolution.

Provides an atrocity *risk assessment* listing five key factors that are contributing to the worsening of the situation or exacerbating the risks to populations drawing upon the UN Framework of Analysis for Atrocity Crimes and other analytical tools.

Suggests *necessary action* to prevent or halt the commission of mass atrocity crimes.

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