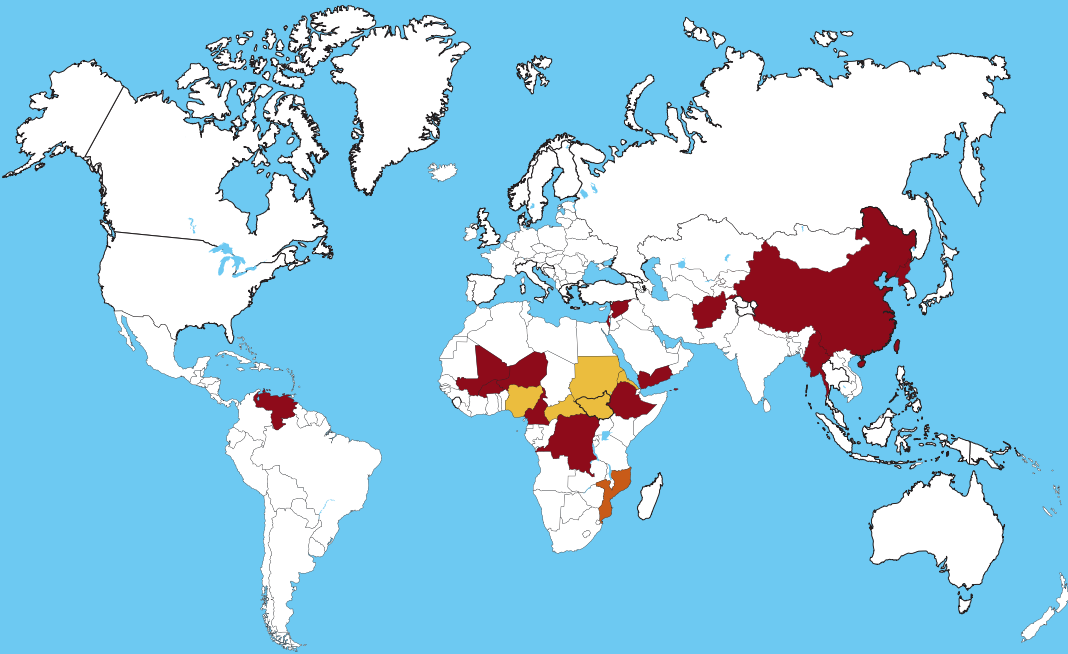


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# R2P MONITOR

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Responsibility to Protect

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

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

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

### CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

### IMMINENT RISK

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

### SERIOUS CONCERN

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

## R2P Monitor:

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

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

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

## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



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

## AFGHANISTAN

*Populations in Afghanistan remain at risk of mass atrocity crimes as the Taliban continues its armed conflict with the government. Other armed extremist groups also threaten civilians.*

### BACKGROUND

Since the Taliban were overthrown in 2001 by a North Atlantic Treaty Organization coalition of military forces, they have conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces, the Taliban have made substantial military gains, currently controlling or influencing more than half the country. The UN Refugee Agency (UNHCR) reported that 2.1 million people are currently internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

Despite the finalization of a peace agreement between the United States (US) and the Taliban on 29 February 2020, as well as the commencement of intra-Afghan talks on 12 September, the Taliban have continued their military campaign against the Afghan government. Since the start of intra-Afghan negotiations, civilian casualties have increased by 38 percent. Ongoing violence in Helmand, Kandahar, Kunduz and Uruzgan provinces has killed or maimed hundreds of civilians. The 1 May 2021 withdrawal date for the estimated 3,500 remaining US troops in Afghanistan has been delayed by US President Joe Biden until 11 September. After warning that a delayed withdrawal would result in increased attacks on both Afghan and US forces, the Taliban launched a renewed offensive in Helmand province shortly after 1 May.

Improvised explosive devices (IEDs) have frequently been used to target civil servants, journalists, professional women, human rights defenders and politicians. Over 350 civilian casualties were caused by IEDs during the Muslim holy month of Ramadan.

The Taliban has been blamed for most of the attacks, although they deny responsibility. The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) have claimed responsibility for some attacks on media workers, minority populations and other civilians.

Many attacks also target members of ethnic and religious minority communities. According to the Afghanistan Independent Human Rights Commission, at least 115 civilians were killed or maimed in attacks targeting places of worship during 2020. An unclaimed bomb attack on a high school in Dasht-e-Barchi, a predominantly Hazara neighborhood in Kabul, killed 85 civilians, including many schoolgirls.

According to the UN Assistance Mission in Afghanistan (UNAMA), 1,783 civilians have been killed or maimed so far in 2021. The number of women killed and injured increased by 37 percent and child casualties increased by 23 percent compared to the first quarter of 2020. UNAMA has attributed 45 percent of the 8,820 civilian casualties in 2020 to the Taliban, 8 percent to ISIL-K and 22 percent to Afghan security forces.

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

### ANALYSIS

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

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

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

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

## INTERNATIONAL RESPONSE

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

During 2017 the Chief Prosecutor of the ICC, Fatou Bensouda, requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. Despite the Court initially rejecting the request, on 5 March 2020 the Appeals Chamber allowed the investigation to proceed. On 4 April 2021 US President Biden rescinded sanctions imposed by the previous US administration targeting Chief Prosecutor Bensouda and the Head of the ICC's Jurisdiction, Complementarity and Cooperation Division, Phakiso Mochochoko, in retaliation for investigating possible war crimes perpetrated by US troops and intelligence officials in Afghanistan.

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

The UN and the governments of Turkey and Qatar plan to convene a high-level peace conference in Istanbul in order to accelerate the stalled intra-Afghan negotiations.

## NECESSARY ACTION

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

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



775,000+ people displaced by conflict in the north-west and south-west regions

## CAMEROON

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

### BACKGROUND

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

Security forces have perpetrated extrajudicial killings, burned Anglophone villages and subjected individuals with alleged separatist ties to torture and ill-treatment. Security forces have also been accused of widespread sexual and gender-based violence. Armed separatists have also perpetrated abuses, including kidnapping and killing civilians. Separatists have banned government education and frequently attacked schools and teachers, resulting in 80 percent of schools in the two regions being closed or destroyed and 700,000 children forced out of school. Since 2016 at least 3,500 civilians and hundreds of members of the security forces have been killed in the Anglophone regions.

The security situation has deteriorated since the beginning of 2021 due to increased fighting between government forces and armed separatist groups. Attacks on education and humanitarian convoys, the use of IEDs and kidnappings have also escalated. Since January, separatists have carried out at least 27 IED attacks in 13 towns, more than in all of the previous years of the crisis combined.

Several attempts have been made to find a solution to the conflict. During June 2019 Switzerland mediated peace talks which were followed by a national dialogue organized by President Paul Biya that October. On 3 February 2021 Cardinal Pietro Parolin, Secretary of State of the Vatican, concluded a visit to Cameroon and announced the readiness of the Catholic Church to facilitate a dialogue between the government and separatist groups.

Meanwhile, during February at least 12 people were killed and 100 buildings burned during inter-communal violence in the north-west region. At least 16 Fulani herders were also killed during two separate attacks on 5 and 7 March by armed men in the Boyo division. The north-west region has a long history of inter-communal tensions between the Muslim Mbororo/Fulani herders and Christian farming communities, particularly in the Bamenda Grassfields area. Armed separatist groups have also perpetrated attacks on Fulani communities, forcing 12,000 people to flee and killing 250 since 2016. Fulani vigilante committees, established in response to the attacks, have been accused of collaborating with the government's military operations against Anglophone separatists.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that at least 712,800 people have been internally displaced by violence in the north-west and south-west regions, while at least 66,000 have fled to Nigeria. According to OCHA, 1.15 million people are currently severely food insecure. A significant increase in targeted attacks on humanitarian workers over the past year has further restricted the delivery of vital aid. Approximately 30 percent of health facilities are unable to operate due to insecurity.

The armed extremist group Boko Haram is also active in the Lake Chad Basin region that includes Cameroon, Chad, Niger and Nigeria. There have also been widespread allegations of the security forces perpetrating extrajudicial killings during military operations against the group.

## ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to Anglophone and Francophone civilians and may amount to war crimes and crimes against humanity. The government continues to deny the severity of the current crisis and has failed to address the root causes of the Anglophone conflict or provide a political means for resolving it.

The Anglophone and Francophone areas of Cameroon have been unified since 1961, but there have been long-term disputes over the extent to which access to government resources is controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the population of Cameroon, they are a majority in the north-west and south-west regions. What began as a political dispute in the Anglophone regions is now a complex armed conflict and major humanitarian crisis.

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

## INTERNATIONAL RESPONSE

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

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

The UN's Special Representatives on Children and Armed Conflict, Sexual Violence in Conflict, and Violence Against Children, as well as the Special Adviser on the Prevention of Genocide, issued a joint statement on 21 February 2020 deploring human rights abuses committed against civilians in the south-west and north-west regions of Cameroon.

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

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

## NECESSARY ACTION

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

The government and armed separatists should declare a ceasefire as a prelude to peace talks. In order to work towards a negotiated solution to the crisis in the Anglophone regions, the government should hold an inclusive dialogue mediated by a neutral player on neutral territory. The government, UNSC and African Union (AU) should support attempts by the Vatican to mediate a comprehensive ceasefire in the Anglophone regions.

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



## CENTRAL SAHEL

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

### BACKGROUND

Civilians across the Central Sahel are facing increased attacks by Islamist armed groups and state security forces, as well as inter-communal violence perpetrated by rival militias. More than 2,440 civilians were killed during 2020.

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

The International Commission of Inquiry (Col) on Mali has reported that between 2012–2018 Islamist armed groups committed crimes against humanity and war crimes, including murder, torture, recruitment of children, maiming, rape and sexual violence, as well as attacks against humanitarian workers and MINUSMA. More than 130 MINUSMA peacekeepers have been killed since July 2013, including 10 so far this year. The Col also determined that the Malian security forces committed war crimes, including targeted killings, rape and torture.

Since Islamist armed groups expanded their activities from northern to central Mali during 2015, violence has spilled into neighboring Burkina Faso and Niger. The porous tri-border area has facilitated the expansion of groups linked to al-Qaeda and the so-called Islamic State of Iraq and the Levant (ISIL). The number of violent attacks has increased eightfold since 2015. During March more than 200 civilians were massacred during a series of attacks by presumed Islamic State in the Greater Sahara fighters in the volatile Tillabéri and Tahoua regions of

Niger. Since January at least 400 civilians have been killed in Tillabéri and Tahoua, and more than 102,000 people are now displaced in Tillabéri.

Islamist armed groups routinely attack civilian infrastructure, including places of worship, health centers and schools. These groups have targeted state education across the Central Sahel, burning schools and threatening, abducting or killing teachers for using the secular state curriculum. The UN has recorded an increase in grave human rights violations committed against children in Mali, including killing and maiming, human trafficking, forced recruitment by armed groups, rape and being forced into sexual or domestic servitude. Armed groups have also used landmines and IEDs, particularly in central Mali and southwest Niger, indiscriminately killing and maiming civilians.

Some counterterrorism operations by Sahelian security forces, the G5 Sahel Joint Force (FC-G5S) and Operation Barkhane – France's regional force – have led to grave human rights abuses against civilians. In Burkina Faso and Mali, more civilians were killed by local militias and national security forces than by attacks by Islamist armed groups in 2020. On 30 November Niger's National Human Rights Commission found that elements of the Nigerien security forces were responsible for the extrajudicial execution of more than 70 unarmed civilians whose remains were discovered in six mass graves in Inatés, Tillabéri. A report released on 30 March by MINUSMA concluded that a January airstrike by Operation Barkhane killed 19 civilians who were attending a wedding in central Mali.

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

The Central Sahel is now one of the fastest growing displacement crises in the world with approximately 1.8 million people displaced, including over 1 million children. A record 14.4 million people need humanitarian assistance, a 60 percent increase since January 2020.

### ANALYSIS

Militias, self-defense groups and security forces continue to target populations on the basis of their ethnic and/or religious identity. Islamist armed groups also target people's livelihoods, destroying crops and food reserves and blockading villages. The rise in inter-communal tensions in western Niger highlights the growing risk of further atrocities.

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

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

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

## INTERNATIONAL RESPONSE

Following a referral by the government of Mali, the ICC launched an investigation in January 2013. During August 2017 former Ansar Dine leader Ahmad al-Faqi al-Mahdi was sentenced for the war crime of partially destroying the World Heritage Site at Timbuktu. On 30 March 2021 the ICC's Trust Fund for Victims, UNESCO and the government of Mali awarded symbolic reparations to victims of atrocities in Timbuktu.

The UNSC subjects eight individuals in Mali to targeted sanctions for obstructing the peace process and violating human rights, including recruiting child soldiers and attacking UN personnel. On 29 June 2020 the UNSC renewed MINUSMA's mandate for an additional year.

On 12 June 2020 the G5 Sahel countries – Burkina Faso, Chad, Mali, Mauritania and Niger – and France launched the International Coalition for the Sahel, coordinating the efforts led by the FC-G5S and its partners, including Operation Barkhane, MINUSMA and Takuba Task Force.

## NECESSARY ACTION

While countering violent extremism remains crucial for Burkina Faso, Mali and Niger, it is essential that all three governments and international forces ensure that their efforts do not further exacerbate inter-communal tensions and fuel distrust of state authority. Additional measures must be implemented to end the proliferation of arms, militias and self-defense groups. Disarmament, demobilization and reintegration efforts need to be focused on areas where atrocity risks are greatest.

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



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

## CHINA

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

### BACKGROUND

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

An estimated 1 million Uyghurs and other Muslim minorities have been detained in "re-education" or "de-extremification" facilities without formal charges or due process. During September 2020 the Australian Strategic Policy Institute (ASPI) reported that more than 380 suspected detention facilities in XUAR – including so-called "re-education" camps and prisons – have been built or expanded since 2017. On 2 February the BBC reported on widespread rape, sexual abuse and torture of ethnic minorities in detention facilities. Meanwhile, an estimated 250,000 children under the age of 15 in XUAR have lost at least one parent to detention, with many children placed in state-run orphanages or boarding schools.

During 2020 ASPI reported that over 80,000 Uyghurs are also working under "conditions that strongly suggest forced labor," with many transferred from detention camps to factories. Other reports have identified 135 detention facilities in Xinjiang that have on-site factories where detainees are reportedly forced to work. The factories are part of supply chains that allegedly provide goods for 82 global brands. According to evidence published by the Center for Global Policy, hundreds of thousands of ethnic Uyghurs and other minorities are also

forced to work in Xinjiang's cotton sector, which produces 20 percent of the world's cotton. According to the Coalition to End Forced Labour in the Uyghur Region, 45 percent of the world's polysilicon also comes from XUAR, supplying the global solar panel industry.

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

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

These measures have been imposed in conjunction with increased restrictions on religious practice. In March 2017 XUAR authorities passed the "Regulation on De-extremification," which prohibits a range of "extreme" behaviors, such as "abnormal" beards. Leaked government documents reveal that the crackdown in Xinjiang was a result of pressure from senior officials, including President Xi Jinping. The Communist Party Secretary of XUAR, Chen Quanguo, subsequently intensified Uyghur persecution and expanded the detention camps. According to evidence collected by the Uyghur Human Rights Project, 1,046 imams and other religious figures from XUAR have been detained in camps or imprisoned since 2014.

## ANALYSIS

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

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

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

## INTERNATIONAL RESPONSE

The UN High Commissioner for Human Rights, Michelle Bachelet, has requested that China allow her office to carry out an independent assessment of reports of enforced

disappearances and arbitrary detentions. On 26 June 2020 a group of 50 UN Special Procedures mandate holders called for the establishment of an impartial and independent UN mechanism to monitor the grave human rights situation in China. On 6 October Germany delivered a statement to the UN General Assembly's Third Committee on behalf of 39 governments, calling on China to allow independent observers "immediate, meaningful and unfettered access to Xinjiang" and refrain from arbitrarily detaining Uyghurs and other minorities. On 29 March a group of 16 independent UN experts called for unhindered access to the country to conduct investigations and urged companies to closely scrutinize their supply chains.

On 12 January Canada and the United Kingdom (UK) announced a set of measures to prohibit products that profit from Uyghur forced labor from entering their countries. The US government has also banned the importation of cotton and tomato products produced in Xinjiang. On 22 March Canada, the European Union (EU), UK and US imposed sanctions against officials in China over human rights abuses in XUAR. The EU also froze the assets of the Xinjiang Production and Construction Corps Public Security Bureau, a state-owned economic and paramilitary organization.

On 19 January the US became the first government to formally accuse China of committing genocide and crimes against humanity against the ethnic Uyghur population and members of other Muslim minority groups. Since then, the parliaments of Canada, Lithuania, Netherlands and UK have also recognized the situation in Xinjiang as constituting genocide.

## NECESSARY ACTION

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

The HRC should mandate a Special Rapporteur on the situation of human rights in China or a Fact-Finding Mission (FFM) to investigate and report on systematic violations of human rights.

Recognizing the important influence they may have, the Organization of Islamic Cooperation, Muslim-majority countries and neighboring states should urge China to respect the rights of minorities and cease their persecution of the Uyghur population. All UN member states should ban goods produced with forced labor in Xinjiang.



5.2 million people  
internally displaced

At least 120 armed  
groups still operating  
in eastern DRC

## DEMOCRATIC REPUBLIC OF THE CONGO

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

### BACKGROUND

Attacks by armed groups and recurring inter-communal violence continue to threaten populations in the eastern provinces of the Democratic Republic of the Congo (DRC). Despite military offensives conducted by the government's armed forces (FARDC) with assistance from the UN peacekeeping mission in the DRC (MONUSCO), violence continues to escalate. More than 120 militias and armed groups are currently active in the eastern DRC.

According to the UN Joint Human Rights Office (UNJHRO) in the DRC, during 2020 an estimated 2,487 civilians were killed by armed groups in North Kivu, South Kivu, Tanganyika and Ituri provinces. The majority of victims were in Ituri and North Kivu, where inter-communal violence, as well as fighting between the FARDC and ethnic militias, has escalated. According to UNHCR, over 5.2 million Congolese are currently internally displaced, including an estimated 3 million children, while more than 934,000 refugees have fled to neighboring countries, making this the largest displacement crisis in Africa. The World Food Programme and UN Food and Agriculture Organization estimate that 27.3 million people are critically hungry.

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

target civilians, killing more than 200 people and kidnapping at least 70 in the first three months of 2021.

UNHCR and the UN Children's Fund have warned that atrocities in North Kivu are putting internally displaced persons (IDPs) and children at particular risk. According to UNHCR, between December 2020 and January 2021, armed groups committed at least seven incursions into five sites for displaced populations in North Kivu. Some armed groups have also forcibly occupied schools and attacked health centers in North Kivu.

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

During April UNHCR also warned of a resurgence of violence in the Grand Kasai region, where inter-ethnic militia violence resulted in widespread atrocities between 2016-2018. During late March 2021 clashes reportedly erupted in the Bakwenge locality between fighters from the Luba and Kuba ethnic groups, resulting in at least 13 people killed, 190 homes destroyed and 21,000 people displaced.

### ANALYSIS

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

Rampant impunity and competition for control of profitable minerals have enabled the proliferation of armed groups. While the FARDC has initiated offensives against various militias, groups like the ADF have a history of violent reprisals targeting civilians. The FARDC and police have also been implicated in widespread violations of IHL and IHRL, including arbitrarily killing civilians, while combatting armed groups.

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

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

## INTERNATIONAL RESPONSE

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

On 18 December 2020 the UNSC extended the mandate of MONUSCO for one year. The resolution emphasized that the government “bears the primary responsibility to protect civilians within its territory and subject to its jurisdictions, including protection from crimes against humanity and war crimes.”

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

## NECESSARY ACTION

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

The government should cooperate with UNJHRO and ensure all state agents responsible for extrajudicial killings, sexual violence and other human rights violations and abuses are held accountable. Recent massacres must be independently investigated and the perpetrators punished.

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

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



2 million people remain displaced by ongoing conflict in Tigray

## ETHIOPIA

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

### BACKGROUND

On 4 November 2020, following months of political tensions, the federal government of Ethiopia launched a military offensive against the governing Tigray People's Liberation Front (TPLF) in the Tigray region. Since then, thousands of people have been killed and an estimated 2 million people remain internally displaced, while over 63,000 have fled to Sudan. Widespread violations of IHL and IHRL have been reported, including ethnic-based killings, sexual violence, forced displacement and the systematic destruction of food, water and healthcare systems. Numerous cultural heritage sites, as well as camps hosting at least 96,000 Eritrean refugees, have reportedly been damaged and looted.

Despite the Ethiopian government declaring an official end to the conflict in Tigray on 28 November, clashes continue between the Ethiopian National Defense Forces (ENDF), its allies and the Tigray Defense Forces – a newly formed armed group. During April CNN obtained a leaked report by the regional interim government, which stated that Eritrean troops were looting and blocking humanitarian aid in many areas of Tigray, including Samre and Gijet.

Reports indicate that since November the ENDF, TPLF, Eritrean armed forces, and Amhara regional forces and affiliated militias may have committed abuses that amount to war crimes and crimes against humanity. International human rights groups have exposed massacres of civilians by Eritrean forces and the ENDF, including in Aksum, Dengelat and Mahibere Dego. The UN Special Representative on Sexual Violence in Conflict has detailed reports of sexual violence and has determined that rape is being used as a weapon of war in Tigray. Ongoing conflict has impeded humanitarian access to 5.2 million people in need.

According to the Ethiopian Human Rights Commission (EHRC), ethnic Tigrayan forces committed war crimes and crimes against humanity during a massacre of over 600 ethnic Amhara men in the town of Mai-Kadra in the South West Zone of Tigray on 9 November. Ethiopian refugees in Sudan have also reported similar massacres of Tigrayans by Amhara regional forces and allied militias in Mai-Kadra, Humera and surrounding areas. During March Amhara regional forces seized control over areas in Western Tigray, forcing over 185,000 Tigrayans to flee. According to an internal US government report leaked to The New York Times, ethnic Amhara militias have undertaken a campaign to forcibly displace the Tigrayan population, “deliberately and efficiently rendering Western Tigray ethnically homogeneous.”

Ethnically motivated attacks have also been on the rise elsewhere in Ethiopia. Violence in Amhara, Benishangul-Gumuz, Oromia and Southern Nations, Nationalities and People's regions has killed hundreds of people and displaced over 200,000 since September 2020. In Oromia, security forces and the Oromo Liberation Army (OLA) armed group have allegedly committed enforced disappearances and attacks on civilians. The OLA have been accused of killing at least 50 Amhara civilians during April alone. In the Amhara region, clashes between Amhara and Oromo populations in the North Shewa and Oromo special zones reportedly killed 500 people during March and April.

Border disputes within Ethiopia also continue to result in inter-communal violence. From 2-6 April at least 100 civilians, including women and children, were killed in the Afar and Somali regions.

## ANALYSIS

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

The TPLF controlled Ethiopia's government for 27 years until a mass protest movement eventually led to the appointment of Prime Minister Abiy Ahmed in 2018. While Ethiopia and Eritrea have previously fought a war against one another, they appear to currently be cooperating to militarily destroy the TPLF and occupy Tigray.

The Ethiopian government has failed to uphold their responsibility to protect all populations in Ethiopia, regardless of ethnicity, and bears responsibility for ongoing potential war crimes and crimes against humanity in Tigray.

## INTERNATIONAL RESPONSE

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

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

On 21 November the AU appointed three high-level envoys to broker peace in Tigray, but Prime Minister Abiy has rejected their entreaties.

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

On 25 March OHCHR and EHRC agreed to conduct a joint investigation into reports of human rights violations committed in Tigray.

On 22 April the UNSC released its first Press Statement on the crisis, expressing concern regarding alleged human rights abuses, including reports of sexual violence, and calling for accountability.

## NECESSARY ACTION

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

All Eritrean forces should immediately withdraw from Tigray.

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



At least 230 Palestinians and 12 Israelis killed from 10–21 May

## ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

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

### BACKGROUND

Armed conflict intensified from 10–21 May in Israel, Gaza and other parts of the Occupied Palestinian Territories (OPT) as civilians endured a surge of deadly Israeli airstrikes and indiscriminate rocket fire by Hamas. A ceasefire, brokered by Egypt, was eventually reached between Israel and Hamas on 20 May and went into effect the morning of 21 May.

During the renewed violence, more than 230 Palestinians, including 65 children, were killed and 1,900 injured by Israeli airstrikes on Gaza. At least 450 buildings – including 17 hospitals and the only laboratory for COVID-19 testing – were seriously damaged or destroyed, forcibly displacing over 58,000 people. Meanwhile, Hamas and other Palestinian armed groups indiscriminately fired thousands of rockets towards civilian areas of Israel, killing at least 12 people and damaging civilian property. Approximately 90 percent of the rockets were intercepted by Israel's "Iron Dome" anti-missile defense system.

The latest escalation of armed conflict came after weeks of tensions and protests against the possible forced eviction of several Palestinian families residing in the Sheikh Jarrah neighborhood of Occupied East Jerusalem. Israeli authorities used excessive force while arresting protesters and carried out violent raids on the Al-Aqsa Mosque compound between 7–10 May, injuring over 1,000 Palestinians. Hamas responded by indiscriminately firing hundreds of rockets into Israel, prompting retaliatory airstrikes by Israel.

The escalation also led to increased identity-based incitement inside Israel and the Occupied West Bank. Inter-communal violence in the Israeli town of Lod resulted in Arab Israelis

setting fire to synagogues and Jews attacking and stoning cars driven by Arab residents. According to OCHA, at least 27 people were killed, including 3 children, and over 6,370 injured in the Occupied West Bank between 10–21 May. Israeli security forces were also complicit in some violent attacks by Jewish settlers on Palestinian citizens of Israel. Prime Minister Benjamin Netanyahu reportedly told Israeli police they would be shielded from potential inquiries or investigations into their conduct.

The Palestinian territories of the Gaza Strip, West Bank and East Jerusalem have been illegally occupied by Israel since 1967. Illegal Israeli settlements continue to expand in the West Bank and according to OCHA, at least 322 Palestinian-owned structures have been demolished or seized by Israeli government authorities since January. However, the Israeli government's plans to formally annex parts of the West Bank, originally announced in April 2020, have been indefinitely postponed.

During July 2020 the UN Special Rapporteur on the situation of human rights in the OPT, Michael Lynk, highlighted that the Israeli government inflicts collective punishment on the Palestinian population by obstructing critical civilian supplies, demolishing Palestinian structures and causing mass displacement. Israel's ongoing air, sea and land blockade of Gaza has been in place for 13 years and has inflicted collective punishment on 2 million Palestinians. Hamas' security forces have also committed grave abuses against Palestinian civilians in Gaza, including arbitrary arrests, summary executions and torture.

### ANALYSIS

The 21 May ceasefire ended the most recent armed confrontation between Hamas and Israel, but the risk of recurrence remains high until both sides commit to a permanent cessation of hostilities and a negotiated solution to the conflict.

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

The systematic nature of human rights violations in the OPT may amount to crimes against humanity, while the collective punishment of Palestinians as a coercive measure of population control may amount to a war crime.

Human Rights Watch and B'Tselem have recently characterized Israel as an "apartheid regime" that is implementing laws, practices and policies to entrench the supremacy of its Jewish population over Palestinians. Under the Rome Statute, the crime of apartheid is a crime against humanity.

Systematic impunity for Israel's past violations of international law has fueled cycles of violence. There has been no accountability for potential war crimes committed during the 2014 Gaza war between Hamas and Israel, nor for the disproportionate and deadly use of force by Israeli forces in response to protests along the Gaza border during 2018–2019.

Annexation of occupied territory violates the Geneva Convention, and amounts to a crime of aggression under the Rome Statute of the ICC. Article 49 of the Fourth Geneva Convention also prohibits an occupying power from transferring parts of its civilian population into occupied territory.

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

## INTERNATIONAL RESPONSE

On 23 December 2016 the UNSC adopted a resolution reaffirming that Israeli settlements in the OPT violate international law. This was the first UNSC resolution adopted on Israel and the OPT since 2009.

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

Between 10–21 May the UNSC made three attempts to adopt a statement condemning the latest war and calling for a ceasefire, but the US blocked each effort. On 27 May the HRC voted to establish a Col to investigate violations of international law in the OPT and Israel and identify the root causes of recurrent tensions.

## NECESSARY ACTION

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

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

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



More than 820 people have been killed and over 4,000 arrested since the 1 February coup

## MYANMAR (BURMA)

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

### BACKGROUND

On 1 February Myanmar's military, headed by Commander-in-Chief Min Aung Hlaing, overthrew the civilian-led government and declared a state of emergency. Since then, hundreds of thousands of people have participated in protests and strikes against the reimposition of military rule. According to the Assistance Association for Political Prisoners, more than 820 people have been killed by the security forces and at least 4,000 people are currently detained for resisting the coup.

On 16 April a coalition of democratic opponents to military rule formed the National Unity Government (NUG), which includes members of parliament ousted by the military – known as the Committee Representing the Pyidaungsu Hluttaw (CRPH) – as well as politicians from ethnic minority groups. The military has branded the NUG and CRPH unlawful organizations and charged their members with high treason.

The UN Special Rapporteur on the situation of human rights in Myanmar, Tom Andrews, and the High Commissioner for Human Rights, Michelle Bachelet, have said that abuses committed by the military since the coup may amount to crimes against humanity. The Independent Investigative Mechanism for Myanmar (IIMM) has also started collecting evidence regarding potential crimes against humanity.

The security forces have recently launched fresh offensives against ethnic armed groups in some regions of the country. According to OCHA, at least 20 people have been killed and an estimated 42,000 displaced in south-eastern Myanmar due to clashes between the military and the Karen National Liberation Army, as well as indiscriminate attacks by the military on civilian areas. An estimated 5,000 people are also currently displaced in Kachin State due to armed confrontations between the military and Kachin Independence Army.

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

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

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

Between November 2018 and November 2020 the military also engaged in an armed conflict with the Arakan Army, an armed group seeking self-determination for the ethnic Rakhine population. High Commissioner Bachelet said that attacks on civilians in Rakhine and Chin states may amount to war crimes and crimes against humanity.

## ANALYSIS

Impunity for past atrocities has enabled the security forces to commit widespread and systematic human rights violations and abuses against civilians, particularly those from ethnic minority populations. Anti-coup protests are unlikely to subside and the risk of further atrocities remains extremely high.

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

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

## INTERNATIONAL RESPONSE

The only formal response by the UNSC to the genocide against the Rohingya was the adoption of a Presidential Statement on 6 November 2017 that stressed the “primary responsibility of the Myanmar government to protect its population.” The UNSC has met five times on the situation in Myanmar since the coup and adopted four statements.

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

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

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

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

On 23 March the HRC adopted a resolution on the situation of human rights in Myanmar, expressing concern at violent acts against peaceful demonstrators and extending the mandate of the Special Rapporteur on Myanmar. On 28 March High Commissioner Bachelet and the UN Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, issued a joint statement calling on the military to stop killing civilians and reminding the international community of its responsibility to protect populations in Myanmar.

On 24 April the Association of Southeast Asian Nations (ASEAN) held a summit to discuss the situation in Myanmar and agreed to a “Five-Point Consensus,” which includes an immediate cessation of violence. The military's indicated they would only consider ASEAN's proposal “when the situation returns to stability in the country.”

## NECESSARY ACTION

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

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

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



13 million people  
still displaced

16 UNSC vetoes  
blocking action  
and accountability

## SYRIA

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

### BACKGROUND

Since the armed conflict between the government and opposition groups in Syria began in 2011 at least 580,000 people have been killed. The HRC-mandated Col on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances since 2011, with the majority attributable to the Syrian government. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 13.4 million Syrians remain in need of humanitarian assistance.

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

In northern Syria the Syrian National Army (SNA) and other Turkish-backed armed groups have perpetrated torture, sexual violence, systematic looting and arbitrary detention. Clashes in Ain Issa between the SNA and the Kurdish Syrian Democratic Forces (SDF) escalated during December, causing 10,000 civilians to flee. A further 20,000 were forced to flee in April 2021 when clashes between armed groups erupted in Qamishli.

Meanwhile, indiscriminate shelling and airstrikes in Aleppo and across northern Syria have hit civilian objects, including densely populated neighborhoods, hospitals and displacement camps, resulting in dozens of civilian casualties. Clashes between non-state armed groups and Syrian government and Russian forces also continue in Idlib, where civilians and humanitarian workers still face arbitrary detention and extrajudicial killings by Hayat

Tahrir al-Sham and other armed groups. Northern Syria has also seen an increase in the use of IEDs, resulting in over 600 civilians killed or injured during 2020.

Clashes also continue in southern Syria between government forces and armed opposition groups. Government forces have regained control over much of the south and continue to commit murder, torture and sexual violence as a matter of state policy. The government is also imposing arbitrary restrictions on freedom of movement and depriving individuals of their property in areas previously held by the opposition. The Col argues this may amount to the war crime of collective punishment.

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

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

### ANALYSIS

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

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

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

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

## INTERNATIONAL RESPONSE

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

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 26 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed 10 draft UNSC resolutions and Russia has independently vetoed an additional 6. The HRC has also adopted 35 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the Syrian population.

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

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

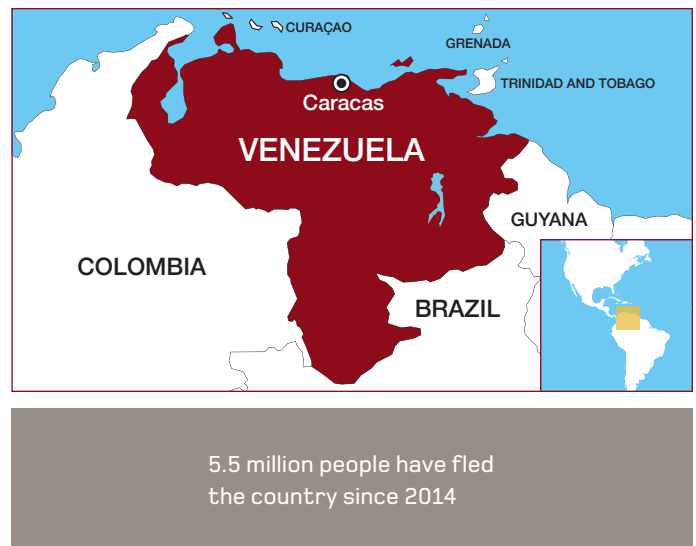
On 21 April a majority of States Parties to the Chemical Weapons Convention voted to suspend Syria's rights and privileges under the treaty.

## NECESSARY ACTION

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

All returns of refugees and other displaced Syrians must be in accordance with the principle of non-refoulement.

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



## VENEZUELA

*Ongoing state-sanctioned persecution in Venezuela may amount to crimes against humanity.*

### BACKGROUND

Since 2014 Venezuelan security and intelligence forces have been accused of widespread torture, sexual and gender-based violence, arbitrary detention and enforced disappearances in an attempt to silence political dissent. State agents, including the Special Action Forces (FAES), have also allegedly perpetrated thousands of extrajudicial killings. According to reports by the UN High Commissioner for Human Rights, an estimated 8,200 individuals were killed in "security operations" between January 2018 and May 2020 alone. The HRC-mandated FFM on Venezuela has also reported that more than 200 people were killed by police between January-March 2021. Since November 2020 the government has intensified its persecution and criminalization of civil society organizations and independent media.

On 16 September 2020 the FFM warned that patterns of violations and abuses over the past six years have been ordered and authorized at the highest level of government and committed as part of a "widespread and systematic attack" against the civilian population that may amount to crimes against humanity. During December the General Secretariat of the Organization of American States released a report reaffirming the FFM's findings while noting that crimes against humanity have "increased in scale, scope and severity." The Chief Prosecutor of the ICC also presented a report in December asserting that there are reasonable grounds to believe that crimes against humanity have been committed since at least April 2017.

Since March armed confrontations between state forces and armed groups have also escalated in Apure State along the

Venezuelan-Colombian border, forcibly displacing nearly 6,000 civilians. Security forces, including the FAES, have allegedly committed arbitrary arrests, torture and extrajudicial executions of civilians.

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

Approximately 5.5 million people have fled the country since 2014 and an estimated 7 million people in Venezuela are in urgent need of humanitarian assistance.

## ANALYSIS

Widespread impunity emboldens state agents to continue perpetrating possible crimes against humanity. Extrajudicial killings appear to be part of a systematic strategy to combat crime, repress dissent and reinforce social control.

Recent concessions by the Maduro government, including the announcement of a new National Electoral Council, has renewed some hope for a potential negotiated solution to the protracted political crisis.

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

## INTERNATIONAL RESPONSE

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

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

On 27 September 2019 the HRC adopted a resolution establishing the FFM. The mandate of the FFM was renewed for two years on 6 October 2020.

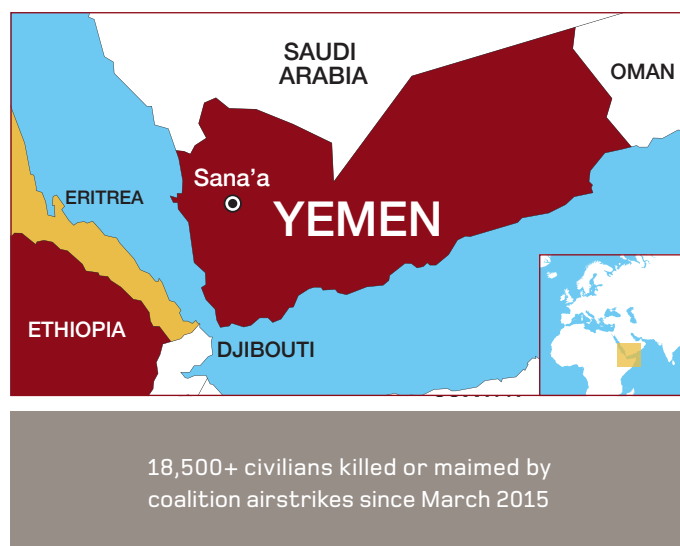
## NECESSARY ACTION

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

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

States should actively support calls for renewed dialogue between the government and opposition and lift all measures that limit the population's access to basic goods and services. Venezuela and Colombia should work together to prevent further violence along their shared border and protect vulnerable populations.

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



## YEMEN

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

## BACKGROUND

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

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, with at least 49 active frontlines across the country. Hostilities in Hodeidah, Taizz, Al Jawf and Hajjah have increased and the Houthis launched a new offensive in Marib in early February 2021. Since January over 600 civilians

have been killed or maimed across Yemen. Indiscriminate missile and artillery fire has hit markets, displacement camps and other civilian objects in and around Marib City. Hundreds of coalition airstrikes and fierce ground fighting have also occurred across the governorate, particularly in Sirwah District. Houthi forces are also allegedly recruiting and deploying child soldiers. Since violence renewed in Marib, 25,000 civilians have fled the area.

On 22 March 2021 the coalition submitted a ceasefire proposal to the Houthis. While the Houthis dismissed the offer, the UN Secretary-General and UNSC formally welcomed the initiative.

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

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

More than 20 million Yemenis need humanitarian assistance and 13.5 million are facing acute food insecurity. The GEE has reported that parties to the conflict may have used starvation of civilians as a military tactic. The distribution of essential vaccines and other humanitarian aid has been systematically blocked by parties to the conflict, particularly the Houthis.

## ANALYSIS

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

Although parties to the conflict signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, they continue to perpetrate widespread violations of IHL and IHRL. The protracted conflict has been characterized by fragmenting coalitions and a multitude of fronts, as well as a pervasive climate of impunity. Hostilities have escalated over the past year with the recent Houthi offensive in Marib putting hundreds of thousands of IDPs at risk.

The dire humanitarian situation is a direct result of the armed conflict and requires a political solution. Escalating violence in Hodeidah, Marib and other governorates threatens the delivery of life-saving aid to millions of vulnerable Yemenis. Humanitarian restrictions and the destruction of medical facilities present grave challenges as Yemen continues to confront the COVID-19 pandemic.

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

## INTERNATIONAL RESPONSE

The UNSC imposed sanctions on former President Ali Abdullah Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established an arms embargo and demanded the Houthis withdraw from all areas they had militarily seized. On 21 December 2018 the UNSC passed a resolution endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team. The UNSC has not passed any substantive resolution related to the situation in Yemen since. On 14 July 2020 the UNSC renewed the mandate of the UN Mission to support the Hodeidah Agreement for one year.

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

On 25 October 2019 the European Parliament called on all EU member states to halt weapons exports to Saudi Arabia. On 4 February 2021 the US government announced an end to its support for Saudi Arabia's offensive operations in Yemen. However, arms transfers to the UAE will continue.

## NECESSARY ACTION

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

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

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

## IMMINENT RISK

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



2,000+ civilians killed and 700,000 displaced since October 2017

## MOZAMBIQUE

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

### BACKGROUND

Since October 2017 an armed extremist group, known locally as "Al-Shabaab," has engaged in a violent insurgency in Cabo Delgado, a northern province of Mozambique. Al-Shabaab, which is loosely affiliated with ISIL, has perpetrated indiscriminate attacks against civilians, including beheadings, sexual and gender-based violence, abductions, recruitment of child soldiers and destroying civilian infrastructure. More than 2,800 people have been killed and nearly 700,000 displaced since October 2017. Both Al-Shabaab and government security forces, as well as a government-contracted private military company, have perpetrated extrajudicial executions and other violations of IHL that may amount to war crimes.

The Armed Conflict Location and Event Data Project recorded over 365 violent incidents in northern Mozambique during 2020, resulting in at least 650 civilians killed, including dozens of civilians beheaded or dismembered while Al-Shabaab temporarily occupied several towns in Cabo Delgado.

Since August 2020 significant fighting between Al-Shabaab and security forces has taken place near Mocimboa da Praia, Palma, and other port towns where several major offshore liquefied natural gas projects are under development. Thousands of displaced civilians have arrived in Pemba since October.

Following a period of relative quiet at the start of 2021, on 24 March hundreds of Al-Shabaab fighters raided Palma and took control of the city. At least a dozen civilians were killed, including

foreign workers, as militants fought with the security forces. More than 54,000 people have since fled the city. Fighters also reportedly kidnapped at least 150 children. Although the government regained control of the majority of the city in early April, sporadic clashes continued throughout the month.

While Al-Shabaab has been the main perpetrators of violence against civilians, government forces have also been implicated in grave violations and abuses, including arbitrary arrests of individuals suspected of affiliation with Al-Shabaab. On 9 September Amnesty International verified video footage of security forces engaging in the torture and abuse of prisoners, the dismemberment of the corpses of alleged Al-Shabaab fighters, possible extrajudicial executions, and the transport and disposing of corpses into apparent mass graves.

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

### ANALYSIS

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

Despite the security forces' failure to adequately protect populations in Cabo Delgado, the government has resisted regional offers to provide logistical support or troops.

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

### INTERNATIONAL RESPONSE

During April 2020 the EU expressed its growing concern regarding the situation in Cabo Delgado and called upon the government to protect civilians and hold perpetrators of atrocities accountable. The EU has agreed to assist the government in confronting the threat of armed Islamist groups and has considered sending a military training mission to Mozambique at the end of 2021. The US and Portugal currently have forces deployed to the country to conduct counterinsurgency training.

During June 2020 OCHA launched a \$103 million humanitarian appeal to assist Mozambique's response to the dual threat of COVID-19 and escalating violence.

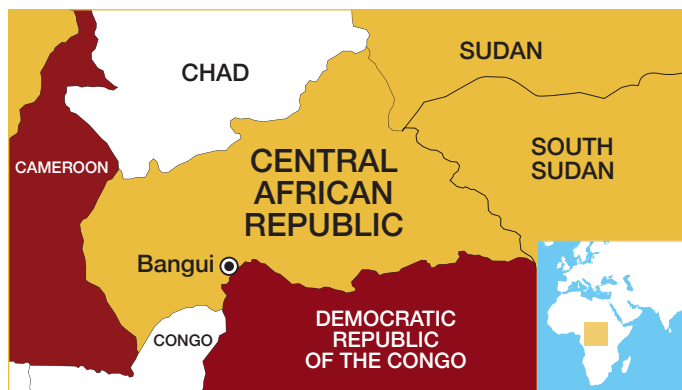
During a summit of the Southern African Development Community (SADC) on 8 April the regional organization noted its concern regarding the situation in Cabo Delgado and agreed to deploy a technical team to assess the need for a regional response to the conflict. On 21 May South Africa announced its intention to call upon SADC to authorize a military force.

## NECESSARY ACTION

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

## SERIOUS CONCERN

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



1.5 million Central Africans have fled their homes since 2013

## CENTRAL AFRICAN REPUBLIC

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

### BACKGROUND

Tensions in the Central African Republic (CAR) rose ahead of the country's 27 December 2020 general elections as an alliance of predatory armed groups, known as the Coalition of Patriots for Change (CPC), launched a series of attacks across the country. Election-related violence forced thousands of people to flee, resulted in a surge of human rights violations and closed hundreds of schools and dozens of hospitals.

According to OCHA, between October 2020 and March 2021, 14 of CAR's 16 prefectures experienced armed conflict. UNHCR has also noted that refugees arriving in Chad during April reported fleeing clashes in northern CAR, as well as pillaging and extortion by armed groups. Children have been severely impacted, with thousands displaced and almost 3,000 recruited by armed groups so far this year.

The Central African Armed Forces (FACA) and their allies have subsequently recaptured several towns from the CPC and other armed groups across the country. However, FACA have also reportedly perpetrated arbitrary killings, torture and arbitrary arrests. Private military personnel allied with FACA have also allegedly perpetrated summary executions, arbitrary detention, torture, forced disappearances, forced displacement, destruction of civilian infrastructure and attacks on humanitarian workers.

The protracted crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian anti-balaka militias and the collapse of state institutions. Despite a peace deal signed by the government and 14 armed groups in 2019 that formally ended the 2013–2015 armed conflict, violence continues as some signatories regularly violate the agreement and have consolidated their control over territory and natural resources.

OHCHR has reported that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. Most perpetrators have not been held accountable. Former President Bozizé, who is under UNSC sanctions for his role in the 2013–2015 conflict, is reportedly leading the CPC.

Over 1.5 million people have fled their homes since 2013, including at least 280,000 since December 2020. At least 370,000 children are internally displaced – the highest level of child displacement since 2014. An estimated 2.8 million people are in need of humanitarian assistance and protection.

### ANALYSIS

Armed groups continue to control the majority of territory in CAR and profit from illegal taxation and arms trafficking. The cross-border flow of foreign fighters, arms and natural resources are fueling the crisis in CAR.

Although the 2019 peace agreement was hailed as an opportunity to bring an end to the armed conflict, a climate of impunity has enabled ongoing violence and allegations of serious human rights violations and abuses by armed groups as well as state security forces and their allies. The CPC's recent offensive threatened to end the agreement.

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

## INTERNATIONAL RESPONSE

The UNSC has passed 14 resolutions since October 2013 that emphasize the government's responsibility to protect populations in CAR. A UNSC-mandated sanctions regime and arms embargo have been in place since 2013, imposing travel bans and asset freezes on 11 individuals and two entities. On 12 March the UNSC adopted a resolution increasing the military and police deployment for MINUSCA to support the protection of civilians and facilitate humanitarian access.

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

On 16 February the Peace and Security Council of the AU condemned attacks by the CPC, noting that they amount to "flagrant violations of human rights, war crimes and crimes against humanity." The International Conference on the Great Lakes Region held a summit on 21 April devoted to the political and security situation in CAR. The participating governments underlined the importance of ending impunity for violations and abuses of IHL and IHRL.

## NECESSARY ACTION

The CPC and other armed groups must immediately cease hostilities. All signatories to the peace agreement must comply with their commitments and refrain from any action limiting the restoration of state authority. All armed forces operating in CAR must fully adhere to IHL.

National authorities should prioritize ongoing reconciliation efforts and accountability for atrocity crimes.

The UNSC and AU should impose sanctions on any groups or individuals that endanger the peace agreement. The international community should continue to support security sector reform in order to bolster FACA's capacity to protect civilians and uphold human rights.



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

## NIGERIA

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

## BACKGROUND

Multiple security threats leave civilians in Nigeria at ongoing risk of atrocity crimes, including increased attacks by the armed extremist groups Boko Haram and the so-called Islamic State in West Africa (ISWA). Recurring inter-communal violence in the "Middle Belt" region and disproportionate force utilized by security forces also pose an ongoing threat.

In recent years Boko Haram and ISWA have intensified attacks on civilian and military targets in north-east Nigeria, killing at least 3,000 people since January 2018. Between 10-14 April, at least eight people were killed in a series of attacks on the town of Damasak. The violence forced 65,000 people – 80 percent of the town's population – to flee. Armed men looted and burned houses, as well as offices and warehouses of international humanitarian organizations, including a health clinic and UNHCR facility. On 23 April suspected Boko Haram and ISWA fighters attacked Geidam in Yobe State, forcing 150,000 people to flee.

According to OCHA, 35,000 people have been killed since 2009 when Boko Haram launched its violent campaign aimed at overthrowing Nigeria's secular government. At least 1.9 million people remain internally displaced in Borno, Adamawa and Yobe states as a result of insecurity caused by the group. Boko Haram's attacks have also expanded into neighboring countries, killing and displacing civilians in Cameroon, Chad and Niger.

According to UNHCR, there has also been a recent surge of violence in north-west Nigeria as result of fighting between herders and farmers. Those fleeing the violence have described murders, kidnapping and looting. Armed banditry in the north-west also resulted in more than 1,600 people being killed during the first half of 2020 and has displaced more than 300,000 civilians in Zamfara, Kaduna, Katsina, Sokoto, Niger and Kebbi

states over the past year. Armed bandits have also perpetrated attacks on secondary schools in Zamfara, Katsina and Niger states, including kidnapping 333 boys on 11 December 2020 and 279 girls on 26 February. All children were later released.

Conflict in Nigeria's "Middle Belt," often rooted in historical grievances between herders and farming communities, has also escalated in recent years. Clashes between herders and farmers has left more than 8,000 people dead and displaced 300,000 across the country since 2011.

Amidst a deteriorating security situation, on 27 April Nigeria's House of Representatives called upon President Buhari to immediately declare a state of emergency and fast track measures to ensure the restoration of peace in the country."

## ANALYSIS

Although the regional Multinational Joint Task Force (MNJTF) has made significant progress in confronting Boko Haram and ISWA, civilians remain at risk of terrorist attacks and identity-based violence.

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

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

Nigerian security forces have a history of using excessive and deadly force against civilians. During counterterrorism operations, the military has allegedly forcibly displaced entire villages in the north-east and arbitrarily detained thousands of people suspected of supporting extremist groups.

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

## INTERNATIONAL RESPONSE

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

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

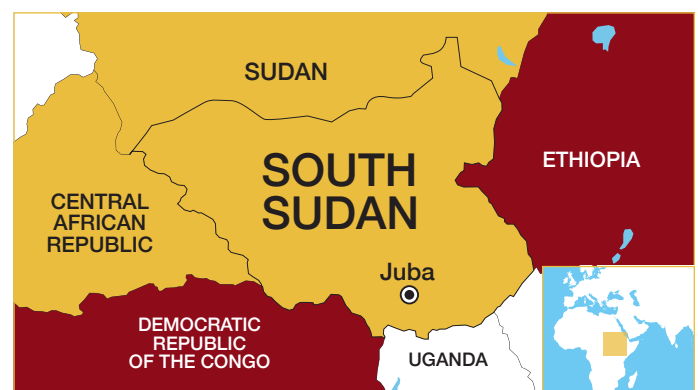
On 11 December the Chief Prosecutor of the ICC announced the completion of a preliminary examination into the situation

in Nigeria, concluding that Boko Haram and Nigerian forces committed war crimes and crimes against humanity. According to the Chief Prosecutor, the Nigerian authorities failed to properly investigate and prosecute these crimes.

## NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence and armed extremism through socio-economic initiatives and political reforms that tackle poverty, corruption, youth unemployment and environmental degradation. The government should also work with local civil society to ameliorate long-standing grievances between herding and settled communities.

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



2,000+ killed in local conflicts during 2020

## SOUTH SUDAN

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

## BACKGROUND

Populations in South Sudan continue to suffer as a result of increased violence, including clashes between government forces and armed opposition groups. According to the Head of the UN Mission in South Sudan (UNMISS), more than 2,000 civilians died in localized conflicts during 2020. The HRC-mandated Commission on Human Rights in South Sudan (CHRSS) has asserted that the current level of localized violence may be higher than during the country's 2013–2015 civil war. Since January 2021 this violence has displaced people in Central and Western Equatoria, Upper Nile and Warrap states.

The Transitional Government of National Unity (TGoNU), formed in February 2020, has been unable to address the underlying causes of conflict. The UN Panel of Experts has warned that the selective implementation of the 2018 peace agreement threatens the security of the country. Growing discontent within the two main political parties, the Sudan People's Liberation Movement (SPLM) of President Salva Kiir and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) of Vice President Riek Machar, has led to further instability. Defections and political fragmentation have triggered recent violence in Upper Nile, Warrap and Central Equatoria states.

An estimated 1.62 million civilians remain displaced as a result of past conflict, with 2.2 million refugees in neighboring countries. Nearly 5.8 million people in South Sudan are acutely food insecure and an estimated 1.4 million children under the age of five are malnourished. The UN reported that more people are in need of humanitarian assistance during 2021 than ever before.

## ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its ten years of independence. Between December 2013 and August 2015 an estimated 400,000 people were killed as the army and SPLA-IO perpetrated war crimes and crimes against humanity, but there has been no substantive attempt to hold perpetrators accountable. The CHRSS alleges that between 2017–2019 government troops and opposition forces deliberately used the starvation of civilians as a method of warfare, particularly in Western Bahr el Ghazal and Jonglei states.

While there is a history of seasonal inter-communal violence in parts of South Sudan, recent disputes have been exacerbated by resource pressures caused by climate change, arms proliferation and the decline of state authority.

Although the formation of the TGoNU was supposed to provide an opportunity to address divisions in the country, senior political and military leaders continue to manipulate long-standing enmities between rival ethnic communities. Bitter disagreements between leaders of the TGoNU on how to implement the peace agreement have led to a widening of political, military and ethnic divisions and an increase in violence.

The TGoNU is struggling to uphold its responsibility to protect.

## INTERNATIONAL RESPONSE

The UNSC has subjected eight people to targeted sanctions since 2015 and imposed an arms embargo since 2018. On 12 March 2021 the UNSC extended the mandate of UNMISS until March 2022, emphasizing that, "South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."

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

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

## NECESSARY ACTION

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

The AU and the government should expeditiously establish the Hybrid Court and prosecute individuals responsible for past atrocities, regardless of their affiliation or position. The HRC should enable the CHRSS to continue its work until an appropriate court or tribunal is fully operational.



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

## SUDAN

*Populations in Sudan, especially in the Darfur region, continue to face the threat of inter-communal violence and potential atrocities by armed groups.*

## BACKGROUND

Inter-communal violence and militia attacks have escalated in Sudan since the start of 2021, particularly in West and South Darfur. Disputes over land ownership and competition for scarce resources between herder and farming communities have led to violent clashes that are often ethnically motivated, resulting in hundreds of people being killed. According to the International Organization for Migration, approximately 237,000 people have been displaced by conflict in Darfur since the beginning of 2021, which is four times higher than during all of 2020.

From 16–17 January violence broke out between individuals from the Massalit and Arab communities around the city of El Geneina,

West Darfur, prompting allied militias to mobilize. In the resulting clashes, at least 250 people were killed and an estimated 100,000 displaced. Additional fighting erupted on 3 April between the Arab and Massalit communities around El Geneina, resulting in 117 people being killed and 283 injured.

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

During October 2020 the transitional government – the Sovereign Council – and the leaders of the Sudan Revolutionary Front, a coalition of armed groups from Darfur, South Kordofan and Blue Nile, signed a peace agreement aimed at ending almost two decades of armed conflict and atrocities. The agreement also calls for the establishment of transitional justice mechanisms.

## ANALYSIS

While the October peace agreement is an opportunity to address the root causes of conflict, tensions in the Darfur region remain high. The recent violence in West and South Darfur started less than a month after the end of the AU-UN Hybrid Operation in Darfur (UNAMID). The UN's newly established Integrated Transition Assistance Mission (UNITAMS), which is mandated to assist the government during the democratic transition, has no uniformed armed personnel. The Sudanese security forces, who are responsible for the protection of civilians, have previously committed atrocities against populations in Darfur.

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

2020, he has not been held accountable for past atrocity crimes. At least one member of the Sovereign Council – Mohamed Hamdan “Hemedti” Dagolo – is also implicated in atrocities committed in Darfur, South Kordofan and Blue Nile as commander of the RSF.

Sustained international support is necessary to assist Sudan's transitional authorities in upholding their responsibility to protect.

## INTERNATIONAL RESPONSE

The UNSC has imposed an arms embargo on Darfur since 2004 and sanctions on six individuals since 2006. Following a UNSC referral, the ICC issued arrest warrants for three Sudanese officials, including Bashir, and two anti-government militia leaders for atrocities perpetrated in Darfur. During October 2020 the ICC Chief Prosecutor traveled to Khartoum to discuss the potential prosecution of ICC indictees.

On 4 June 2020 the UNSC established UNITAMS to assist Sudan in its transition to democracy. The UNSC ended UNAMID's mandate on 31 December.

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

## NECESSARY ACTION

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



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