

El Salvador's Pattern of Abuse

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El Salvador is a small country in Central America that borders Guatemala, Honduras, and the Pacific Ocean. It is geographically the smallest and most densely populated country in the region with a population of 6.486 million (Philip F. Flemion n.d.) (United Nations Department of Economic and Social Affairs 2019). The country was born after gaining independence from Spain in 1821. Two years later, the “United Provinces of Central America was formed of the five Central American states” and “El Salvador declared itself an independent republic in 1839” (Office of the Historian n.d.). After their new independence, the country faced turbulent times, economic struggles, political upheavals, as well as mass violence. Their economy was primarily based on agricultural exports like coffee, textiles, and commodities. Presently, textiles, tourism, and manufacturing are central to the economy (Sawe 2019). Although agriculture still is a large and viable industry accounting for 30% of the workforce, it declined immensely after the 1981 civil war and natural disasters in the 1990s and 2000s (Congress n.d.). This was not always the case. The country “traditionally was an agricultural country, heavily dependent upon coffee exports. By the end of the 20th century, however, the service sector had come to dominate the economy” (Philip F. Flemion n.d.). With a shift in economy, the population soared, living conditions changed, and wages rose slightly. These changes caused the development of slums, a stressed healthcare system, and high gang presence, among other problems (Menjívar and Cervantes 2018).

El Salvador is at risk for a major human rights violation (MHRV) which could take many forms. From added power to the government during the pandemic to increasing targeted gang violence, the country is already a hotspot for violence which could erupt into a full-scale crisis. It is necessary for other countries, NGOs, and international organizations to focus on this potential lack of respect for human rights for many reasons. The Council of Europe Commissioner for

Human Rights has stated “embodied in international human rights law, civil, political, economic, social and cultural rights are not expendable in times of economic hardship, but are essential to a sustained and inclusive recovery” (Council of Europe Commissioner for Human Rights 2013). In times where a country is struggling such as how El Salvador has been facing economic setbacks, natural disasters, and now a pandemic, it is easy to understand why human rights would be violated in the chaos.

For El Salvador, a strong reason for global figures dedicating resources towards a MHRV is to stall the common tendency that “humanitarian crises often affect neighboring countries or regions in negative ways. Spill over effects include regional conflict diffusion, refugee flows, terrorism or economic downturn” (Binder 2017). Democratic countries and NGOs also have cause to concentrate on El Salvador because of their unique path from Autocracy to Democracy in a fairly fast manner (Polity 5 2018). Some of the major contributors to their heightened risk for human rights violations, or even targeted mass killings (TMK) can be seen in the country. Additionally, there could be catastrophic effects for not just El Salvador in the case of a TMK. The impact would most certainly stretch across the globe, making it much harder to contain, respond to, and recover from. The effects of a MHRV or a TMK would be devastating to not only the country, but to the whole world.

It is important to study past human rights violations because when looking back at a crisis or event, data can be compiled to allow for the extrapolation of results to determine patterns and make connections. By finding patterns, we are able to look for those in present conflicts to avoid or mitigate the effects of MHRVs. We can also develop formulas based on historical data to predict the most favorable outcomes and processes for specific conflicts happening in real time.

With the idea that past scenarios can be helpful, they alone should not be the only reasoning for decision-making. We can also study past MHRV to see patterns — “contributing knowledge to the field means adding explanatory power, which in turn depends on showing the power of the variable(s)” which can be applied to present and future situations.

As political scientists, we already have identified many trends that make political actors kill. Generally, there are a few aspects of a country that make political actors kill. The first is a lack of democracy. Thankfully in El Salvador, there is a democratic government with three branches. This allows for checks and balances to ensure that one branch is not more powerful than the others. One issue in El Salvador today is that the legislature and president are at odds. They typically don't see eye to eye, which makes it difficult to achieve political progress in the country. The next aspect of countries where political actors kill more often is a poor economy. In El Salvador the economy is relatively improving however over 30% of the country is below the poverty line (The Heritage Foundation 2020). With Coronavirus this number has undoubtedly increased. Higher unemployment and lower wages have contributed to this and their economic freedom score has been consistently dropping over the past few years (The Heritage Foundation 2020). Another reason that explains a heightened willingness for political actors to kill is past genocide in the country. While there was not a genocide, there was a massacre during the Civil War in the 1980s and also mass killing in 1932.

There are two main forms of human rights abuse that are the highest immediate risks for El Salvador currently. One is caused by gang membership and the other stems from the current pandemic. Human rights in the country are threatened even more because of the history of El Salvador which put the country on uneven footing. This instability makes any clashes more

likely to erupt into mass violence or violations of rights. One concerning factor is that previous civil wars, genocides, and mass killing in a country or region are generally an indicator for future human rights crises (Polity 5 2018). Both of these were seen in La Matanza, the massacre in Spanish, which succeeded a failed uprising from the indigenous population (Green and Ball 2019). El Mozote Massacre of 1981 as a part of the civil war (Binford 1996).

The first large scale repression of citizens in the 20th century was during an uprising to regain land that was claimed to be taken from the Indigenous people. During this revolt, to control the situation, the National Guard unlawfully murdered around 10,000 to 40,000 Indigenous people and campesinos. La Matanza was the predecessor of the El Mozote Massacre and should have been a warning shot to the world that the government was capable and willing to use lethal force unjustly. The rapid response from the National Guard and their escalation to “use of massive, disproportionate repression against perceived threats to the country’s political and economic regimes” was unprecedented (Cuéllar 2018).

The 1980-1992 civil war in El Salvador began due to political clashes and increased repression due to differences in ideologies. A defining moment leading up to the Civil War was in 1971 when military leaders overturned the election of a president. Additionally, there were many changes to the theology of the Roman Catholic Church. These changes in theology gave leftists a chance to organize and build out their coalition in the country. Tensions rose significantly throughout the 1970s and war was inevitable because of waves of violent repression. The rebel organization in El Salvador, the Farabundo Martí National Liberation Front (Frente Farabundo Martí para la Liberación Nacional, FMLN), started an uprising which they calculated would be all that was required to overthrow the dictatorship. This failed and the

military and FMLN clashed. The military began gaining support throughout the world including the backing of Ronald Reagan and the US who sent billions of dollars of funding, materials, and training because El Salvador was viewed as a Cold War battleground area. When America's aid arrived, the country was pushed into a stalemate and agreed to peace talks which were concluded in 1991 (Green and Ball 2019). The reason a past civil war occurred is so concerning for human rights is that "the presence of a civil or interstate war provides political elites with an incentive to suppress their opposition, to control the flow of information, and to acquire intelligence through every means possible" (Mesquita, et al. 2005). This unfortunately was present in the civil war in the form of the 1981 El Mozote Massacre.

The El Mozote Massacre resulted in about 1,000 lives lost. It wasn't until 2012 that the state acknowledged and did not deny the massacre. The president traveled to El Mozote to ask for forgiveness for the tragedies that (El Salvador head apologises for 1981 El Mozote massacre 2012). The small town of about 30 homes was warned of violence coming to the area and were advised to stay so as to not appear as involved in the conflict. This backfired when militants entered the town killing virtually everyone and burning the structures because they believed that the townspeople were working with and supporting left-wing guerillas (El Salvador head apologises for 1981 El Mozote massacre 2012). The massacre was widely underreported and covered up for decades, with even international actors aiding in the lack of reporting. The total war deaths were also hidden, but most recent estimates are at around 70,000 deaths over the whole civil war (Green and Ball 2019). Because of these persistent human rights violations, the country is even more likely to see a TMK or MHRV.

El Salvador is facing a humanitarian crisis currently and this is only being exacerbated by the unstable economy, the President's unpopularity with the legislature, internal conflict, and a lack of external support. However, the country has many positive aspects in regards to respecting human rights which lowers the risk of a crisis if these aspects are utilized to their potential. For example, El Salvador's government structure is strong, having democratic structures including a 3-branch government with checks and balances, and a President that has strong support with his citizens. The balance between repression and killings, and freedom and democracy is why I am rating El Salvador as 4 out of 5, or likely, for the chance of a human rights crisis to occur. There is a great chance that current violations will continue and rapidly increase in scope ensuing a crisis, especially with the world dealing with Covid-19 and the economic, humanitarian, and social issues that have risen from the crisis. However, there are some aspects of the country that show that these violations can be mitigated or slowed if they are addressed.

Even with all of the factors El Salvador is up against, a rating of a 4 out of 5 is still fairly low for the mass amount of complex issues the country is facing. This is primarily because of the strong democratic structures the country has in place. "Democratic regimes are less likely to engage in repressive actions against their citizenry than are authoritarian or totalitarian ones" (Henderson 1991). With a score of 8 out of 10 on the Polity Index every year from 2009 to 2018, the El Salvadoran government is strong and democracy is working. The Autocracy score for these years was 0, and the Democracy score was 8 (Polity 5 2018). This outlook shows great improvement from the late 1970s where they scored 0 on their democratic structures, and a 6 on their autocratic tendencies. The country scored a -6 Polity index score the year before the El Mozote Massacre. This data allows us to conclude that the democratic aspects of the country are not corrupted, and will not drastically shift in the short term. Even with a legislature that is at

odds with the President, this would not alone be enough to cause the ordering of violations. With democratic structures in place, historically, state repression and human rights violations are significantly lower.

One of the major standardized scales for terror in countries is the PTS, or Political Terror Scale. From all years recorded, 1977 to 2018, the average score for El Salvador was a 3.2 out of 5, with 5 being the worst and having the most prevalence of terror. The highest scores were from 1978 to 1992 which were given only 4s and 5s (THE POLITICAL TERROR SCALE 2018). This coincides with the 1982 to 1991 Civil War. Over the past decade, the scores have been steady, avering about a 3 each year. However, the scores have been slightly getting worse. The data is showing a trend to increases in the PTS. At this point we cannot tell if this is due to small, easily solved issues or indicative of something much more dangerous, widespread, or long-lasting.

Within the CIRIGHTS Data set, formally known as CIRI, El Salvador had higher rates of violations in some categories, and lower in some other categories. This dataset focuses on the government’s general respect for human rights across all years available. This dataset’s variables are from 0 to 2. A 2 is where a right is fully respected (zero victims). A one on the scale is where they write is partially respected (1 to 49 victims). A zero means that the right was not respected and that there were more than 50 victims in one year (CI-Rights 2019).

Country	physint	disap	kill	tort	assn	formov	dommov	speech	rel_free

All	4.97891	1.67676	1.32708	0.80439	1.11384	1.44768	1.51295	0.97428	1.30778
El Salvador	4	1.40540	0.91891	0.37837	1.54054	1.97297	1.75675	1.62162	1.83783

(CI-Rights 2019)

This data includes disappearances, political prisoners, torture, assassinations, free-speech, relative freedom, and physical integrity index which ranges from 0 to 8 with higher values capturing better respect for human rights.

From the table we can conclude that for all years the respect for physical integrity (physint) is lower meaning less respect. Killings are much lower, with El Salvador having an average of .918 whereas the average for all countries is 1.327. El Salvador however, has higher respect for foreign movement than the average of all other countries. We can conclude that the rights Concerning safety are much lower in El Salvador primarily because of the high gang activity and overreach from the military at times. Their freedoms are much higher and more respected for some rights that are very important however not as life-threatening or severe (CI-Rights 2019).

Based on the higher than average data scores for killing persecution and other important signifiers of respecting human rights, the country is at a higher risk for a huge major human rights violation. Especially because of coronavirus, the slight and slow worsening of respect for human rights from the government and other state actors Is now rapidly speeding up. The amount of time that it has taken for the government to expand their authority during this

pandemic to uncomfortable levels, and the visible violations that are already occurring to prisoners and the general public based on this power grab are concerning.

El Salvador is a hot spot for conflict, potential disasters, and human rights violations. Right now, the country is at risk of a human rights crisis on multiple fronts. Climate change is leading to droughts and lowered food supply, gang activity is running rampant and murders per capita is one of the highest in the world, and the government is showing autocratic tendencies during COVID-19 (Zaidi 2019).

The largest chance for a human rights crisis based on the history of the country and recent worsening relations would be perpetrated by the military and government or gangs. Depending on the type of crisis, the victims could be citizens if the perpetrator are gang members, and the main victims if the military was leading the violence would be inmates and gang members. The international community will be bystanders because they do not have a large enough incentive to help another country during the pandemic. There are too many variables that would have to occur for the international community like the United Nations Security Council to act.

Historically, leaders and congress in El Salvador have been absent from accountability for human rights violations in the country. For example, as part of the 1991 peace talks, there was amnesty granted to generals for their involvement in the killings (Green and Ball 2019). Because of the lack of trials, there is no incentive to not repress, kill, or torture again.

The current state of El Salvador signals larger problems than the pandemic. This crisis was the boiling point for the pending disasters that have been building for years. One example of this is the unemployment. Unemployment has always been high in the country, but now more

than ever, the effects of that are being seen drastically because of all of the people out of jobs that were already in poverty before COVID-19.

Additionally, a high percentage of the population, over 30 percent, is in poverty and the economic freedom score is dropping, signaling that the economy could be worsening (2019 Index of Economic Freedom n.d.) Finally, mass violence and a strong gang presence in El Salvador has caused many to flee the killings of individuals for their membership in protected groups (Motlagh 2019) (Life Under Gang Rule in El Salvador 2018). The primary concern for human rights violations is with the gangs, including the widely known MS-13 and 18th Street gangs, and other armed groups in the region who are driving out law enforcement, and causing thousands of civilians to flee the country for fears of being killed (Sieff 2019). The second concern for the country and the region is the pandemic and the opportunity structure that has been evolving and expanding for politicians and government entities to take advantage of the vulnerable populations in the country and cause human rights catastrophes.

There are many different groups and parties that could easily fall into tendencies that cause human rights violations. One group is the government. Separated by three branches, it is very similar to the structures used in the US. The first branch is the Legislative branch, “consisting of 84 members elected through an open-list proportional representation system” (El Salvador: Government 2020). Elections for the legislature occur every 3 years (Election for Salvadorian Legislative Assembly 2018). The legislative branch works closely with the President to pass legislation. The second branch of government is the Executive branch. This includes the president, who is also the Head of State. The president is elected in a two round election similar to primaries/caucuses in the United States (El Salvador 2019). Elections occur every 5 years, and

the turnout has averaged just over 50% (El Salvador 2019). The final branch of government is the Judicial Branch. Comprised of 15 judges serving on the Supreme Court, the highest court for appeals. These judges are elected by the legislative assembly, and they serve 9-year terms which are staggered to elections every three years.

Based on the democratic structures, checks and balances through a tri-branch government, and the high voter turnout and registration, the risk for persecution based on political objectives has been low for the general public in El Salvador. With expanded power for Congress and the president during this pandemic, the public has been increasingly concerned with overreaches of power and a shift towards autocracy (Human Rights Watch 2020).

A MHRV is extremely possible for the country in the near future, but because of the COVID-19 pandemic, the risk has increased in some aspects, and also lowered in other ways significantly. In the beginning of the COVID-19 pandemic, El Salvador took a proactive approach delaying the first positive case and lowering the transmission which undoubtedly saved lives and suffering. This is because of the swift action by the government, especially President Bukele, who in an official government release, announced that there would be a mandatory household quarantine for all of El Salvador. This quarantine would last 30 days at the minimum and there would be severe penalties for not following this protocol (THE EXECUTIVE BODY IN THE FIELD OF HEALTH 2020). To ease the burden of a stay-at-home order and lost wages, Bukele “has pledged to give \$300 to some 1.5 million households who work in the informal economy such as house cleaners and street vendors who lack a financial safety net” (Moloney 2020). The president has also ordered a rent freeze for 3 months, deferred utility payments for 3 months, and a tax exemption and extension of payments (International Monetary Fund 2020).

One concerning trend of Coronavirus is the formation of political opportunity for a human rights crisis to occur because of the government's response to Coronavirus. With heightened unemployment and lower wages in a country where one-third of the population is in poverty there is a great chance that the government is trying to extend its power to not only control the spread of the pandemic while providing aid to the unemployed, but also to expand its power to unlawfully detain and punish its citizens.

The president is currently facing for a lot of backlash by the international community for his coronavirus response. In the beginning it seemed like the country was that it on the right path however things turn take a turn for the worst with political and government overreach checks and balances not being effective and unnecessary and controlling behaviors. One of the most drastic policies is that the president has authorized lethal force against gang members in custody (Human Rights Watch 2020). He has also gone above he has also gone against the Supreme Court's ruling "that people could not be held in a containment center solely for violating the lockdown rules" (Human Rights Watch 2020). There are reports that police are detaining people for going to the store or the pharmacy, even though this is legal. Some people once arrested have even been held without food or water for over 24 hours before being released into a location that is meant for containing coronavirus. These locations are vastly in adequate for such a task of social distancing.

The government, specifically President Bukele, is targeting citizens who may not appear to be following the social distancing guidelines and the stay at home order. He is targeting gang members



in an attempt to lower crime and violence during the pandemic. However, this backfired because now all gang members that have been caught have been placed together in containment centers. Photos have been released from inside these containment centers, showing rows and rows of hundreds of men sitting so close to each other that they are practically resting their head on the other person's back (Washington Post 2020). The government is required to give all people access to food water and shelter well in these facilities however this is not happening (Human Rights Watch 2020).

With the president authorizing the use of lethal force against gangs comes an opportunity for a targeted mass killing. When the police and military cannot identify whether someone is in a gang or not it increases the chances that innocent bystanders will be killed. If the police are now using excessive force, the gang members and general public will likely respond with greater force than necessary for their own safety. It is concerning that the treatment of gang members is worse and inhumane. This could open up an opportunity for either the government to expand on their detainment policies or the gang members to increase their violence in response.

In order for a targeted mass killing to occur, many additional factors would have to happen. These include worsening conditions of the jails and containment centers that could lead to torture or death for the inmates which are mostly gang members. Additionally there would need to be more political instability within the government. Even though Congress and the president have disagreed and been on opposite sides of the political spectrum throughout their time in office, the response to President Bukele's actions through emergency powers would need to be strong enough that the president and Congress both concerned about the actions of the other. This creates pressure for one of the two branches to relinquish some of their power. Giving

up power is one of the leading causes of human rights violations, so any actions based on losing power could be devastating.

Within the country, there could be reform to the process for detaining people that are violating a stay at home order. Additionally, the containment centers created for gang members need to be expanded to allow for social distancing (Special Report: Human Rights Violations Abound in El Salvador as President Bukele Responds to COVID-19 2020). Adding oversight and more documentation for each person that is detained could also increase accountability to treat them humanely, offer them food and water, and ensure that their safety is the priority.

Amnesty International can write a press release about the concerning statistics in the country. Bringing awareness to the crisis unfolding in the country allows for more people to see and respond to their mishandling of this pandemic. When Amnesty International releases multiple reports on a country or event, the amount of deaths decreases dramatically. This should be done carefully though, because historically, countries that are shamed by NGOs usually increase or continue their abuse. Amnesty International is the only international body that decreases the abuse after releasing press releases.

Though unlikely, the United Nations Security Council could attempt to send in peacekeepers to the region, however this would be very difficult because nations would be required to offer their own military members for the mission. It would also be very dangerous because of the uncertainty of a pandemic and the lack of quality healthcare in the nation. The United Nations Human Rights Commission alerting the international community to the human rights abuses taking place can also decrease the ability for the state to continue with their patterns. This is not because of the act of shaming them on a global platform, but the actions

taken by others because of this alert. These could include individual sanctions or tariffs on the country as response.

I would advise that governments that primarily trade with El Salvador expand tariffs on the country and use Targeted sanctions to specifically leverage a change in the human rights practices in the country. I believe that having the USAID offer their services to ensure that the democratic elections being hosted are allowed to continue even if the format has to change to ensure the safety of the 6.4 million people living in the country.

In response to the coronavirus crisis, the world health organization could extend financial support to expand testing capabilities in the country which could reduce the loss of life especially in containment areas and jails.

Because of the US's involvement in the cover-up and lack of accountability for the El Mozote massacre of 1982, the United States should not be a key player in intervening in the current conflicts. Because their democratic structures are one of the soundest aspects of the country currently, it is necessary to ensure that elections are still held, Congress remains dedicated towards helping the citizens that elected them, and the courts ensure that justice is served. To ensure that elections are held freely and fairly during this crisis, the USAID organization could be tasked with conducting the elections or having oversight. These will prove to be beneficial because they have had success in many other countries. "USAID missions and partner nongovernmental organizations (NGOs) on the ground continue to carry out electoral assistance" and would ensure that even during a pandemic, citizens can vote safely (Ivancheva 2018). By keeping elections and not delaying them, the government will remain accountable and not be able to overreach to gain more power.

The concern that the government has with people not following their guidelines during this crisis is that people will spread this virus which poses a threat to everyone in the area. Additionally, people involved in gangs already have a higher chance of using violence and mobilizing a large group of people with specific goals. Right now, the tri-branch of government structure is working for the most part, and there is a balance of power. The president is ordering the military and local police to disobey orders from the Supreme Court to release people. The president is targeting gang members because of their patterns and history of violence. His overreach to state that local police can use lethal force against gang members during the pandemic is unconscionable. At the beginning of March, gang related incidences decreased because they were enforcing social distancing, but after official stay at home orders were in acted, the homicide rate increased, and there was a mass uptick in killings because of orders from gang members in prison (Brito 2020).

It seems almost inevitable that a human rights crisis would occur in El Salvador. As of right now we can only minimize the damage and stop a MHRV. The region has been plagued by violence and human rights violations since before it became a country. With decades and decades of uncertainty, violence, and autocracy the country seems to have fallen back into old patterns. Without any accountability from the international community these violations have mainly been swept under the rug and forgotten about.

With a global crisis occurring it is difficult to focus on smaller violations before they become major human rights violations or targeted mass killings, and by that time it is too late to react. I am optimistic and hopeful for the country that the extension of the president's powers are

only temporary and that as the coronavirus becomes less prevalent in the region that the government will assume their traditional roles and maintain balance.

Because of the rare event that is a pandemic, there is not enough data to reliably predict how influential a pandemic is on human rights violations. Additionally gang related incidents have been occurring in the region for decades without developing into a widespread crisis. The chance that a crisis could occur depends on many unknown factors like when the country will reopen, when a vaccine will be created, and when their economy can reopen.

Because their economy has already been struggling for decades, it could either increase or decrease be struggling after the crisis is over. A lot of factors are still unknown about if the economy will bounce back and be better than before or continue on the path that the economic freedom index is predicting (The Heritage Foundation 2020).

An encouraging sign for the future of El Salvador is that major newspapers in publishing companies have picked up on these stories. This is only possible because of the open press availability in the country. A lot of countries have reacted to this virus in a similar fashion as El Salvador has, by utilizing emergency powers and have not erupted into targeted mass killings or major human rights violations.

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Human Rights Crises Forecasting in Russia/Chechnya

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Introduction

As a federal republic with a history of violent insurrection, Chechnya is dependent on Russia but seems to be provided with significant latitude in its own matters.¹ The Head of the Chechen Republic, Ramzan Kadyrov, has used this opportunity to impose his own radical version of sharia law in the region which has been detrimental to women and members of the LGBTQ+ community.² Reports out of Chechnya indicate that LGBTQ+ individuals in the area are subject to persecution including arrest, torture, and murder by Chechen authorities.³ Chechnya's severely homophobic society under Kadyrov has been encouraged by Russia's political environment, including Russian President Vladimir Putin's personal disdain for the LGBTQ+ community and the resulting discriminatory policies which he has implemented to disadvantage LGBTQ+ individuals.⁴ In addition to passing a so-called "gay propaganda" law in 2013 which bans the distribution of information concerning "nontraditional sexual relationships" and places LGBTQ+ people in the same category as pedophiles, Putin has largely allowed the imprisonment, torture, and murder of LGBTQ+ persons in Chechnya.⁵ Reports also indicate that law enforcement encourages people to engage in honor killings of their LGBTQ+ family members; at least two families took this advice in 2017.⁶ The government attempted to portray the LGBTQ+ community as a threat to the traditional way of life in the country, and Russian

¹ Andrew E. Kramer, "Chechnya Renews Crackdown on Gay People, Rights Group Says," *The New York Times*, January 14, 2019, <https://www.nytimes.com/2019/01/14/world/europe/chechnya-gay-people-russia.html>.

² Amie Ferris-Rotman, "ANALYSIS-Sharia Law Threatens Moscow Control in Muslim Chechnya," *Reuters*, August 26, 2010, <https://www.reuters.com/article/idUSLDE6700S0>.

³ "LGBT Community in Chechnya Faces 'New Wave of Persecution': UN Human Rights," *UN News*, February 13, 2019, <https://news.un.org/en/story/2019/02/1032641>.

⁴ Natalia Prilutskaya, "Putin has given Chechnya free reign to persecute LGBTI people," *Amnesty International*, January 17, 2019, <https://www.amnesty.org/en/latest/news/2019/01/putin-has-given-chechnya-free-rein-to-persecute-lgbti-people/>.

⁵ Prilutskaya, "Putin."

⁶ *Ibid.*; Andrew E. Kramer, "They Starve You. They Shock You': Inside the Anti-Gay Pogrom in Chechnya," *The New York Times*, April 21, 2017, <https://www.nytimes.com/2017/04/21/world/europe/chechnya-russia-attacks-gays.html>.

citizens largely agree.⁷ This perception of an imminent threat posed by a group such as the LGBTQ+ community is a frequent precursor to targeted mass killings.

Another group in Chechnya has also faced discrimination, violence, and threats of honor killings due to the perception that they threaten the traditional way of life in Chechnya. Gender-based violence and repression has been commonplace in Chechnya since Kadyrov came to power in 2006.⁸ Similar to LGBTQ+ individuals, the Chechnyan government implemented a strict extralegal dress code in 2007 including a headscarf that has resulted in honor killings of women who do not adhere to the policy or who otherwise are thought to have relinquished their virtue through promiscuity; reports indicate that these killings are encouraged by police.⁹ These honor killings, the Chechnyan government's encouragement of them, and the Kremlin's ambivalence towards them is indicative of the country's lack of respect for the freedom of privacy and religion of Chechen women. Religious freedoms are also being violated across Russia against Jehovah's Witnesses. The practicing of the Jehovah's Witnesses faith has been outlawed throughout Russia, as the principal Jehovah's Witness organization in the country was declared an extremist organization by the Russian Constitutional Court in 2017.¹⁰ Jehovah's Witnesses in Chechnya have faced harassment, arrest, imprisonment, and reportedly torture for

⁷ "No Support: Russia's "Gay Propaganda" Law Imperils LGBT Youth," *Human Rights Watch*, December 11, 2018, <https://www.hrw.org/report/2018/12/11/no-support/russias-gay-propaganda-law-imperils-lgbt-youth>.; Alex Cooper, "Majority of Russians believe gays conspiring to destroy country's values, poll finds," *NBC News*, August 30, 2018, <https://www.nbcnews.com/feature/nbc-out/majority-russians-believe-gays-conspiring-destroy-country-s-values-poll-n905196>.

⁸ "You Dress According to Their Rules': Enforcement of an Islamic Dress Code for Women in Chechnya," *Human Rights Watch*, April 29, 2015, <https://www.hrw.org/report/2011/03/10/you-dress-according-their-rules/enforcement-islamic-dress-code-women-chechnya>.

⁹ Tanya Lokshina, "Virtue Campaign on Women in Chechnya under Ramzan Kadyrov," *Human Rights Watch*, October 29, 2012, <https://www.hrw.org/news/2012/10/29/virtue-campaign-women-chechnya-under-ramzan-kadyrov>.

¹⁰ Brakkton Booker and Lucian Kim, "Russian Court Sentences Jehovah's Witness to 6 Years in Prison for 'Extremism,'" *NPR*, November 5, 2019, <https://www.npr.org/2019/11/05/776354474/russian-court-sentences-jehovahs-witness-to-6-years-in-prison-for-extremism>.

the continued practice of their religious beliefs.¹¹ Jehovah's Witnesses and other oppressed people are already facing discrimination and sporadic human rights violations from the Chechnyan and Russian government, and the current Russian political, social, and economic environment including potential power grabs by President Putin and the likely economic downfall to follow the COVID-19 crisis are liable to worsen these abuses. Without major social and political change throughout the area, it seems likely that Chechnya and Russia will continue, and perhaps increase, their violations of the basic human rights of women, religious minorities, and members of the LGBTQ+ community.

Historical Background

Legal Background

From 1960 to 1990, between 500 and 1,000 men in Russia were imprisoned in penal colonies of the Gulag each year for the crime of *muzhelozhstvo*- men engaging in consensual sodomy together.¹² The legality of this changed in 1993, when the part of the criminal code which designated this as a crime was annulled, though some men remained imprisoned even at this time.¹³ In Chechnya, however, the federal republic's brief de facto sovereignty from Russia in the 1990's between the First and Second Chechen War was particularly bad for LGBTQ+ human rights in the region.¹⁴ In the late 1990's, the act of sodomy between two men or a man and a woman was subject to the death penalty- by stoning, beheading, or other methods- for a third offense; the first two offenses could be punished by beating the individual with a cane.¹⁵

¹¹ "Russia: Escalating Persecution of Jehovah's Witnesses," *Human Rights Watch*, January 14, 2020, <https://www.hrw.org/news/2020/01/09/russia-escalating-persecution-jehovahs-witnesses>.

¹² Matthew Schaaf, "Advocating Equality: A Brief History of LGBT Rights in Russia," *Harriman Magazine-Columbia University*, February 10, 2014, 24.

¹³ *Ibid*, 24.

¹⁴ "Chechnya Profile – Timeline," *BBC News*, January 17, 2018, <https://www.bbc.com/news/world-europe-18190473>.

¹⁵ "Crimes of Hate, Conspiracy of Silence: Torture and Ill-Treatment Based on Sexual Identity," *Amnesty International Publications*, 2001, <https://www.amnesty.org/download/Documents/120000/act400162001ar.pdf>;

Throughout the 1990's, the rhetoric concerning LGBT people in Russia portrayed them as foreign and threatening to Russian society- a perception known to lead to human rights violations, as occurred in Nazi Germany against Jewish people and in Rwanda against the Tutsis.¹⁶ Though being an LGBT person was essentially decriminalized with the annulment of article 121.1 of the criminal code in 1993, statutes were passed at the federal subject level in 2003 and 2006 and at the federal level in 2013 which outlawed so-called gay propaganda- that is, the promotion of LGBTQ+ relationships, especially to minors.¹⁷ In 2017, the legality of these statutes was challenged in the European Court of Human Rights (ECHR), which Russia has been liable to since ratifying the European Convention on Human Rights in 1998.¹⁸ The Court ruled the laws impermissible, though Russian officials have already publicly stated that the country plans to appeal the Court's decision and will not be honor the ruling; with few mechanism available to enforce the ruling, it is likely that the law will remain effective.¹⁹ Even before the passage of the gay propaganda law, Russia had been rebuked by the ECHR in 2010 for its refusal to allow gay pride marches.²⁰ Discrimination against LGBTQ+ persons even extends to mundane activities; as of 2015, transgender people were banned from driving based on their "sexual disorder".²¹ Most recently, Russia's President Putin proposed a constitutional amendment which would ban gay marriage in the country.²²

"Chechen Republica-Ichkeriya," *Amnesty International Publications*, 1997, <https://www.amnesty.org/download/Documents/160000/eur040091997en.pdf>.

¹⁶ Schaaf, "Advocating Equality," 24.

¹⁷ Sewell Chan "Russia's 'Gay Propaganda' Laws Are Illegal, European Court Rules," *The New York Times*, June 20, 2017, <https://www.nytimes.com/2017/06/20/world/europe/russia-gay-propaganda.html>.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ "Russia: European Court Rules Gay Pride Ban Unlawful," *Human Rights Watch*, April 17, 2015, <https://www.hrw.org/news/2010/10/21/russia-european-court-rules-gay-pride-ban-unlawful#>.

²¹ Shaun Walker, "Transgender People in Russia Banned from Driving, Says Legal Amendment," *The Guardian*, January 9, 2015, <https://www.theguardian.com/world/2015/jan/09/transgender-people-russia-banned-driving-legal-amendment-dmitry-medvedev>.

²² Andrew E. Kramer, "Putin Proposes Constitutional Ban on Gay Marriage," *The New York Times*, March 3, 2020, <https://www.nytimes.com/2020/03/03/world/europe/putin-proposes-constitutional-ban-on-gay-marriage.html>.

Women and religious minorities have also experienced discrimination which may lead to human rights violations in Russia. In Chechnya specifically, religious fervor has been used recently to repress women. Women have been forced to adhere to a strict dress code.²³ All of a woman's limbs are required to be covered and women are required to wear headscarves.²⁴ If women do not follow this code, they are prohibited from attending schools and universities, from working in the public sector, and from going to a variety of public places.²⁵ This so-called "virtue campaign" against women began in earnest in 2006, when Chechnyan authorities began confiscating cell phones from women, as cell phones permitted women to act flirt with and date men; the same year saw the first calls for use of headscarves by women in Chechnya.²⁶ In 2007, the Kremlin-appointed Head of the Chechen Republic publicly proclaimed his belief in the superiority of men over women.²⁷ Headscarf requirements began the same year, with women being turned away from work in the public sector for not wearing a headscarf despite the lack of legal basis for this requirement.²⁸

In Russia more generally, Jehovah's Witnesses have come under attack. In the ten years between 2007 and 2017, eight Jehovah's Witness branches and ninety-five pieces of the religious group's literature were banned by the Ministry of Justice of the Russian Federation.²⁹ The ECHR found Russia to be violating the human rights of Jehovah's Witnesses in the country in 2010 for closing the Moscow branch of the Jehovah's Witnesses.³⁰ Still, a Russian Supreme Court ruling

²³ "Russia: Chechnya Enforcing Islamic Dress Code," *Human Rights Watch*, April 17, 2015, <https://www.hrw.org/news/2011/03/10/russia-chechnya-enforcing-islamic-dress-code#>.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Lokshina, "Virtue Campaign."

²⁷ Ibid.

²⁸ Ibid.

²⁹ "Russia: Court Bans Jehovah's Witnesses." *Human Rights Watch*, April 20, 2017, <https://www.hrw.org/news/2017/04/20/russia-court-bans-jehovahs-witnesses>.

³⁰ Ibid.

in April 2017 outlawed all Jehovah's Witness organizations in the country on the basis that the Jehovah's Witnesses Administrative Center, and by extension all of its branches throughout Russia, are extremist organizations.³¹ Any person engaging in activities associated with the Jehovah's Witnesses could face a fine of up to 600,000 rubles (over \$10,000), criminal prosecution, and up to ten years in prison.³² The Jehovah's Witnesses have appealed the Russian Supreme Court's case to the ECHR; the case is currently pending before the Court.³³

Violations

Violations of the human rights of LGBTQ+ people are found throughout the aforementioned discriminatory laws. Additionally, both the government and civilians (likely encouraged by government propaganda) have engaged in more extreme tactics to violate the rights of the LGBTQ+ community. The 1960's to the early 1990's saw the imprisonment of gay men for no reason save their sexual orientation; the late 1990's and early 2000's were defined by consistent violence against LGBTQ+ people.³⁴ This violence against LGBTQ+ people in Russia generally extended even to 2019, when a LGBTQ+ activist was killed by unknown assailants after her information was posted on a website which encouraged people to hunt, torture, and kill known LGBTQ+ people.³⁵ Though legal discrimination and violence is present throughout the country, the federal republic of Chechnya has seen the most violence against LGBTQ+ people in recent years. In 2017, Chechnya engaged in the extrajudicial imprisonment and torture of hundreds of suspected LGBTQ+ men- an event described as a "gay purge".³⁶ The men who were

³¹ Ibid.

³² Ibid.

³³ "Russia: Escalating Persecution."

³⁴ Schaaf, "Advocating Equality," 24-25.

³⁵ Reis Thebault, "A horror-themes website told readers to 'hunt' gay people. Then an activist was stabbed to death," *The Washington Post*, July 24, 2019, <https://www.washingtonpost.com/world/2019/07/24/russian-lgbtq-activist-yelena-grigorieva-found-dead-st-petersburg/>.

³⁶ Prilutskaya, "Putin."

not forcibly disappeared were returned to their families badly beaten and were revealed to be gay to their family members.³⁷ These family members were often encouraged to commit honor killings of their recently-kidnapped-and-tortured gay relative; at least two families did so after their relatives were returned.³⁸ This “gay purge” came after a LGBTQ+ rights group in Moscow applied for the ability to hold gay pride parades in the region of Russia of which Chechnya is a part.³⁹ Just two years later, another round of mass detentions of LGBTQ+ people resulted in the detention of forty people and two deaths by torture.⁴⁰ Though no other Russian republic has shown this level of violence towards LGBTQ+ people and President Putin has stated that no discrimination exists against LGBTQ+ people in Russia, the Kremlin has shown limited interest in reining in Chechnya on this issue.⁴¹

Women who attempt to ignore the Chechnyan dress code are also subject to a variety of harassments and assaults. Chechen women have been subjected to shaming and threats if they do not abide by the dress code.⁴² In 2010, both civilians and law enforcement officers shot unarmed women who were out in public without headscarves on with paintball guns; following this, threats were distributed on leaflets indicating that future shots may come from real guns for any woman who does not abide by the dress code.⁴³ Following these attacks, the men responsible were applauded by the leader of Chechnya.⁴⁴ Like LGBTQ+ individuals, women deemed

³⁷ Kyle Knight and Tanya Lokshina, “‘They Have Long Arms and They Can Find Me’: Anti-Gay Purge by Local Authorities in Russia’s Chechen Republic,” *Human Rights Watch*, June 6, 2017, <https://www.hrw.org/report/2017/05/26/they-have-long-arms-and-they-can-find-me/anti-gay-purge-local-authorities-russias>.

³⁸ Ibid.; Kramer, “They Starve You.”

³⁹ Kramer, “They Starve You.”

⁴⁰ Prilutskaya, “Putin.”

⁴¹ Sasha Ingber, “Activists Say 40 Detained And 2 Dead In Gay Purge In Chechnya,” *NPR*, January 15, 2019, <https://www.npr.org/2019/01/14/685192372/activists-say-40-detained-and-2-dead-in-gay-purge-in-chechnya>.

⁴² Lokshina, “Virtue Campaign.”

⁴³ Ibid.; “‘You Dress According to Their Rules’.”

⁴⁴ Lokshina, “Virtue Campaign.”

promiscuous or otherwise not virtuous may have been subjected to honor killings by male family members, often encouraged and even aided by law enforcement.⁴⁵ Cases of harassment and physical assault of women not strictly adhering to the dress code continued well into 2012, when reports of attacks abated. The dress code and so-called virtue campaign against women, however, are still in effect, and the Kremlin has again allowed Chechnya almost free rein in this area.

Finally, Jehovah's Witnesses have experienced a rapid increase in human rights violations following the Russian Supreme Court's decision to ban the organization in 2017. Jehovah's Witnesses in Russia have since been subjected to surveillance, house raids, imprisonment, and criminal convictions for extremism for practicing their faith.⁴⁶ There have also been unverified claims of torture against Jehovah's Witnesses.⁴⁷ Though discrimination against Jehovah's Witnesses began over a decade ago, it has been the 2017 Russian Supreme Court and President Putin's consolidation of power in the Russian Orthodox Church that have fueled the upsurge in human rights violations against these peaceful religious practitioners.⁴⁸ As such, substantial physical violations have only begun recently, and this rapidly developing situation should be closely monitored for further risks of major human rights violations.

Analysis of Underlying Risk of Major Human Rights Violations

The reasoning behind the Chechnyan governments abuses of LGBTQ+ human rights and the Russian government's ambivalence to these abuses is complex. The LGBTQ+ community are not political, ethnic, national, or religious rivals, and the fragmentary state of the community in Chechnya effectively neutralizes it as a threat both politically and physically (LGBTQ+

⁴⁵ Ibid.

⁴⁶ "Russia: Escalating Persecution."

⁴⁷ Ibid.

⁴⁸ Alec Luhn, "How Russia Is Stepping Up Persecution of Jehovah's Witnesses," *Time*, December 18, 2019, <https://time.com/5751224/jehovahs-witness-russia-persecution/>.

people in Chechnya are typically closeted as there is such a stigma associated with being gay).⁴⁹ LGBTQ+ persons are not a part of any traditionally protected class and they are not new arrivals in the area. Despite the LGBTQ+ community's lack of characteristics traditionally linked to massive human rights violations, some religious and political considerations make clear why the Russian government may perceive a threat from this community. Violations of LGBTQ+ people's human rights in Chechnya/Russia seem to be based on religious teachings (Islamic and Russian Orthodox Christian respectively) combined with the Russian conservative political ideology; this is an interesting combination given that the LGBTQ+ community is neither a religious nor political group save for their political belief in the acceptance of LGBTQ+ people.⁵⁰ The rationale for targeting these people seems simply to be religiously- and ideologically-based homophobia disguised as the protection of children and the promotion of 'traditional' sexual relationships, but this still leaves vague the threat which the LGBTQ+ community supposedly creates for Russian children and society.⁵¹ The Russian Orthodox Church's close ties to the Russian government and emphasis on collectivism over individual desire clarifies the perceived threat; the Russian government is fearful of the societal threat to heterosexual relationships and the traditional family unit that they believe the LGBTQ+ community poses.⁵²

Russia seems willing to allow the human rights violations against LGBTQ+ people in Chechnya due to the aforementioned perceived threat, and Chechnya's rampant homophobia avowed at the highest levels of the region's government further propels human rights violations against LGBTQ+ people. Since the regional leader of Chechnya, Ramzan Kadyrov, came to

⁴⁹ Kramer, "They Starve You."

⁵⁰ Ibid.; Andrew Higgins, "In Expanding Russian Influence, Faith Combines With Firepower," *New York Times*, September 13, 2016, <https://www.nytimes.com/2016/09/14/world/europe/russia-orthodox-church.html>.

⁵¹ Kyle Knight, "Russia Fined for Anti-LGBT Actions," *Human Rights Watch*, July 17, 2019, <https://www.hrw.org/news/2019/07/17/russia-fined-anti-lgbt-actions>.

⁵² Higgins, "In Expanding Russian Influence."

power in 2007, the country has moved in the more socially conservative direction which is severely anti-gay.⁵³ Kadyrov claimed in 2017 that there were no human rights violations against LGBTQ+ people occurring in Chechnya because there are no gay people in Chechnya; he further states that if any gay people are living in Chechnya, they should emigrate in order to “purify [the Chechen] blood”.⁵⁴ Just as the Tutsi in Rwanda were called cockroaches and the Jews in Nazi Germany were equated to rats before the genocides in each respective country, Kadyrov has called LGBTQ+ persons “devils” who are “not people” in an effort to dehumanize the LGBTQ+ community.⁵⁵ In his comments on the LGBTQ+ community in 2017, he several times referenced his religion in condemning gay people- a trend which the rest of Russia has followed, though through the Russian Orthodox faith as opposed to Kadyrov and the majority of Chechnya’s Islamic faith.⁵⁶ In fact, Russia’s independent relations with LGBTQ+ people seem to have somewhat fueled the situation in Chechnya. Human rights violations against LGBTQ+ people in Chechnya worsened significantly in 2017 after a gay rights group in Russia applied to throw a gay pride parade.⁵⁷ It appears that, regardless of geographical location throughout Russia, as LGBTQ+ people become emboldened to take their place in the public sphere, Chechnyan officials are reminded of the perceived threat of the LGBTQ+ community to their own conservative social values and therefore begin to target this community for human rights violations.

⁵³ Adam Taylor, “Ramzan Kadyrov Says There Are No Gay Men in Chechnya - and If There Are Any, They Should Move to Canada,” *The Washington Post*, July 15, 2017, <https://www.washingtonpost.com/news/worldviews/wp/2017/07/15/ramzan-kadyrov-says-there-are-no-gay-men-in-chechnya-and-if-there-are-any-they-should-move-to-canada/>.

⁵⁴ Ibid.

⁵⁵ David Livingstone Smith, “‘Less Than Human’: The Psychology Of Cruelty,” *NPR*, March 29, 2011, <https://www.npr.org/2011/03/29/134956180/criminals-see-their-victims-as-less-than-human>; Taylor, “Ramzan Kadyrov.”

⁵⁶ Taylor, “Ramzan Kadyrov.”

⁵⁷ Kramer, “They Starve You.”

Like the LGBTQ+ community, the campaign against women in Chechnya is nuanced. Women in general are not ethnic, religious, or political rivals of the majority party, nor do they have any history of animosity with the ruling authorities, nor are they organized in any way which would cause a credible physical or political threat to the Chechen government. The campaign is not focused on killing, displacing, or otherwise damaging with physical integrity of women, but is intended to force women into a form of modesty based on religious teachings in which they may or may not believe. Chechnya's modesty campaign is based on sexism and the violation of the religious freedoms of women as well as a similar rationale to the campaign against LGBTQ+ people of a threat to the traditional social and familial structure. Kadyrov has openly stated his belief in the superiority and authority of men over women and the necessity of his Islamic dress code to prevent Chechen men from being enticed into violating their own religious teachings and ideas of morality.⁵⁸ He has even praised the men who carried out the threatening paintball attacks against women who were not wearing headscarves, saying that he would like to award them for their actions; this is interesting as it indicates that Kadyrov is more concerned about his dress code, which does not have a true legal backing, than the physical assault of women in his region.⁵⁹ Kadyrov and many other men in Chechnya seem to believe that women using cell phones, leaving their hair uncovered, wearing clothes that do not cover the entirety of their limbs subverts their preferred social structure in which women are inferior to and dependent on men. As such, women who do not follow the prescribed rules of modesty are a threat to male superiority and the traditional social dynamic, and therefore may be the target of human rights violations in order to coerce other women into compliance.

⁵⁸ "Russia: Chechnya Enforcing Islamic Dress Code."

⁵⁹ "You Dress According to Their Rules'."

The persecution of Jehovah's Witnesses in Russia is clearly one based on religion, though the lack of animosity between Jehovah's Witnesses and the ruling authorities in Russia, coupled with the recent harassment of these practitioners, seems to have confused even President Putin himself- though this has not stopped him from allowing the politically convenient oppression of the religious group.⁶⁰ Jehovah's Witnesses in Russia are labeled as terrorists and extremists for practicing their faith; this rationale is then used to imprison Jehovah's Witnesses for peaceful practicing their beliefs and even reportedly torture them in jail.⁶¹ It appears that the Russian Orthodox Church, which has gained significantly in power and become closely tied with the Kremlin since President Putin was reelected in 2012, is at the forefront of calls for the persecution of Jehovah's Witnesses.⁶² Jehovah's Witnesses have been portrayed by Russian Orthodox Church members and spokespeople as foreign, anti-Russian, and anti-Christian.⁶³ The Russian Orthodox Church's followers have also claimed that Jehovah's Witnesses, "... [erode] state institutions and traditional values...".⁶⁴ Though their reasoning for believing so seems to be a confusing, piecemeal rationale comprised of distrust for foreign (especially U.S.-based) institutions and religious disagreements, it is clear that the Russian Orthodox Church considers Jehovah's Witnesses a threat to the conservative values and existing political power structure which the Russian Orthodox Church holds and benefits from respectively. With the newfound

⁶⁰ "Opinion | Putin Touts Christianity. So Why Is Russia Persecuting Christians?" *The Washington Post*, June 6, 2019, https://www.washingtonpost.com/opinions/global-opinions/putin-touts-christianity-so-why-is-russia-persecuting-christians/2019/06/06/9876523c-87d1-11e9-98c1-e945ae5db8fb_story.html.

⁶¹ "Russia: Escalating Persecution."

⁶² Paul Coyer, "(Un)Holy Alliance: Vladimir Putin, The Russian Orthodox Church And Russian Exceptionalism," *Forbes Magazine*, May 31, 2015, <https://www.forbes.com/sites/paulcoyer/2015/05/21/unholy-alliance-vladimir-putin-and-the-russian-orthodox-church/#54c3247c27d5>.; Andrew Osborn and Tom Balmforth, "Russia Widens Jehovah's Witnesses Crackdown with New Jailings," *Reuters*, September 20, 2019, <https://www.reuters.com/article/us-russia-politics-religion/russia-widens-jehovahs-witnesses-crackdown-with-new-jailings-idUSKBN1W512W>.

⁶³ Osborn and Balmforth, "Russia Widens."

⁶⁴ Ibid.

power that the Russian Orthodox Church has gained in the last eight years to influence politics and the general public, as well as the Church's close relationship with the Kremlin, the Church seems to have achieved its goal of outlawing the practice of Jehovah's Witnesses' faith. Those Jehovah's Witnesses who continue to practice their faith are the ones seen as an ongoing threat and are thus vulnerable to human rights abuses.

Analysis of Current Events and Key Political Figures

The current political system in Russia and Chechnya puts the country at a potential risk for major human rights violations. Though Russia appears to have many of the trappings of democracy, the country is highly authoritarian. Because authoritarianism is often correlated with human rights abuse, this is of significant concern.⁶⁵ From 2017 to 2020, Freedom House has characterized the country as "not free" based on several factors including: a lack of free and fair elections; implementation of electoral laws intended to benefit the political party currently in power (United Russia); absence of a free and independent media and minimally independent judiciary; lack of freedom for nongovernmental human rights and governance organizations; insufficient due process; and no protection from the use of illegitimate force.⁶⁶ In closer relation to the groups studied here, Freedom House also finds Russia lacking in providing full political rights and electoral opportunities for marginalized groups, religious freedom and freedom to express personal and political views, and guarantees of equal treatments for marginalized classes.⁶⁷

Perpetrators & Victims

⁶⁵ Neil J. Mitchell and James M. McCormick, "Economic and Political Explanations of Human Rights Violations," *World Politics* 40, no. 4 (1988): 481, <https://doi.org/10.2307/2010315>.

⁶⁶ "Russia," Freedom House, accessed May 2, 2020, <https://freedomhouse.org/country/russia/freedom-world/2020>.

⁶⁷ *Ibid.*

In the event of a major human rights violation, the key perpetrators would be government forces under the direction of President Putin and the Moscow-appointed Head of the Chechen Republican, Ramzan Kadyrov, as well as those forces which influence these men including the Russian Orthodox Church for Putin and Chechnya's dependence on the Kremlin for Kadyrov.⁶⁸ Conversely, the at-risk groups during a major human rights violation would be the LGBTQ+ community and women in Chechnya and Jehovah's Witnesses throughout all of Russia. Of all actors with the potential to be involved in this major human rights crisis, President Putin has the most power and the fewest restraints on this power, making his preferences relative to other actors the easiest to implement. The policies and practices which cause the aforementioned low freedom scores are largely a result of the politics of President Putin, who has held either the presidency or the prime ministry of the country for the past two decades.⁶⁹ Now, Putin is attempting to extend his power even further into the future by circumventing the Russian Constitution's requirement that he serve no more than two consecutive terms.⁷⁰ Russian law currently states that presidents are permitted to serve only two consecutive terms, after which time they must step down for at least one election cycle; Putin is currently serving his fourth term as president after serving his first two terms between 2000 and 2008, followed by a stint as the prime minister of the country before winning the presidency again in 2012 and 2018.⁷¹ President Putin has declared that, though he believes the requirement should remain in the

⁶⁸ Coyer, "(Un)Holy Alliance."; Emil Aslan Souleimanov and Grazvydas Jasutis, "The Dynamics of Kadyrov's Regime: between Autonomy and Dependence," *Caucasus Survey* 4, no. 2 (2016): 123, <https://doi.org/10.1080/23761199.2016.1183396>.

⁶⁹ Oliver Carrol, "How 20 Years of Putin Has Shaped Russia and the World," *The Independent*, March 26, 2020. <https://www.independent.co.uk/news/world/europe/vladimir-putin-20-year-anniversary-russia-kgb-ukraine-media-democracy-a9060191.html>.

⁷⁰ "Opinion | Putin Is Brazenly Trying to Make Himself President for Life," *The Washington Post*, March 12, 2020, https://www.washingtonpost.com/opinions/global-opinions/putin-is-brazenly-trying-to-make-himself-president-for-life/2020/03/12/28fca94c-62ff-11ea-acca-80c22bbee96f_story.html.

⁷¹ Carroll, "How 20 Years."

Constitution and apply to future presidents, his continued presidency beyond his second consecutive term is necessary for the stability of the country.⁷² The Russian Constitutional Court affirmed the legality of Putin's continued rule in March 2020, though a nationwide referendum- postponed due to the COVID-19 pandemic- must still be held on the issue.⁷³

If the nationwide referendum is passed, Putin will be able to retain the presidency until 2036.⁷⁴ Based on the events of Putin's presidency up until this point, this would likely mean another sixteen years of discrimination against LGBTQ+ people and Jehovah's Witnesses in Russia and ambivalence towards the plights of the LGBTQ+ community and women in Chechnya. Putin's primary political interest appear, like most politicians, to be remaining in office, maintaining the wealth and power he has accrued through the presidency, and imposing his own ideological views on the Russian state regardless of his falling popularity in the country.⁷⁵ Consequently, two other initiatives that Russian citizens will be voting on in the referendum include a constitutional amendment to prohibit gay marriage and another amendment which would confirm all Russian's, "...faith in God".⁷⁶ These two amendments are unmistakably related to two of the groups which have been targets of violence and discrimination in Russia- LGBTQ+ people and Jehovah's Witnesses. One important correlation here is that, as Putin requests the Russian voter's approval for another consecutive term amid dropping poll numbers, he has decided to also bring to the voters constitutional amendments which the majority of Russian's support, but which are detrimental to ideas of equality and anti-

⁷² "Opinion | Putin Is Brazenly."

⁷³ Andrew Higgins, "Russia's Highest Court Opens Way for Putin to Rule Until 2036," *The New York Times*, March 16, 2020, <https://www.nytimes.com/2020/03/16/world/europe/russia-putin-president-for-life.html>.; Andrew Higgins, "Citing Virus, Putin Suspends Vote on Keeping Him in Power," *The New York Times*, March 25, 2020, <https://www.nytimes.com/2020/03/25/world/europe/russia-putin-coronavirus.html>.

⁷⁴ Higgins, "Russia's Highest Court."

⁷⁵ "Opinion | Putin Is Brazenly."

⁷⁶ Ibid.

discrimination in the country.⁷⁷ Almost two-thirds of Russians polled in a 2018 survey professed their concern that gay people are working against Russia's traditional values; additionally, another poll from 2017 found that over seventy-five percent of Russians approve of fully (fifty-one percent) or partially (twenty-eight percent) of the ban on Jehovah's Witness organizations in the country.⁷⁸ These popular amendments appear alongside Putin's amendment to remain in power after the 2024 election, which is supported by less than half of Russians.⁷⁹ Putin is clearly using these popular ballot initiatives to garner support for his own unpopular power grab with little regard for the further discrimination that is likely to result from the amendments.

Besides his falling popularity- which is truly more of a superficial issue for an authoritarian willing to rig elections such as Putin- the president is not largely constrained in the area of human rights by domestic concerns. In fact, Putin has largely been encouraged to violate the human rights of Jehovah's Witnesses and LGBTQ+ individuals in Russia by another key actor- the Russian Orthodox Church. The Russian Orthodox Church has expressed disdain for the Jehovah's Witnesses, who they describe as manipulative and not Christian, and gay marriage, which the leader of the Russian Orthodox Church has described as akin to Nazism.⁸⁰ During Putin's third and now fourth term as president, the church's leadership has been highly supportive of the president, and church followers- approximately seventy-five percent of the Russian population- tended to follow suit.⁸¹ Now, however, with followers of the Church

⁷⁷ Vladimir Kara-Murza, "Opinion | Vladimir Putin Has a Popularity Problem - and the Kremlin Knows It," *The Washington Post*, April 13, 2020, <https://www.washingtonpost.com/opinions/2020/04/13/vladimir-putin-has-popularity-problem-kremlin-knows-it/>.

⁷⁸ Cooper, "Majority of Russians.," "Poll Shows Majority Of Russians Support Ban On Jehovah's Witnesses," *Radio Free Europe / Radio Liberty*, July 13, 2017, <https://www.rferl.org/a/russia-jehovahs-witnesses-poll-majority-favor-ban/28615047.html>.

⁷⁹ Kara-Murza, "Opinion | Vladimir Putin."

⁸⁰ Luhn, "How Russia.," Feliz Solomon, "Russian Orthodox Patriarch Says Gay Marriage Is Like Nazism," *Time*, May 30, 2017, <https://time.com/4797521/russia-orthodox-gay-marriage-nazi-germany/>.

⁸¹ Luhn, "How Russia."

increasingly citing their faith as a reason to join pro-democracy protests and even clergy members speaking out against repression by the Kremlin, the highest branches of church leadership remain loyal to the Russian government, but support for Putin among individual followers of the church is falling.⁸² This creates a volatile and capricious situation in which the Russian Orthodox Church, the Kremlin, and the pro-democracy protestors will be posturing for power and policy influence. While it is unclear how this change will affect the Jehovah's Witnesses and the LGBTQ+ community, another vulnerable group- the pro-democracy political opposition to the Kremlin- has already seen members arrested for peacefully protesting, indicating that this change will not herald an improvement for human rights in the country.⁸³

The Kremlin-backed Head of the Chechen Republic, Ramzan Kadyrov, has been the cause of even worse human rights violations in his region than President Putin. Kadyrov's primary political goal is simply to impose his own fanatical version of sharia law in the region.⁸⁴ This includes forcing women to follow strict virtue codes, imprisoning LGBTQ+ people, and threatening or killing any exposed LGBTQ+ individual and any women who is found to be too promiscuous.⁸⁵ As the head of a Russian federal republic, Kadyrov is liable to the Kremlin, but Moscow has shown little interest in stopping Kadyrov's human rights violations. The violent political history in Chechnya, coupled with Putin's need for stability and electoral support in the region, has resulted in Putin largely allowing Kadyrov to rule the region as he pleases provided that Kadyrov prevents the rise of Islamic revolutionaries in the republic.⁸⁶ Putin has even

⁸² Marc Bennetts, "Why Orthodox Christians Are Losing Faith in Putin," *POLITICO*, December 30, 2019, <https://www.politico.eu/article/russian-orthodox-christians-lose-faith-in-vladimir-putin/>.

⁸³ Ibid.

⁸⁴ Lynn Berry, "Chechen Leader Imposes Strict Islamic Code," *The New York Times*, March 2, 2009, <https://www.nytimes.com/2009/03/02/world/europe/02iht-chechen.4.20541553.html>.

⁸⁵ Ibid.; Ingber, "Activists Say."

⁸⁶ Thomas Grove, "Analysis: Chechnya: How Did Putin's Party Win 99 Percent?" *Reuters*, December 21, 2011, <https://www.reuters.com/article/us-russia-chechnya-elections/analysis-chechnya-how-did-putins-party-win-99-percent-idUSTRE7BK1CA20111221>.

allowed these abuses to continue amid pressure from the international community, indicating that the Russian president's precarious relationship with Chechnya is of greater policy importance to him than diplomatic concerns.⁸⁷ While the relationship between Putin and Kadyrov remains this way, human rights abuses are likely to continue in the region.

The victims of human rights abuses in Russia and Chechnya have little capacity to fight back against the abuse themselves, whether politically or physically. Jehovah's Witnesses, as a part of their religious teachings, refrain from most political engagement- another aspect of their religion which makes Russia's government wary of the organization.⁸⁸ Followers of the Jehovah's Witness' faith, who the Russian justice ministry has called, "...a threat to public order," make up only approximately 0.1% of population of Russia.⁸⁹ While Russia has faced some international pressure from the ECHR, the U.S. State Department, and nongovernmental organizations such as Amnesty International and Human Rights Watch to end the persecution of Jehovah's Witnesses, violations have persisted.⁹⁰ The same has happened to LGBTQ+ individuals in the country, who- especially in Chechnya- have been forced to hide their sexual identity to avoid torture, imprisonment, and death.⁹¹ In Chechnya, the LGBTQ+ community is not organized; in the rest of Russia, those who do organize and advocate for the rights of the LGBTQ+ community may be imprisoned or killed.⁹² Again, the international community has tried to intervene through court rulings in the ECHR, a statement from the United Nations

⁸⁷ Prilutskaya, "Putin."

⁸⁸ Luhn, "How Russia."

⁸⁹ Ibid.

⁹⁰ "Russia: Escalating Persecution."; "U.S. Calls On Russia To Release All Jailed Jehovah's Witnesses," *Radio Free Europe / Radio Liberty*, November 10, 2019, <https://www.rferl.org/a/u-s-calls-on-russia-to-release-all-jailed-jehovah-s-witnesses/30260633.html>.

⁹¹ Kramer, "They Starve You."

⁹² Nicola Habersetzer, "Russian LGBT Activist Under House Arrest Is Facing New Charges," *Human Rights Watch*, January 22, 2020, <https://www.hrw.org/news/2020/01/22/russian-lgbt-activist-under-house-arrest-facing-new-charges#>; Thebault, "A horror-themes."

Human Rights Council (UNHRC), and numerous statements from nongovernmental human rights organizations.⁹³ Still, Russia seems unwilling to respond; though Putin equivocates to the international community, violations persist and the country has shown willingness to ignore rulings from the international courts.⁹⁴ In Chechnya, Putin has largely allowed violations against LGBTQ+ people to continue due to political considerations within the historically unstable region.⁹⁵ International pressure managed to temporarily suspend arrests in Chechnya in 2017, but human rights violations of LGBTQ+ people began again shortly after.⁹⁶ In order to maintain power over the federal republic, Putin has largely allowed his Kremlin-backed regime in the region free reign. Likewise, women in Chechnya cite fear for the safety of themselves and their families as a reason they have followed the Islamic dress code in the region, despite feeling that it is oppressive.⁹⁷ This fear has prohibited women from opposing the Kadyrov regime.

Current Events

The aforementioned 2024 presidential election in Russia is clearly an attempt by President Putin to seize even more power in the country; not only will his running for a third consecutive term allow him to hold on to the most powerful position in the country for another six to twelve years, but his doing so by circumventing the Russian constitution raises questions concerning what other constitution provisions- including those protecting human rights in the country- Putin may be willing to flout. Additionally, Russian authorities have violated human rights in order to win far less important elections than the presidential. Before the Moscow City Duma election in 2019, thousands of peaceful protestors were detained and many were beaten by

⁹³ “Russia: European Court.”; Sewell Chan “Russia's 'Gay Propaganda' Laws.”

⁹⁴ Chan “Russia's 'Gay Propaganda' Laws.”

⁹⁵ Prilutskaya, “Putin.”

⁹⁶ Ibid.; Ingber, “Activists Say.”

⁹⁷ “‘You Dress According to Their Rules’.”

law enforcement.⁹⁸ While this is not specifically related to the groups most at-risk for human rights violations, it is evident that Russian authorities are even less sensitive to human rights concerns when an election is imminent. Putin has also shown a willingness to promote bigotry in order to aid his electoral prospects, as evidenced by the inclusion of two popular but discriminatory constitutional amendments which will appear on a forthcoming referendum alongside the amendment which will extend Putin's presidential term.⁹⁹ Still, though the 2024 election will mark a major difference in electoral rules in presidential election for Russia and increase Putin's power, the resulting power structure will remain virtually unchanged, with Putin retaining the presidency. For this reason, though the election will likely result in increased human rights violations against political opponents, targeted groups will probably not see significantly worse violations unless a situation arises in which violations would benefit Putin politically. Though Putin has not been good for human rights in Russia, he is the devil that targeted groups in Russia already know; a new president could potentially be better, or significantly worse.

In addition to Putin's current power grab and upcoming presidential election, the COVID-19 crisis and its resulting economic effects will likely have a detrimental effect on human rights in Russia and Chechnya. Chechen leader Kadyrov has already compared those people responsible for the spread of coronavirus in the region to terrorists and threatened to kill them.¹⁰⁰ To prevent further spread of the virus, Russian officials have implemented a five-year

⁹⁸ "Run-up to Local Moscow Election Marred by Unprecedented Attacks on Rights," *Amnesty International*, September 6, 2019, <https://www.amnesty.org/en/latest/news/2019/09/russia-runup-to-local-moscow-election-marred-by-unprecedented-attacks-on-rights/>.

⁹⁹ Kara-Murza, "Opinion | Vladimir Putin."

¹⁰⁰ "Global Crackdown on Press Freedom Weakens Efforts to Tackle Virus," *Amnesty International*, May 1, 2020, <https://www.amnesty.org/en/latest/news/2020/05/global-crackdown-on-journalists-weakens-efforts-to-tackle-covid19/>.

prison sentence for people found to have carelessly spread the virus.¹⁰¹ Russia has also begun using facial-recognition software to track those people who have returned from outside of the country and who are meant to be self-isolating; this includes over 90,000 people in the country.¹⁰² When a journalist who criticized Chechnya's response to the crises encouraged people to hide symptoms of coronavirus to protect themselves, Kadyrov threatened her life and asked the Russian government to prevent writings from her and other "non-human" journalists.¹⁰³ Russia more generally passed a law at the beginning of April with the stated purpose of preventing the spread of false information about the crisis; this law has already been used to arrest an activist for criticizing the coronavirus response in the country.¹⁰⁴ The Russian government is blatantly using these laws and policies to maintain its own authority by silencing journalists and other political opponents without regard for their intrinsic rights. This is further substantiated by President Putin's attempts to distance himself from the virus and the country's response to it in order to maintain his own popularity.¹⁰⁵

As a result of the coronavirus crisis and a simultaneous drop in oil prices, the Russian economy is in decline. Earlier predictions expected Russia to weather the economic downturn brought about by coronavirus better than most countries due to economic sanctions from other major countries, even in spite of a major depreciation of the Russian currency and a pricing

¹⁰¹ Robyn Dixon, "In Russia, Facial Surveillance and Threat of Prison Being Used to Make Coronavirus Quarantines Stick," *The Washington Post*, March 25, 2020, https://www.washingtonpost.com/world/europe/in-russia-facial-surveillance-and-risk-of-jail-seek-to-make-coronavirus-quarantines-stick/2020/03/24/a590c7e8-6dbf-11ea-a156-0048b62cdb51_story.html.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Aleksandr Molchanov, and Robert Coalson, "'The Government Knows Where You Live': Russia's Journalists Walk A Dangerous Tightrope Covering COVID-19 Pandemic," *Radio Free Europe / Radio Liberty*, April 22, 2020, <https://www.rferl.org/a/russia-journalists-walk-dangerous-tightrope-covering-covid-pandemic/30570614.html>.

¹⁰⁵ Holly Ellyatt, "Putin Is Distancing Himself from Russia's Virus Outbreak. But It Could Still Damage Him Politically," *CNBC*, April 20, 2020, <https://www.cnbc.com/2020/04/20/russias-coronavirus-outbreak-why-it-could-be-bad-news-for-president-putin.html>.

collapse on sixty percent of Russian exports (oil and natural gas).¹⁰⁶ As Russia's years of conservative economic policies have resulted in a large savings fund to use in times of crisis, the country appeared to be in an excellent position relative to other countries to survive any worldwide economic downfall.¹⁰⁷ The Russian government, however, has provided minimal assistance to small businesses to support local economies.¹⁰⁸ Businesses, fearing bankruptcy, have filed complaints with the government, but the government has done little to aid these businesses.¹⁰⁹ In response to the country's poor handling of the economic crisis, a protest broke out which saw riot police using excessive force to dissolve the crowd and detain dozens of protestors.¹¹⁰ Now, economic experts expect to soon see a major recession in the country due to falling oil and natural gas prices that will lower standards of living and greatly increase unemployment in the country.¹¹¹ As Putin's popularity is tied significantly to the economy, it is likely that he will see a decrease in positive polling following this crisis which some experts believe may even threaten the chances of his term limits amendment passing the national referendum.¹¹² This is dangerous for the aforementioned target groups of women, Jehovah's Witnesses, and the LGBTQ+ community as Putin has shown more willingness to violate (or allow the violation of) human rights when his own electoral prospects are endangered. Though the current events in the country seem to be increasing human rights violations against different target groups (e.g., political opposition and journalists), the LGBTQ+ community, women, and Jehovah's Witnesses who have previously faced more severe targeting are still likely to see a

¹⁰⁶ Andrew E. Kramer, "Thanks to Sanctions, Russia Is Cushioned From Virus's Economic Shocks," *The New York Times*, March 20, 2020, <https://www.nytimes.com/2020/03/20/world/europe/russia-coronavirus-covid-19.html>.

¹⁰⁷ Dixon, "In Russia."

¹⁰⁸ Madeline Roache, "Putin Vanishes as Coronavirus Hits Russia's Economy," *Time*, April 24, 2020, <https://time.com/5827078/russia-putin-coronavirus-economy/>.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

higher chance of human rights violations due to the instability of the country in the current political and economic climate.¹¹³

Assessment

Under Ramzan Kadyrov, a human rights crisis for women and LGBTQ+ individuals in Chechnya seems highly likely. The political climate in the region has allowed the Chechen leader great latitude to pursue his virtue campaign against women and detentions of LGBTQ+ people without interference from the Kremlin. There is no indication that this special relationship between Kadyrov and the Kremlin will change as long as Kadyrov continues to maintain the political stability and support for Putin in the region. This, of course, is assuming that Putin's constitutional amendment passes which would allow him to retain the presidency for another two consecutive terms- an assumption which has been called into question due to his unpopularity during the COVID-19 pandemic. Still, the lack of free and fair elections in the country makes it likely that Putin's presidency will persist regardless of the actual level of public support for his regime. The Chechen leader's primary policy concern appears to be the implementation of his version of sharia law in the region; according to his beliefs, this would necessarily include the removal of all LGBTQ+ people from Chechen society and a social system in which women are inferior to men and are therefore forced to cover themselves completely to protect their own virtue and the virtue of the men who may see them. The Chechen leader has already made statements intending to dehumanize and demean LGBTQ+ people and women in the region- a move that often proceeds major human rights violations. As Kadyrov's political goals and the Kremlin's unwillingness to regulate the region are the most impactful conditions in the region, it appears likely that violations of the rights of women and LGBTQ+ in Chechnya will continue.

¹¹³ Mitchell and McCormick, "Economic and Political," 478-479.

With the political and economic stability liable to result from the current COVID-19 crisis, chances are high that these violations will worsen into a major human rights crisis, though the referendum on Putin's continued presidential terms would aid in making this determination as a new president might be less willing to allow such autonomy to Chechnya. Such a crisis would clearly affect at least half of the population looking only at women and an unknown number of LGBTQ+ people as the population size of the community in Chechnya is not known due to the violations that openly LGBTQ+ people are subject in the region.

In the rest of Russian, major human rights violations appear less likely than in Chechnya. LGBTQ+ people in Russia are heavily discriminated against and sometimes killed by people who embrace the government's homophobic agenda, but violations against LGBTQ+ individuals do not rise to the same level in the rest of Russia as they do in Chechnya. This assessment changes when looking at Jehovah's Witnesses, who have already faced discrimination, imprisonment, and reports of torture. These violations affect the 170,000 Jehovah's Witnesses living in the country.¹¹⁴ The Kremlin's relationship with leadership in the Russian Orthodox Church is the primary reason for this persecution, but with everyday followers and some clergy of the Russian Orthodox Church moving somewhat away from Putin, it is unclear whether the president will continue to see these violations as politically beneficial. Additionally, Putin has equivocated on this issue in December 2019, saying that the country could be, "...more liberal toward representatives of different religious sects...".¹¹⁵ The president has stated multiple times that violations against Jehovah's Witnesses should be investigated, but little has been done; it seems more likely that these statements are meant to appease the international community than

¹¹⁴ Luhn, "How Russia."

¹¹⁵ Ibid.

that Putin is generally ignorant of the situation.¹¹⁶ Again, the amendment on Putin's continued presidency will be critical in this situation, as the relationship between Putin and the Russian Orthodox Church and the separate relationship between Putin and followers of the Church appear to be the most significant factors influencing the decision to commit human rights violations against Jehovah's Witnesses (though any Russian authoritarian would likely be suspicious of the organization due to its U.S. ties and lack of political engagement). If Putin loses the referendum and is forced to leave office at the end of his term, a new president could be better or worse for Jehovah's Witnesses; likewise, if followers of the Russian Orthodox Church continue to leave Putin's electoral base, Putin may no longer think it necessary to pander to the Church's hatred of the Jehovah's Witnesses. The probability of human rights violations throughout the rest of Russia is therefore unclear and will likely remain so until after the forthcoming referendum.

Conclusion

Women in Chechnya, Jehovah's Witnesses in the rest of Russia, and LGBTQ+ individuals throughout the country have faced discrimination, threat, and violence for years under the respective rules of Ramzan Kadyrov and Vladimir Putin. Up to this point, international pressure has had some temporary effects, but human rights violations persist. As his entire political platform has been built around the implementation of his idea of sharia law which includes the repression of women and LGBTQ+ individuals, it is unlikely that Kadyrov will lessen his violations of these people's human rights; likewise, any other groups who threaten his authority, such as journalists during the COVID-19 crisis, will likely face violations to their human rights as well. Conversely, it is unclear what President Putin will do regarding LGBTQ+ individuals

¹¹⁶ "Russia: Escalating Persecution."

and Jehovah's Witnesses in Russia, as violations against these groups appear to be less of a political goal as they are with Kadyrov and more of a manner of further consolidating power, such as through appeasing the Roman Orthodox Church's hatred of Jehovah's Witnesses. While polling shows Putin's discriminatory measures against Jehovah's Witnesses and LGBTQ+ people to be popular among the populace, the accuracy of these polls is questionable due to the authoritarian nature of the country, which may force those surveyed to answer in the way in which they believe the authorities expect.¹¹⁷ In addition, the principal unknown regarding human rights in Russia and Chechnya in the future is whether Putin will be able to retain the presidency. Due to the long history of Putin's political opponents and critics dying before elections or being barred from participating in those elections, however, genuine opposition to Putin is weak; as such, he is likely to win the upcoming referendum and subsequent presidential election and remain in power.¹¹⁸ Though the presidential election will not be held until 2024, the upcoming referendum will be crucial in determining whether Putin can and will remain in power following his current term and will therefore be essential in determining the political climate for the forthcoming years. This will likely lead to continued human rights violations in Chechnya with a strong possibility of a major human rights violation in the future, though the fate of the rest of Russia will still be unclear as Putin navigates his changing relationship with the membership of the Russian Orthodox Church.

¹¹⁷ Cooper, "Majority of Russians."

¹¹⁸ David Filipov, "Here Are 10 Critics of Vladimir Putin Who Died Violently or in Suspicious Ways," *The Washington Post*, March 23, 2017, <https://www.washingtonpost.com/news/worldviews/wp/2017/03/23/here-are-ten-critics-of-vladimir-putin-who-died-violently-or-in-suspicious-ways/>; Camila Domonoske, "Russian Opposition Leader Barred From Running Against Putin In 2018," *NPR*, December 25, 2017, <https://www.npr.org/sections/thetwo-way/2017/12/25/573394432/russian-opposition-leader-barred-from-running-against-putin-in-2018>.

Chechnya has backed down from human rights violations in the past due to international pressure, specifically after the 2017 attempts to purge LGBTQ+ people in the country.¹¹⁹ As such, more sustained international pressure on the region could aid in lessening the human rights violations in the region. This is particularly true of the United States, arguably the most powerful, generally human rights respecting members of the United Nations who has not signed on to the Human Rights Council statement condemning violence against LGBTQ+ people in Chechnya and requesting an investigation into such issues.¹²⁰ If the United Nations, and particularly the United States, were to put more pressure on the Kremlin, the country may be forced to rein in Chechnya's human rights abuses. In addition, increases in the number of countries accepting refugees from Russia, particularly LGBTQ+ refugees from Chechnya, and the number of refugees which countries accept would help remove those vulnerable people from the precarious situation in which they currently find themselves. Following the 2017 attacks on LGBTQ+ people in Chechnya, Canada, Lithuania, France, Germany and some other European countries (unspecified in order to maintain the safety of refugees who fled there) began welcoming LGBTQ+ refugees from Chechnya into their countries.¹²¹ This is obviously of great help to LGBTQ+ Chechens. Unfortunately, these countries are not the rule, but the exceptions. Few countries are offering asylum to LGBTQ+ people in Chechnya fleeing human rights abuses.¹²² Even those LGBTQ+ Chechens who manage to flee the region continue to live in fear

¹¹⁹ Prilutskaya, "Putin."

¹²⁰ "Human Rights Council 40: Joint Statement Item 8 General Debate on LGBTI persons in Chechnya," *GOV.UK*, March 18, 2019, <https://www.citationmachine.net/chicago/cite-a-website/new>.

¹²¹ Jessica Murphy, "Canada has quietly granted asylum to LGBT Chechens," *BBC News*, September 7, 2017, <https://www.bbc.com/news/world-us-canada-41075528>; David Shimer, "Gay Chechens, Attacked at Home, Find Doors Opening in Europe," *The New York Times*, June 9, 2017, https://www.nytimes.com/2017/06/09/world/europe/chechnya-gays-refugees.html?_r=0.

¹²² Joanna Kakissis, "Chechnya's LGBT Muslim Refugees Struggle to Cope in Exile," *NPR*, January 5, 2018, <https://www.npr.org/sections/parallels/2018/01/05/572985673/chechnyas-lgbt-muslim-refugees-struggle-to-cope-in-exile>.

of the Chechen government.¹²³ Similarly, Jehovah's Witnesses are seeking asylum in Finland, but the country will only accept those applicants who can prove they are under threat of persecution; as of July 2018, the majority of asylum applications had been rejected.¹²⁴ There are currently no reports indicating that women who have been targeted in Chechnya are able to seek asylum to flee human rights abuses.

Without a complete change in leadership within Chechnya or Russia (both of which are unlikely), little can be done inside the country to reduce the threat of human rights violations; the political benefits of these human rights abuses are too great for the current regime. Therefore, the actions which the international community needs to take in order to lessen the human rights abuses in Russia and Chechnya are twofold. First, in order to immediately protect those people who are currently under severe threat of persecution, the international community must increase the number of refugees accepted from Russia. Countries which are already accepting refugees should put pressure on those who have yet to do so, particularly the United States. Second, the international community must put pressure on Russia to end its human rights violations, and particularly to limit the ability of Chechnya to target women and LGBTQ+ individuals. This pressure may include reports on conditions in Russia and Chechnya from nongovernmental human rights organizations, the United Nations Security Council issuing a resolution on the state of human rights in Russia and Chechnya, and/or Russia's major trade partners instituting increased economic sanctions on the country until human rights abuses are verifiably ended in Russia and Chechnya. International decision makers in this situation have an opportunity to appear tough on Russia and human rights abuses (typically an appealing position for Western

¹²³ Murphy, "Canada."

¹²⁴ Andrew Higgins, "Jehovah's Witnesses, Fleeing Russia Crackdown, Seek Shelter in Finland," *The New York Times*, July 16, 2018, <https://www.nytimes.com/2018/07/16/world/europe/putin-trump-russia-jehovahs-witness.html>.

leaders) by implementing political and economic sanctions and allowing a relatively small number of refugees into their countries- after all, the openly LGBTQ+ community in Chechnya is small, and all Jehovah's Witnesses in Russia make up only 0.1% of an already low-population country. Women in Chechnya, however, are a different issue entirely. These women will likely have to rely on sanctions and human rights reports and resolutions to improve their situation, as refugee status for them seems unlikely. While the future situation in Russia and Chechnya for women, Jehovah's Witnesses, and the LGBTQ+ community is uncertain at the moment, it appears unlikely for the situation to vastly improve for any group without international intervention which has, up to this point, been minimal. Human rights advocates will have plenty of work to do lobbying countries and international organizations to implement these changes in order to improve the bleak situation for targeted groups in Russia and Chechnya.

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THE POTENTIAL FOR HUMAN RIGHTS CRISES IN THE DEMOCRATIC REPUBLIC
OF THE CONGO

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International Human Rights Crises Forecasting

The Democratic Republic of the Congo (DRC) is undoubtedly one of the higher risk nations in the world for the development and implementation of a systemic, brutal, and massive human rights violation, and is arguably in the middle of broad, multi-faceted human rights crisis at this very moment. Atrocities such as torture, child soldier recruitment and deployment, state sponsored murder, forced abductions, media censorship, interference with the right of peaceful assembly and freedom of association, delayed and restricted democratic elections, corruption and lack of governmental accountability, crimes against women, children, and LGBTQ citizens are all already being reported on a consistent basis within the DRC (Bureau of Democracy, Human Rights and Labor, 2018). These atrocities are being carried out by both government security forces as well as rebel and militia groups (RMGs), overtly focused within the east and central regions of the DRC as the infamous Kivu conflict continues to rage within the border of the DRC and neighboring countries such as Rwanda and Burundi. The Kivu conflict is the primary source of concern for major human rights violations, due in large part to the wide swath of tribal and governmental belligerents that fight against each other, with violence and crime being committed against the local populations by both sides that has led to over 1.4 million refugees and hundreds of thousands of civilian fatalities since the conflict began in 2004 (United Nations Office for the Coordination of Humanitarian Affairs, 2013).

The propensity for human rights crises within the DRC is not a new phenomenon however. Civil conflict and native subjugation has existed within the borders of the DRC since the struggling nations early days as a private land holding of the Belgian king Leopold II. Continuing with its annexation into the Belgian government, during World War I and World War II, and throughout the back half of the 20th century and into the 21st, the DRC and her people have rarely known peace and stability in its entire history since Europeans first traveled up the

Congo River in the late 1800s. As a result, there are multiple generations within the DRC that have known and know no other way of life other than subjugation, fear, and starvation. Due to the various regional ethnic groups, corrupt political factions, and lack of international recognition and coverage seen in conflicts such as Syria, Yemen, Sudan, North Korea, etc., the potential for a massive human rights crisis is nearing an apex within the Democratic Republic of the Congo as its citizens continue to struggle against the forces that would subject them to further human rights violations on a massive scale.

The Democratic Republic of the Congo (DRC) is a relatively young country by modern standards. Previously known as Zaire from 1971-1997, it currently exists as the second largest country in Africa and the 11th largest country in the world, and with a population rapidly approaching 100 million, is currently the 16th most populated country in the world. Yet the history of brutal conflict, subjugation and strife within the modern borders of the DRC stretches back hundreds of years. European colonization in the 1800's within the continent of Africa arguably has had the most negative long lasting effects on the DRC, with a cultural norm of brutality and forced labor having existed since the 1870's when European exploration of the Congo Basin first began, led by explorers and navigators under the sponsorship of King Leopold II of Belgium. After the discovery of an overwhelming abundance of natural resources, particularly rubber, within the Congo Basin was shared with Leopold II, he successfully campaigned for and was awarded the rights to the Congo Territory after the Berlin Conference of 1885, with the territory formally becoming the Congo Free State. For the remainder of the 1800's and until 1908, the Congo Free State existed merely as the private land holdings of King Leopold II and not as a colony of the country or its government. In short order, Leopold II commanded his forces to subjugate the native Kongo people into forced production of rubber,

the most abundant and commercially viable resource available within the territory at the time. After many years the brutal tactics and methods for instituting slave labor by Leopold's private military forces exerting control and command over the natives became known internationally, thanks in large part to Joseph Conrad's *Heart of Darkness*. The novel was based on Conrad's experiences as a ship captain in the river basin and contained terrifying depictions of the violent exploitation and various human rights abuses being carried out against the native people by the Belgian colonizers, and became renowned worldwide. This and other reports of brutality in the Congo River Basin led to the United Kingdom formally appointing lawyer Roger Casement to investigate the conditions in the Congo, who released the Casement Report in 1904, which confirmed to the public and the Crown that there was indeed many examples of mass, violent, and terrible human rights violations being carried out in the Congo River Basin under the watch of King Leopold II. The release of the report sparked public outcry and formation of the Congo Reform Association, the first mass human rights movement in the world. International pressure from the Catholic Church, his own political constituents, and the international community as a whole eventually led to King Leopold II relinquishing his private property over to the country of Belgium itself, establishing the territory as a colony of the parliament of Belgium and was from then on known as the Belgian Congo. With the announcement of the private property becoming a formal Belgian colony, political parties fought for the adoption of clauses and laws within the colonial charter to curb and stop human rights violations against the natives. While a step forward in a positive direction, these laws and protections were ultimately largely ignored. The Leopold II appointed governor-general and administration largely remained in place after the adoption of the colonial charter. While conditions for the native people did somewhat improve, the primary focus of the Belgian government was largely the same as King Leopold's, exploiting

the natural resources in as efficient a manner as possible. The Belgian government continued the exploitation and forced labor practices upon the native people, though the methods by which they continued were less obvious and stark as previously carried out. Following the Allied victory in World War II, in which hundreds of native Congolese played a part, a Belgian policy of urbanization, modernization and commercialization was carried out during the 1940's and 1950's with the hope of optimizing the Belgian Congo into a model colony upon which to serve as an example and standard for other Belgian holdings elsewhere in the world. As a result, the emergence of a Europeanized African middle class emerged within the large cities along the Atlantic coast (Freund, Bill 1998. P 198-99). Members of this new middle class were dubbed "Évolué" by both fellow Congolese and their European sponsors. These new middle class citizens often spoke French, adhered to Christianity, and had some form of post-primary education (Gibbs, David 1991, p. 70). As a result of the concentrated effort between both the Belgian government and the Congolese citizens to adapt to each other and the economic boom following World War II, by the 1950's the Congo had a wage labor force twice the size of any other African colony. Belgian colonial administrators implemented a wide swath of economic policies aimed at improving the infrastructure between the port cities and the resource rich central and eastern regions. Railroads, roads, mines, plantations and industrial facilities began to sprout up throughout the country, with Belgian Congo even having supplied the uranium to the Allied forces used in the bombing of Nagasaki and Hiroshima that ended World War II. However, an unforeseen consequence that arose as a result of the improved infrastructure and western education received by the newly formed middle class was a growing sense of Congolese nationalism, pride, and desire for democratic self-rule among the Évolué that eventually spread throughout the country into different ethnic groups and social classes, culminating in 1959 as

rioting took place protesting the colonial rule of the Belgians, a movement that eventually resulted in the independence of the Congo and the formation of the Republic of the Congo in June 1960. However, the lack of institutional solidarity and long simmering tensions among rival ethnic groups almost immediately led to what is known as the Congo Crisis, a five year period of conflict and civil war that had multiple attempted military coups, black and white violence between natives and Europeans, whole sections of the country temporarily seceding with varying international support, communist factions seizing entire swaths of territory, and interventions by the United States, Belgium, the USSR, China, and UN peacekeepers on varying sides that all ended with the eventual ascension of Joseph-Desire Mobutu to the role of President after a second successful coup d'état in 1965 with US and western support for his new administration. Within five years, Mobutu transitioned the infantile democracy that was previously known as the Republic of the Congo into the absolute dictatorship of Zaire in 1971 after dissolving the post of Prime Minister in 1966 and Parliament in 1967. Mobutu instituted a strict policy of nationalism in order to purge any and all western influence from the nation. This included banning western style clothing, practicing Christianity, renaming of the cities within the country, and renaming the citizens themselves to purge traditionally Christian names. Though greatly promoted by Mobutu as an authentic return to the roots of the people within the Congo, the campaign was in actuality a method by which the dictator sought vindication for his continued rule (Young and Turner 1985; 211). Mobutu ruled for nearly three decades as an unchecked dictatorial force of nature. He nationalized nearly all forms of production in the country and forced out foreign investors as part of his nationalistic policies. Mobutu then continually raided the coffers of his country in order to advance his personal wealth, leaving the infrastructure and economic capability of the country in shambles (BBC 2018). During this period of his rule, Mobutu and his

supporters carried out various human rights atrocities against the people of Zaire who weren't part of his ethnic group, the Ngbandi tribe (Collins, Carole J.L. 1997). Mobutu ruled the country of Zaire for decades until 1997, the year from which the modern trouble in the DRC currently springs. After having ordered the Tutsi refugees from the Rwandan Genocide to exile themselves from Zaire in 1996, the Tutsis, with aid from the governments of Uganda, Burundi, Angola and Rwanda began an offensive to overthrow Mobutu, marching west toward Kinshasa with the intent of overthrowing the dictator and experiencing little or no resistance as it did so. On May 23, 1997, Mobutu fled in exile to Morocco where he lived for four months until his death in September of that year. The week before his exile, a Tutsi named Laurent-Desire Kabila seized power in Kinshasa, ending the First Congo War and renaming the country to its current title, the Democratic Republic of the Congo.

There currently exists a myriad of concerning factors that make the DRC much more susceptible to a major human rights crisis than other at risk countries throughout the world. For over a century, the land comprising the current DRC has been a petri dish of constant political instability, mass poverty, and severe ethnic and tribal divisions that have acted as a brake against the progress of the human condition in the country. Since the first arrival of European explorers in the 1870's, the people of the Congo have suffered from cruel, kleptocratic political leadership that has used the vast natural resources of the country as a personal economic tool for enhancing their private wealth. King Leopold II, Mobutu, and the different heads of state since his exile have all been personally responsible for pilfering from the wealth that the country produces. Other than the few years following the end of the second world war, the citizens of the DRC have lived in constant poverty and economic hardship. Poverty serves as an overwhelming and insurmountable obstacle for nearly all the citizens of the Democratic Republic of the Congo. Per

the financial editorial Global Finance, the DRC currently ranks as the second poorest country in the world, trailing only its neighbor to the east, Burundi (Gregson, Jonathan. 2018). As of 2019, the DRC also ranks 179th out of a possible 189 countries in the UN Human Development Index, a combined measure of life expectancy, education quality, and per capita income. These findings included an estimate of more than 80% of Congolese citizens living on less than \$1.25 per day, which the UN constitutes as living in “extreme poverty” (United Nations Development Programme. 2018.). Outside of the obvious political instability there exists other factors that contribute to the overwhelming poverty level in the DRC. Diseases such as malaria, where the DRC has the second highest amount of reported cases in the world (USAAID 2018.), HIV/AIDS, tuberculosis, cholera, hepatitis A, polio, and measles all run roughshod in the densely populated country. Due to constant civil conflict between the government security forces and rebel militias, food and water scarcity are also considerable factors for the potential of future human rights violations, as well as being a consequence after the fact. Constant fighting between groups in the fertile eastern and central sections of the country near mining facilities cause constant disruption and destruction of crops and harvests, as well as displaced refugees from surrounding African countries experiencing their own civil strife. Despite being in possession of more than half of the fresh water reserves in the entire continent of Africa, nearly half of the citizens have no reliable access to freshwater due to lack of quality infrastructure needed to use the water, war-related destruction and overwhelming growth in population (International Monetary Fund. 2015.) (United Nations Environment Programme (UNEP). 2011). The combination of diseases, poverty, hunger, and lack of water all contribute to the average life expectancy of the Congolese to be only 48 years (Lee, Esther 2016). Despite the lack of food and water security among the population that poses a constant threat to the people of the DRC, the overwhelming factor that

plays the most significant role in the possibility of a future mass human rights violation is the incessant, violent, brutal ethnic and tribal conflict between the more than 200 ethnic groups that live and operate within the borders of the DRC. Tribal and ethnic conflict has been a near constant since the abdication of power by Mobutu in 1997. As a result of the Tutsi/Hutu conflict within neighboring Rwanda coming to a close in the mid-90's, Rwandan Hutu forces fled into eastern Zaire to use Rwandan refugee facilities as a base of operations against the new Tutsi led government in Rwanda. These guerilla tactics ultimately led to a formal declaration of war by both Uganda and Rwanda against the Hutu rebels, but subsequently evolved into a massive multinational war for Zaire's vast natural resources with various ethnic tribal groups fighting against each other on both sides. The conflict, which came to be known as the First Congo War, placed Laurent-Desire Kabila, a member of the Luba people, in charge of the newly named Democratic Republic of the Congo. Kabila, despite having been propped up by and an ally to the Ugandan/Rwandan led coalition, later requested the removal of foreign military advisors from the DRC due to his paranoia of being replaced by a more Rwandan friendly member of the ethnic Tutsi. This led to the beginning of the Second Congo War in 1998, as combatants from nine different African nations and 25 different armed militias all vied for control of the DRC. Extensions of the conflict still occur today in various regions of eastern and central DRC, despite the signing of a formal peace agreement in 2003. The conflict and its offshoots have caused over 5 million deaths by way of disease and starvation that continues to occur, and millions more have been displaced as refugees sprawled across central Africa (Bavier, Joe (22 January 2007)). Strong examples of genocidal activity have occurred within the border of the DRC during the Second Congo War that provided a template for potential activity to occur again due to the conflict still being waged. Troops from the Movement for the Liberation of Congo (MLC), a political party

that is still very active in DRC politics to this day, fought on the side of Rwanda and Uganda during the war with primary financial and equipment backing coming from the Ugandan government. The MLC was led by Jean-Pierre Bemba, a prominent current DRC political player who became Vice President following the peace accord in 2003. The MLC and Bemba were found guilty by the ICC of atrocities against the native Pygmy people of the Congo, carrying out a systemic method of “murder, rape, pillaging, and torture over the course of the conflict” dubbed “Effacer le tableau” a cleaning of the slate, by the local population (International Criminal Court. May 23, 2008. ICC-01/05-01/08-1-tENG-Corr.). Soldiers within the MLC carried out the systemic extermination due to a belief that the flesh of the Pygmy people contained “magic”, and subsequent reports of cannibalism of the Pygmy people became widespread (Gilbert, Jérémie 2016). Estimates place between 60,000 and 70,000 Pygmy people having been killed as a result. Despite the peace agreement in 2003 and the formation of a transitional government made up of members from each side of the conflict, lack of institutional control and cooperation have led to mass pockets of continued violence and human rights abuses, particularly in the eastern regions of the country. The decades long international conflict between Hutu and Tutsi aligned powers have continued to be a driving force in the ongoing conflicts throughout the region due to an societal, generational fear of total annihilation by the other.

Currently in the DRC, there exists a multitude of various factors that all can contribute toward further major human rights violations. Despite decades of mass political instability and inter-border conflict, very little progress has been made toward a lasting environment of peace that could end the atrocities that the people within the DRC experience day after day. The contemporary political structure in place within the DRC is somewhat stable compared to the immediate past political situation inside the country. Currently, Felix Tshisekedi is the elected

President of the DRC, having been sworn in on January 25th, 2019. His election did not come about without its share of accusations from both inside and outside the country, however. Formal challenges to the legitimacy of the nomination came from the opposition nominee, Martin Fayulu, but the Constitutional Court of the DRC upheld the results despite accusations of Tshisekedi having brokered deals with his predecessor, Joseph Kabila, whose party, the Common Front for Congo (FCC) still controlled a large swath of provincial governor seats and a parliamentary majority. Watchdog and humanitarian organizations including the Catholic Church and the African Union believed that it was actually Fayulu that had won a majority vote in the election process (Reuters January 2019). A further post mortem of the results carried out by the Financial Times and Radio France Internationale concluded that a massive election fraud campaign had occurred, with results claiming that Fayulu had won the election with almost 60% of the vote total compared to Tshisekedi's 19%. (Wilson, Blood and Pilling 2019). Protests of the results occurred throughout the country that resulted in civilian casualties, with the UN Human Rights Office assessing 34 dead, 59 wounded, and 241 citizens arrested after the announcement of the results (U.N.. Reuters 2019). However, Tshisekedi's election, constitutional confirmation and swearing in marked the first real peaceful transition of power within the DRC since the country was granted independence from Belgium in 1960. Despite the peaceful transition, corruption remains a dominant force in the day to day governmental operations within the political structure of the DRC. A systemic presence and practice of kleptocratic methodology remain in place within the country supported by a large contingent of outside influence due to the proliferation of vast mineral and natural resources within the country. Multiple countries have invested heavily in the development of mining facilities and industry geared toward the extraction of these natural resources. The stated goal of Tshisekedi's tenure as President is to

turn the tide away from violent extraction and infighting in order to promote economic growth and social stability by legitimizing the extraction and sale of the abundant resources by way of improving the “infrastructure, transport, education, housing, communication, health, water, and agriculture” of the country (Deutsche Welle, 2019). Despite Tshisekedi’s election, many critics still view the partnership between Tshisekedi and his predecessor, Joseph Kabila, with major skepticism and see their partnership as a way for Kabila to circumvent the term limit rules established in the constitution that was established in 2005. The contemporary issue for major violence and potential mass human rights violations within the DRC rests within the large amounts of precious metals and other natural resources that reside within the borders of the DRC. Despite the underlying tensions between ethnic groups that have resulted in atrocities having been committed throughout the conflicts of the late 90’s and into the 21st century, conflict has continued to revolve around control of the mining facilities within the country that are home to an estimated \$24 trillion in untapped mineral deposits that include the world’s largest reserves of coltan, a precious metal used in the production of cell phones, computers, automobiles, and cameras (United States Geological Survey 2008). In addition to owning the largest amount of untapped coltan, the DRC is also in possession of other metals including gold, diamonds, cobalt, copper and tin. The United States Geological Survey also estimates that the DRC is in possession of nearly 1 million tons of untapped lithium metals as well (United States Geological Survey 2018), a key component of batteries with other industrial applications. Due to the vast amount of wealth to be earned via the extraction and sale of these resources, mass looting has occurred by various groups, both state sponsored and rebel, in order to finance the ongoing conflicts within the DRC. Political corruption has played a large part as well via the illicit awarding of mining contracts to foreign companies seeking the rights to extract the metals, and the use of unregulated

mining infrastructure by these foreign companies who use rebel militias to supply the work force in order to extract the metals themselves. Due to the largely unregulated mining operations, known as Artisanal and Small-Scale Mining (ASM) throughout the country, the ASM operations account for a large amount of the employment of the DRC's population, with estimates ranging up to 12.5 million Congolese being employed, or one fifth of the total population. Countless occurrences of human rights violations are carried out in order to meet the demand created by the ASMs, including "disruption of families, illnesses, environmental damage, child labor, prostitution, and mass rape" (Garrett, Nicholas 2007. Page 6.) (Hayes, Karen. May 2008. p. 22). The looting and pillaging of the natural resources has been carried out by numerous parties since the 1990's. During the Second Congo War "mass scale looting" occurred, as military commanders within the Rwanda, Burundi, and Uganda coalition negotiated deals with foreign companies while the invasion was occurring (United Nations. p. 6. Retrieved 2009-05-17.) as military personnel looted the resources and relocated them within their respective country borders in order to export them as a resource and source of tax revenue for their homeland. In order to carry out the extraction and relocation of the resources, foreign military forces attacked and looted the native DRC businesses and population surrounding the mining facilities in order to alleviate any potential threat to their looting. As the coalition forces marched toward Kinshasa, military personnel left in their wake seized and used the various DRC military airfields to facilitate the extraction and sale of untold tons of natural resources, providing no revenue toward the government or people of the DRC. In addition to the foreign military forces, home grown rebel groups also seized on the money making opportunities involved with precious metal extraction in a similar manner, carrying out atrocities on their fellow countrymen in order to procure as much as possible in the window of the conflict to finance further rebellion and

establish strongholds that still exist today. Despite the widely known human rights violations being carried out as a consequence of the conflict within the DRC, many western businesses and governments knowingly agreed to deals with the belligerents responsible for the looting in order to import coltan and other precious metals (Montague, Dena (2002). The illegal extraction and sale of the DRC's precious metals and natural resources such as gold and coltan are the modern equivalent to the better known "blood diamonds" that are used to finance further conflict and insurrection within the DRC that prevents any real hope of lasting peace within the country (Allen, Karen (2009). The mines within which the resources are housed are often far out of the way from populated areas in remote and environmentally dangerous regions. As a result, many workers, including children, are abducted and suffer from forced labor in the harshest of conditions and are forced to work 48 hour shifts in unsafe conditions while surrounded by armed guards. The armed guards can be from any number of various rebel groups or even the Congolese National Army, and both sects use rape, other forms of sexual violence, and intimidation to control the work force (Polgreen, Lydia 2008) (Soguel, Dominique 2009). Despite effort from many governments throughout the world to enact laws and regulations to prevent such crimes from taking place and allowing corporations to profit and prop up the parties responsible, the practice of illegal and unregulated resource extraction is still prevalent today, and has been the source of ongoing conflict between rival factions seeking to control larger swaths of land within which the minerals are located. An investigation by the US Government Accountability Office (GAO) discovered that most companies were not even able to determine the origin of the conflict minerals they possessed, due to the countless intermediaries and organizations that act as middlemen on behalf of the parties responsible for the exploitation (GAO-15-561: Published: Aug 18, 2015). Despite the actions of foreign actors to carry out

illegal mining operations, the most egregious violators today are factions within the DRC itself. The Ituri Conflict serves as an example by which ethnic rivals, the Lendu and the Hema, have carried out mass exterminations on both sides since 1998 as a result of heightened ethnic differences following the Rwandan Genocide. Despite temporary periods of peace, fighting is ongoing to this day as leaders of both parties have seized control of various ASM operations in the Ituri region in order to finance their ethnic conflict with each other (Deutsche Welle (DW). March 2, 2018.). The Ituri Conflict rages to this day, as more than 350,000 people have fled the province as refugees as of 2018. (BBC. March 2, 2018). Major human rights violations have occurred between ethnic members of both the Lendu and Hema since the conflict's inception. Outside of the forced labor and mass killings of the opposite ethnic group, large scale sexual violence has become so prevalent within the province that "this type of violence has become part of the general characteristics of violence in this war-torn population. Sometimes, as a means for some military factions to acquire remuneration with impunity and for some civilians, a means to counteract confronting, changing social norms occurring during chronic conflict." (Duroch, F, McRae M, Grais RF 2011). In addition to the Ituri conflict, the largest source of division and human rights abuses in the country as of now resides within the Kivu Conflict between the state military of the DRC (FARDC) and the Democratic Forces for the Liberation of Rwanda (FDLR) a militia arm led by proponents of the Hutu Power ideology responsible for the Rwandan Genocide. The FDLR are one of the last active factions of the Hutu group opposed to the Tutsi in central Africa. The UN had designated and deployed a large peacekeeping mission (MONUSCO) in the region in order to minimize human rights abuses and the usage of child soldiers by both sides (United Nations News Service 2017). Despite MONUSCO's efforts, human rights violations have been recorded as a result of the conflict. Child soldiers have been

recruited and utilized by the rebel forces and the FARDC during the Kivu Conflict and elsewhere in the country, while young girls are subjected to sexual assault and function as sex slaves.

Horrific examples are documented of FARDC troops conducting a systematic, methodic rape against the women and girls in the town of Minova over a period of three days in 2012 that prompted widespread international condemnation and the largest rape trial in the history of the DRC. However, only a few low-level officers within the FARDC were convicted, and by 2015 funding for sanctuaries for victims of sexual violence in the region had ended while instances of documented rape continued at a steady pace (Townsend, Mark 2015). There are simply too many factors occurring simultaneously within the DRC to come to any other conclusion than to assess an extremely high likelihood of mass human rights violations occurring within the DRC in the near future. Indeed, the ICC and other international courts and tribunals have tried some bad actors from the DRC for carrying out such violations already. There are countless sources that document the mass murder, ethnic cleansing, sexual crime, slave labor and forced relocation upon the people of the DRC by actors from without and within. Constant conflict in the east and central regions of the country are the obvious hotbeds for mass human rights violations to occur and continue to occur, as long as the world markets at large depend on the untold trillions of dollars' worth of untapped resources exist in the country. Capitalism has superseded basic human rights, unfortunately for the men and women who call the DRC home. As millions continue to be poured in illicitly via the illegal extraction of natural resources, it is hard to come to any other conclusion. Rebel militias, foreign actors, and state military organizations all have profited and continue to profit off the economic power that the natural resources possess. The combination of these resources being located in a region of the world that has already experienced so much human rights violations is a deadly and difficult to overcome combination. Generational ethnic

cleansing campaigns require resources to facilitate, and the DRC is home to the perfect mix for such a calamity to occur perpetually on a massive scale, affecting potentially hundreds of millions of people not just in the DRC, but in other neighboring African countries as well. Most international and intergovernmental organizations use what power they may, yet often have members within their own institutions that are also profiting off of the constant crisis within the country. Russia and China continue to stall large scale intervention efforts in the UN with their veto power due to the overwhelming control most oligarchs and governmental institutions from the respective countries possess in the DRC. The situation is also extremely dangerous for NGO's who wish to intervene and monitor for potential human rights violations. This combination removes nearly all internal checks on aggression and criminal activity within the Congo. Due to these restraints, there are no seemingly viable long term solutions without a strong central government in the DRC that is free from corruption yet possesses the capability of enforcing law and order. It is tempting to suggest a long term, international occupation by large scale military organizations such as NATO to ensure the safety and security of the civilian population while also guiding and abetting the central government, yet with similar operations in Iraq and Afghanistan failing to yield the desired results, it would be nigh on impossible to envision such a force carrying out a similar plan of action in the DRC, especially one whose conflicts are internal and whose sovereignty is often respected to the utmost as a UN member state. Therefore, without a roundly supported, legitimate central government free from the corruption that has been a factor since the countries inception, that is also supported internationally by a large majority of fellow nations, it is frankly impossible to see how the likelihood of future human rights violations would be deterred as long as hostilities and atrocities

remain within the borders of the DRC, and the flow of precious metals and natural resources still find their way into the international market.

To conclude, the likelihood of major human rights violations continuing to be carried out against the civilian population of the DRC is overwhelmingly probable. Ethnic hatred and distrust, political corruption, natural resources that value in the trillions, and lack of strong centralized institutional government, are a multi factor combination that simply cannot be overcome with the current political structure within the DRC and the world at large. Centuries of having been colonized, manipulated, subjugated and brutalized have left the culture of the DRC numb to the possibilities of a permanent peace. The federal government up to this point has demonstrated no capability of escaping the pull of corruption that has long drained the economic potential of the DRC. As a result of the social norms and cultural mores having been warped by long, nearly uninterrupted periods of incredible violence, it would take decades to restore the country of the Democratic Republic of the Congo to where it seemed to possibly be headed following World War II. The potential of the country and its people remain woefully untapped and constantly wasted. Yet the cause of this failure doesn't rest entirely on the shoulders of its people. Starting with European colonization in the 1870's and existing still today, the west has habitually sought the riches within the borders with little to no care for the repercussions to be suffered by the people who call the DRC home. There is some semblance of hope, however bleak. President Tshisekedi is still the first person in the position of power in the country to have assumed that position relatively peacefully with minimal bloodshed. There are incentives for politicians both within the DRC and outside it to bring about a permanent peace for the country. As long as the world has a vested interest in the reserves of natural resources that exist within the country, there will be a desire for peace in order to procure them safely and efficiently. If

Tshisekedi proves capable of providing his country with the basic necessities of a modern society that have been destroyed and left ruined by decades of constant war (roads, schools, medical facilities, food, water) it is possible that the future could be brighter than my initial projection. However, it is hard to ignore the incredibly bloody and corrupt past of the DRC up to this point. Yet still, if political stability that is relatively free from corruption can be achieved, it would be the first, most crucial step toward ensuring the eventual peace and freedoms afforded to all men and women of the world, a building block by which the DRC can become an example to which other nations suffering similar atrocities can look toward as an example by which to avoid the human rights violations that plague so many. Western democracies and other international organizations should take any and all steps necessary to ensure that the DRC is lifted up out of its currently bloody present and able to stand for its people. The DRC functions as a democracy, whose people vote in a much larger capacity than that of most democratic countries. Steps ought to be taken to ensure that the people of the DRC have as much a right to life, liberty, and the pursuit of happiness, not to live in constant fear of having those inalienable rights to be smothered in violence and bloodshed.

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The Probability of Human Rights Violations in Belarus

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Introduction

The probability of human rights violations in Belarus is highly dependent upon the country's leadership and political culture that has developed an extremely divisive environment, which has fostered these violations between political opponents. Victims of major human rights violations in Belarus are members of civic society, namely protestors, human rights organizers, and journalists. Under Aleksandr Lukashenko's leadership since 1994, the government has chipped away at the rights of activists, political opponents, and journalists through differing legislation imposing restrictions on both content and means of information distribution. On Freedom Day (the anniversary of the independence of the Belarusian People's Republic), journalists and human rights activists took to the streets in protest of Lukashenko's regime, but were met with the largest wave of violent arrests to date, as reported by Human Rights Watch.¹

The closer any opposers of Aleksandr Lukashenko have come to being effective, the more likely they are to face political repression. Research provides that challenges to the current political landscape are shut down by Belarusian authorities, and opposers face repercussions like exile or arrests after their bids for political power. This fosters hesitation surrounding political activism in anti-government agencies and silences contentions to the current politics.² According to the United Nations representatives working specifically in the investigation of human rights in Belarus, conditions have worsened in the last six years with new restrictions on the media with the state sponsored goal of preventing 'fake news.' These include forcing all independent news outlets to register with the state and requiring all journalists undergo a three-step registration process in order to gain state accreditation, which can be denied at the end of the process with no

¹ "World Report 2018: Rights Trends in Belarus," Human Rights Watch, accessed April 28, 2020, <https://www.hrw.org/world-report/2018/country-chapters/belarus>

²² Konstantin Ash, "The election trap: the cycle of post-electoral repression and opposition fragmentation in Lukashenko's Belarus," *Democratization* 22, no. 6 (2015): 1037.

justification.³ While political opposition in Belarus has a variety of obstacles in its anti-governmental movements, restrictions and dangers of identifying with these groups only work to further repress them and intimidate citizens from active criticism of Lukashenko's regime.

Amnesty International also reports of Belarus's continuous violations of international human rights agreements, a worsening problem with consideration to the removal of non-governmental organizations specific to human rights advocacy in eastern Europe. As a result, Western countries have trouble holding Belarusian authorities accountable.⁴ Belarus has become an afterthought to much of Western Europe as they further relationships with other post-Soviet countries, and, though Belarus has the widely regarded 'last dictator in Europe,' the European Union has softened its calls on Belarus for democratization.⁵ Further, it is necessary to note that authoritarian regimes have historically been able to avoid accountability and foreign intervention from their democratic counterparts as a result of disparities in the understanding of autocratic narratives, including societal norms and values, even when democracy has necessary resources and moral reasoning.⁶ This paper works to consider social and demographic landscapes in democratization and how the currently worsening conditions opposition journalists, advocates, and independent organizations face give Belarus a likelihood of human rights violations in the near future. Further, this paper analyzes how the COVID-19 pandemic may exacerbate this likelihood coupled with international silence about the resistance to democratization in Belarus.

Historical Background

³ "‘Deteriorating’ Human Rights in Belarus Amounts to ‘Wholesale Oppression’: UN Expert" United Nations, last modified October 25, 2018. <https://news.un.org/en/story/2018/10/1024182>.

⁴ "Belarus: Human Rights Defenders Under Pressure in Belarus." Amnesty International. Amnesty International, last modified September 17, 2003. <https://www.amnesty.org/en/documents/eur49/004/2003/en/>.

⁵ Clark McPhail, and John D. McCarthy, "Protest mobilization, protest repression, and their interaction," *Repression and Mobilization* (Minneapolis: University of Minnesota Press, 2005): 3-32.

⁶ Elena Korosteleva, "Questioning democracy promotion: Belarus' response to the 'colour Revolutions.'" *Democratization* 19, no. 1 (2012): 37-59.

Time in the Soviet Union

Belarusian history, with pertinence to the status of human rights, begins with the attempted democratization of the country after its succession from the Soviet Union. It is important to note before the discussion of Belarusian history, that the Republic of Belarus was only recently established with its proclamation of sovereignty in 1990, so much of the young country's 'history' remains contemporary to the issues discussed in this paper.⁷ During the beginning of Soviet rule, particularly the 'first period' of the October Revolution through the 1930s, there was a large push from Soviet authorities to introduce a 'socialist attitude' to the working class in an effort to develop a collective nationalist spirit to aid Russia during World War II.⁸ Following this stage, the Union experienced a 20 year period between the 1930s and 1950s that were focused completely on the building of a socialist society, including electing new leaders who were well-educated in the creation of a Marxist-Leninist country that later translated into a fascist regime during World War II.⁹ World War II killed over 2.23 million Belarusians, destroyed most industry by ruining over 10,000 factories, flattening 80% of urban dwellings, and devastated 9,200 villages. Despite this, however, the Soviet Union pursued the third stage, which consisted of a transition from socialism to full communism, as there was a dramatic raise in industrial production between 1971 and 1975 that rendered Belarus a valuable Soviet republic.¹⁰

Lukashenko's Beginning

The ending of its time in the Soviet Union led to Belarus' first president, Aleksandr Lukashenko, who has maintained the office since it was created. Aleksandr Lukashenko is the

⁷ Elena Korosteleva, "Questioning democracy promotion: Belarus' response to the 'colour Revolutions.'" *Democratization* 19, no. 1 (2012): 39-41.

⁸ David Marples, "Soviet Rule: Repression and Urbanization" *Belarus: From Soviet Rule to Nuclear Catastrophe*. (London: Macmillan, 1996).

⁹ *Ibid.*, 42.

¹⁰ Astrid Sahn. "Political culture and national symbols: Their impact on the Belarusian nation-building process." *Nationalities Papers*, 27, no. 4 (1999): 649-660.

current president of Belarus, named the last dictator in Europe, after coming to power in 1994. He served two terms before winning a controversial referendum in 2004 that allowed him to change the constitution and run for a third term.¹¹ The official count gave victory to Lukashenko, but that highly contradicted polls that were conducted both internally and externally. The election that strategically took place at the same time as parliamentary elections granted him the “widely held to be illegal” referendum.¹² Another controversial referendum under Lukashenko is the 1996 referendum that removed virtually all power from parliament, a parliament which had just recently seen about one-fifth of the seats go to liberals and social democrats while a majority went to communist and agrarian parties.¹³ Prior to this, Lukashenko instituted what was referred to as an ‘information blockade’ that enforced restrictions on campaign coverage in the media, particularly with pertinence to opposition parties.

Legislative Changes

State supported propaganda during the elections also worked to reflect opposition parties as World War II Nazi collaborators and proposed making Russian the country’s official language. This was to aid in the replacement of the Republic of Belarus’ symbols, and change them to those of Soviet era ones, benefiting from those anxious about change to a democratic and independent regime.¹⁴ The 1996 referendum was in response to democratic parliament members gathering together to attempt an impeachment of Lukashenko, and he concentrated power into the presidency while weakening the legislature, called the Supreme Council, by instituting a bi-cameral legislature consisting of a Council of the Republic that maintained 64 seats and a 110-

¹¹ David Marples, and Lyubov Pervushina. “Belarus: Lukashenko's Red October.” *Problems of Post-Communism* 52, no. 2 (2005), 19-28.

¹² *Ibid.*, 19.

¹³ Vitali Silitski, "Preempting Democracy: The Case of Belarus." *Journal of Democracy* 16, no. 4 (2005): 83-97.

¹⁴ *Ibid.*, 84-86.

seat House of Representatives. Presidential orders were to immediately become law, and they overruled any actions or rulings made in the new bicameral legislature. Lukashenko ordered the disregard of rulings from the constitutional court that rendered the referendum non-binding.¹⁵

Lukashenko also maintains a history of institutionalizing his rule with continued work to ensure that opposers did not present any meaningful competition, and five years after the 1996 referendum there were no longer spaces for independent groups to meet, create political parties, or maintain an independent press. Lukashenko's regime held a strong grip on electoral politics and ensured that any opposing political parties came across as incredible through state controlled media and the physical harm of opposition leaders.¹⁶ Of the first recorded opposition leaders who went missing was Yury Zacharanka, who was removed from office as the Minister of Interior in 1995 because of his refusal to remove opposition leaders from parliament. Just before his disappearance, he established the United Civil Party, becoming its leader, and announced the creation of a new opposition group, the Union of Officers.¹⁷ Additionally, a charismatic and controversial opposition figure, Viktor Hanchar, had initially supported Lukashenko until his movement into authoritarianism. He garnered much support from democratic activists and media coverage after declaring himself the continued head of the Central Election Commission, despite the 1996 referendum that took away this power. In 1999, he established himself as a risk-taking opposer through his organizing of an election using the constitution from 1990, and, though he lost by large margins to Lukashenko, he had proven to be a prominent opposition leader, and his disappearance was reported shortly after, during September of 1999.¹⁸

¹⁵ Mikeil Kechaqmadze, "Anti-Revolutionary Measures of the Post-Soviet Regimes (2000-2007)," 5

¹⁶ *Ibid.*, 3.

¹⁷ Bunce, Valerie, et al. *Democracy and Authoritarianism in the Postcommunist World*. (New York: Cambridge University Press, 2010)., 284.

¹⁸ *Ibid.*, 286.

Crack Down on Journalism

Lukashenko has also made a continued effort to control the media through censorship laws and the persecution of journalists. In August of 2018 alone, Belarusian authorities detained 19 journalists from a variety of media organizations independent of the state and confiscated a number of items that contained investigative material, according to the Washington Post.¹⁹ Journalists in Belarus also fell victim to Lukashenko's regime, as many were either repressed by stringent media laws or have disappeared the way opposing politicians did. One of the earliest cases of this was that of Dzmitry Zavadski in July of 2009, who disappeared after his detainment by Belarusian authorities for crossing the Belarus-Lithuania border on camera to demonstrate the ease at which one can cross between the borders. Reports from Zavadski's family show that he had been receiving threatening messages after senior Belarusian officials hinted at Zavadski's access to pro-Russian footage from the ongoing conflict in Chechnya in 1997.²⁰ Attacks have since continued on journalists supporting any of Lukashenko's opposition, police in local cities going as far as to question residents who signed petitions in support of newspapers that are being repressed. This followed movements arising after banks refused to deposit money into media outlets' accounts when locals attempted to purchase subscriptions.²¹

Underlying Risks of Major Human Rights Violations

Demographic Divides Influence Political Divides

Since its freedom declared in August of 1991, Belarus has seen an ever-growing political and social divide between those who wish to maintain strong relations with Russia and those who

¹⁹ "Analysis | Why Is Belarus Cracking down on Independent Journalists – and the Internet?" *The Washington Post*, last modified 15 Aug. 2018, www.washingtonpost.com/news/monkey-cage/wp/2018/08/15/why-is-belarus-cracking-down-on-independent-journalists-and-the-internet/.

²⁰ "Dmitry Zavadsky." Committee to Protect Journalists, last modified November 28 2003, cpj.org/data/people/dmitry-zavadsky/.

²¹ "Attacks on the Press 2006: Belarus." Committee to Protect Journalists, last modified February 5 2007, cpj.org/2007/02/attacks-on-the-press-2006-belarus.php.

want complete independence from Russia with a fully democratic government. What initially began as 55% of Belarusians being in favor of the restoration of the Soviet Union in 1993 became less than 25% of the population by 2011, according to an IISEPS national opinion polls that worked to measure public opinion surrounding Lukashenko's command of public trust, image as a politician, and actual garnered support at the ballot box.²² This social divide, however, has significant roots in demographic divides between various groups from socioeconomic and age classes. Research maintains that Lukashenko's biggest base of supporters is comprised of those who are heavily reliant on the state for support, namely people with a lower socioeconomic status, the elderly, and the uneducated, while adamant opponents are the opposite; most are young people living in urban areas with higher education.²³

Lukashenko's base reasons that they are not being denied anything by their own government, despite the West's insistence that they are under the rule of a dictator with a harmful record regarding human rights. The only travel impositions Belarusians experience are those of Western countries putting specific restrictions on Belarusian visas, and, in comparison to more repressed countries, the people see that they still have unlimited access to international news and maintain no fear about becoming a target of Lukashenko's regime.²⁴ Belarusians also maintain no motivation for political and economic upheaval, as both the politics and economy of Belarus are to the benefits of the citizens. Industry in Belarus also serves as a social sphere, with daycares, neighborhoods, and recreational areas built in industrial areas. The same employment opportunities and social stability cannot be guaranteed in a free market democracy, especially

²² Oleg Manaev, Natalie Manayeva, et al, "More State Than Nation: Lukashenko's Belarus," *Journal of International Affairs* 65, no. 1 (2011): 95.

²³ *Ibid.*, 100.

²⁴ Grigory Ioffe, "Understanding Belarus: Economy and Political Landscape." *Europe-Asia Studies* 56, no. 1 (2004): 95.

during transitional periods.²⁵ These demographic divides have led to a lack of unified national identity within Belarusians, fostering an ‘us and them’ mentality between the two predominant opposing political groups that also represent social groups.

Opposition Makes No Criticism of Political Landscape

Furthermore, political opponents of Lukashenko also make no accusations of election tampering after losing elections, most notably recorded after the 2001 election, wherein the opposition candidate relied on a loyal 15% and was unable to secure the unsure 40% in order to win the election. Immediately following came a list of weaknesses within the opposition party.²⁶ These listed reasons included that the opposition’s platforms only represented a small portion of the population rather than the views of the majority and the opposition showing Belarusian nationalism with actions such as donning the Belarusian flag, which was divisive because it turned away the population who still highly respected and appreciated Russian influence.²⁷ Both the opposition party and Lukashenko’s base of supporters find that, comparatively, they are not a politically repressed country. While opposing Lukashenko is frowned upon and often electorally unsuccessful, it is still doable, unlike modern examples of political repression like Uzbekistan.²⁸

Death Penalty

With Lukashenko’s regime in complete control of the political and media landscape in Belarus, the country has become dangerous for those working in the preservation of freedom. Belarus is the only European country to use the death penalty, through a shot to the head for those sentenced.²⁹ Because of this, offenders against the regime, particularly opposing politicians

²⁵ Ibid., 95

²⁶ Ibid., 98

²⁷ Ibid., 99

²⁸ Ibid., 99

²⁹ Human Rights Watch “World Report 2018: Rights Trends in Belarus.”

and journalists, face a higher risk of persecution for their work. Opposing political groups, though large in number and variance, are all unified in their want for a democratically independent nation, so they (comprised of the young, educated, and urban dwelling Belarusians) could at any time be indicted on charges outlined in the Belarusian Criminal Code, Article 357, Part 3, that states that capital punishment can be used if an individual is found guilty of a conspiracy to seize state power.³⁰ This section was also recently amended in 2012 to state “conspiracy or other acts committed.”³¹ The vague nature of the wording in the capital punishment laws provides no accountability to government officials in Belarus, because the sole determinant of what constitutes ‘conspiracy or other acts’ is the judge doing the sentencing, as there is an undetermined rule-of-law.³² There is no precedent or predictability in these charges, as the Criminal Code does not specify what is prohibited and punishable with execution. While a variety of other factors contribute to the continuous success of Lukashenko, of the most notable is the risk opposers face by making themselves known, a risk that only grows higher with the opponent’s effectiveness.

Denial of Constitutionally Protected Fair Trial

With capital punishment on the line, the necessity for a fair trial and humane detainment, as outlined in Section 2, Articles 25-27 and 60-62 of the Constitution of the Republic of Belarus, is pressing.³³ The constitution explicitly states that everyone has the right to legal assistance, including appeals to international organizations when domestic means are insufficient.³⁴ Further,

³⁰ “Death Penalty in Belarus: Murder on (Un)Lawful Grounds.” International Federation for Human Rights, last modified October 2016, https://www.fidh.org/IMG/pdf/death_penalty_in_belarus_murder_on_un_lawful_grounds_en_web.pdf.

³¹ “Extracts of the Belarusian Criminal Code.” Refworld. <https://www.refworld.org/pdfid/4756cf8f2.pdf>.

³² Tatyana Khodosevich, and Nadia Shalygina. “UPDATE: Legal Research in Belarus.” *New York University Global*, last modified March 2019, https://www.nyulawglobal.org/globalex/Belarus1.html#_5._The_Judicial.

³³ “Extracts of the Belarusian Criminal Code.” Refworld

³⁴ Ibid.

there is a constitutional guarantee of safeguarded personal liberty, with prohibitions on torture or inhuman treatment or punishment. The government, however, has worked to discredit and disbar human rights lawyers, and, as reported by Front Line Defenders, attorneys are being subjected to judicial harassment and unlawful searches of their offices and personal belongings.³⁵ In 2018, a Minsk City Court also upheld two sentences of human rights defenders, on charges of tax evasion, with punishments of “restriction of liberty without imprisonment” for four years (similar to house arrest), a five-year ban on managerial positions, and large fines.³⁶ These charges, however, come to those deemed natural leaders of human rights organizations, particularly those heading industries for reporting violations. Genadz Fedynich and Ihar Komlik spearheaded their movements through the independent Radio and Electronic Trade Union, and the U.S. Department of State has called this another effort to suppress independent unions.³⁷ Their trials were made private, and, despite calls from human rights organizations and governments around the world, all evidence provided for tax evasion charges remain concealed.³⁸ Human rights defenders and their activist counterparts being denied fair trials not only directly contradicts the Constitution of the Republic of Belarus but also raises human rights concerns regarding the freedom of information and expression as well as the suppression of government critics and political opponents of Lukashenko, the man named Europe’s last dictator.

Current Events and Political Figures

Aleksandr Lukashenko

³⁵ “Belarus,” Front Line Defenders, last modified August 28, 2018, <https://www.frontlinedefenders.org/en/location/belarus>.

³⁶ “Gennady Fedynich and Igor Komlik Sentenced.” Front Line Defenders, last modified December 28, 2018. <https://www.frontlinedefenders.org/en/case/gennady-fedynich-and-igor-komlik-sentenced-0>.

³⁷ “Human Rights Reports.” *U.S. Department of State*.

³⁸ “Gennady Fedynich and Igor Komlik Sentenced” Front Line Defenders.

One of the most popular figures to emerge from Soviet rule into Belarusian politics is Piotr Marinovich Masherau, who worked closely with Soviet leaders, but often dressed in traditional wear and spoke Belarusian as a means of further establishing Soviet credibility. Because of his populist leadership, anytime mass executions were recorded, they were offset by positive post-war time experiences with the support of the Soviet Union and long-term party maintenance.³⁹ His support of Lukashenko allowed for Belarusians to welcome his leadership in its earliest days. Masherau was able to unite the country because he held close relations with leaders in Moscow, but appeased Belarusian nationalists seeking independence. Lukashenko has since defined politics in Belarus, strengthening relations with Russia and maintaining political power through both the executive and legislative branch that he stripped political power from in the 1996 referendum.⁴⁰ With no end in sight to his rule, Lukashenko has ensured his opposition is voiceless in their pursuit of his power with restrictions on media and attacks on journalists, as discussed further in the following section.

Belarus's first president, Stanislav Shushkevich, recalls in a Huffington Post interview just how immersed Belarusians are into authoritarianism mirroring that of Russia and the Soviet Union, referring to the country's willingness to sacrifice troops during the Afghan-Soviet War.⁴¹ Shushkevich asserts that there are far too many opposition groups with no comprehensive ideas of the radical change they wish to procure, so they often fizzle out because of a lack of political knowledge and funding, as European leaders have neglected to isolate Lukashenko's regime by continuing to allocate funding toward it. Lukashenko maintains much of his credibility from his

³⁹ David Marples, *Belarus: from Soviet rule to nuclear catastrophe* (London, Macmillan Press, 1996), 1-6.

⁴⁰ Bunce, Valerie, et al. *Democracy and Authoritarianism in the Postcommunist World*. (New York: Cambridge University Press, 2010)., 286.

⁴¹ Samuel Ramani, "Interview with Belarus's First President Stanislav Shushkevich on Lukashenka's Rise and Belarus's Political Future," *HuffPost*, last modified April 18, 2017. https://www.huffpost.com/entry/interview-with-belarus-first-presidentstanislav_b_58f4c2c1e4b04cae050dc8fa.

relations with the Soviet and Russian Empire, and much of his base is complacent with his continued regime because of the cultural shift brought forth by the country's time under Soviet rule. The social norm resulting from years under dictatorship from Russia is leaving the country in the hands of a trusted leader. Thus, Lukashenko benefits from a country comprised of those who either support him or are ambivalent to his actions, including regarding election processes (considered to be free and fair) and continued efforts to nationalize property.⁴² These two issues, the lack of Belarusian motivation, and state-issued propaganda all work together to create an environment that provides Lukashenko with boundless limitations in his power.⁴³

Vladimir Putin

Vladimir Putin, the President of Russia, has spent much of his career in leadership trying to restore the Soviet Union, and he was initially successful in his pursuit of Belarus in 1999. About 20 years ago, Lukashenko and Putin signed a treaty that merged the two countries, but Lukashenko has resisted, instead favoring the complete control he has taken within the last two decades in Belarus.⁴⁴ The relationship between Putin and Lukashenko can be described as a tug-of-war for Belarus, yet for many years they present a united front to the rest of the world, which has limited Belarus from creating relations with many western and post-Soviet countries. In September of 2017, the two countries banded together for a large show of power with thousands of troops from both countries, tens of aircrafts, hundreds of tanks, and other arms that raised the concern of the rest of the world.⁴⁵ The show of power was part of what the alliance called 'war

⁴² Oleg Manaev, "More State Than Nation: Lukashenko's Belarus"

⁴³ Samuel Ramani, "Interview with Belarus's First President Stanislav Shushkevich on Lukashenko's Rise and Belarus's Political Future."

⁴⁴ "Opinion | Putin Has Set His Eyes on Belarus. The West Can Help It Resist," *The Washington Post*, last modified February 11, 2020, https://www.washingtonpost.com/opinions/global-opinions/putin-has-set-his-eyes-on-belarus-the-west-can-help-it-resist/2020/02/10/bcb707d6-4c2f-11ea-bf44-f5043eb3918a_story.html.

⁴⁵ Scott Neuman, "NATO Nervous As Russia, Belarus Team Up For Cold-War-Style War Games," *NPR*, last modified September 14, 2017, <https://www.npr.org/sections/thetwoway/2017/09/14/550969326/nato-nervous-as-russia-belarus-team-up-for-cold-war-style-war-games>

games' against a fictitious nation, named similarly to neighboring Baltic nations.⁴⁶ Since the 1970s, Russia has conducted this 'Zapad' in training for fights against the West, so the two nations training together was symbolic to the rest of the world of their relations at the time.⁴⁷ However, more recently, Putin has begun to subsidize oil that Belarus's economy relies heavily on, asserting that Belarus may not continue exporting Russian oil, which measures up to about a fifth of the smaller nation's economy. Lukashenko has resisted Putin's assertion of power, instead purchasing Norwegian oil with the support of western countries that have commended his efforts on remaining an independent nation, despite dubbing him the last dictator in Europe.⁴⁸

Media Suppression

Lukashenko's regime has made continuous efforts to regulate media, evident in the legislature's 2018 bout of media-specific laws that Lukashenko justified with 'fake news' concerns, following a global push from the West to discredit the media. In addition to restrictions on the country's internet, in April of 2018 Belarusian lawmakers went against international and domestic groups by legislating a ban on information perceived to be false, with specific instruction to persecute those publishing such information.⁴⁹ This bout of laws also restricted any anonymous content, requiring any and all information be sourced to a person, and this left the burden to social media sites to ensure the identification of users and moderation of comments to online forums.⁵⁰ These laws were built with consideration to the new age of technology and communication; however, media regulation made its first significant shift in 2008, wherein Lukashenko's continued administration began to require journalists to undergo a number of steps

⁴⁶ Ibid.

⁴⁷ Andrew Higgins, "Russia's War Games With Fake Enemies Cause Real Alarm," *The New York Times*, last modified September 13, 2017, <https://www.nytimes.com/2017/09/13/world/europe/russia-baltics-belarus.html>.

⁴⁸ "Opinion | Putin Has Set His Eyes on Belarus. The West Can Help It Resist," *The Washington Post*

⁴⁹ "Belarus Passes Legislation Against 'Fake News' Media," *Radio Free Europe/Radio Liberty*, June 15, 2018., <https://www.rferl.org/a/belarus-assembly-passes-controversial-fake-news-media-legislation/29291033.html>.

⁵⁰ Ibid.

before they were able to legally share information. These regulations included requiring journalists to go through a three-step process for building accreditation (though there is no guaranteed accreditation as a journalist may be denied with no justification), the reregistration of all independent news sources through the Ministry of Information (though a number of media outlets were also denied registration), more governmental authority extended to the regulation of media, and, perhaps most notably, the restriction of foreign ownership of Belarusian media to 30%.⁵¹

The Committee to Protect Journalists (CPJ) asserts that Lukashenko is justifying his actions against free media with a goal to protect citizens from false information, but the CPJ alleges these new laws are to ensure Lukashenko's control over what information the public has access to.⁵² Shortly following the legislation of these laws, the New York Times reports Belarusian officials raiding independent news outlets, including Tut, the nation's leading independent news website.⁵³ [4] 18 journalists, editors, and staff were detained on charges of illegal access to the Belarusian Telegraph Agency, with their offices and the personal apartments of five journalists raided with documents and supplies confiscated.⁵⁴ (Ibid. [4]). Journalists in Belarus were faced with over 100 fines in 2018 alone, an exponential rise when compared to 10 fines issued in 2016 and 69 issued in 2017.⁵⁵ Reporters Without Borders condemns Belarus as one of the top 25 least hospitable countries for journalists and 153rd out of 180 countries in 2019 on the World Press

⁵¹ Oleg Manaev, "Media in post-Soviet Belarus: between democratization and reinforcing authoritarianism," *Demokratizatsiya* 22, no. 2 (2014): 207-229.

⁵² "CPJ Blasts Belarus's 'Veiled Attempts At Tightening Censorship'," *Radio Free Europe/Radio Liberty*, last modified June 10, 2018, <https://www.rferl.org/a/cpj-blasts-belarus-s-veiled-attempts-at-tightening-censorship-/29282481.html>.

⁵³ Lincoln Pigman, "Belarus Detains 18 Journalists in Raids at Independent Outlets," *The New York Times*, August 8, 2018, <https://www.nytimes.com/2018/08/08/world/europe/belarusjournalists-detained.html>.

⁵⁴ Ibid.

⁵⁵ "Harassment of Journalists Breaks Records in Belarus – Nearly 100 Fines so Far This Year," *Reporters Without Borders*, last modified November 14, 2018. <https://rsf.org/en/news/harassment-journalists-breaks-records-belarus-nearly-100-fines-so-far-year>.

Freedom Index, and global human rights organizations have called upon Belarusian authorities to free those detained and abolish the journalist accreditation laws and regulations required of journalists.⁵⁶ The Belarusian state has complete control over all TV channels, and of the few independent news outlets in the region, many are based in neighboring countries as a means of fleeing persecution from domestic authorities.⁵⁷ Since 2013, Reporters Without Borders has seen a continuous decline in Belarus's ranking, and new regulations infringe further and further into the rights of journalists across the nation, as 2019 brought on a new wave of independent news outlet shutdowns, including Tut and BelaPan, who have been struggling to survive with restricted advertising across the country.⁵⁸

Libel and slander laws in Belarus are explicit in their bans on false speech, but the European Court of Human Rights have noted that Belarusian laws are vague in nature and strict in implementation.⁵⁹ International law states that restrictions on speech under defamatory laws must explicitly state a false fact that works to disseminate true information, while Belarusian law only states a restriction on a "deliberate degradation of honor" expressed in an indecent manner.⁶⁰ International jurisprudence has criticized the country for its strict laws, citing that applying criminal remedies on restrictions of fundamental rights negates productive solutions, and civil law violations should face civil consequences.⁶¹ This has been a reoccurring issue since 2004, garnering international attention since the imprisonment of two Belarusian citizens for the publication of satirical poetry for their crimes of criticizing the president, as reported by

⁵⁶ Ibid.

⁵⁷ "Belarus." Reporters Without Borders.

⁵⁸ Ibid.

⁵⁹ "Defamation Law and Practice in Belarus, Moldova and Ukraine," *Refworld*, <https://www.refworld.org/docid/4756cfef0.html>.

⁶⁰ Ibid.

⁶¹ "Extracts of the Belarusian Criminal Code." Refworld.

Amnesty International.⁶² Defamation laws in Belarus contain no specific rule of law, so those wishing to speak out against Lukashenko face risks of imprisonment for doing so under laws where the sole determinant is the judge making that decision in aforementioned compromised judicial proceedings.

Suppression of Protestors

Lukashenko has built a reputation among opposition forces for being efficient for his elimination of threats posed to him. In the 2006 elections, the first use of the 2004 referendum changes that resulted in Lukashenko's run for a third and extended term, his regime worked diligently in prohibiting any opposition that questioned his electoral competency and accused him of manipulation. Hundreds of activists that took to the streets in protest of Lukashenko's electoral politics and received what he described as "drastic action" against "any attempt to destabilize the situation."⁶³ This included arrests and violence against demonstrators, legalized under amendments to Police Law, which granted the president the authority to decide the necessity of firearms for police officers during peacetime.⁶⁴ Lukashenko said the government will "wring the necks" of both those doing it and "instigating" the actions of protesters.⁶⁵ The 2006 election is where Lukashenko's authoritarianism began to take shape, and, immediately following his win, hundreds of political party offices closed as a result of 2005 Housing Codes that required offices to be in a specific office building, which limited their capacity significantly.⁶⁶

⁶² "Belarus: Suppressing the Last Voices of Peaceful Dissent," *Amnesty International*, <https://www.amnesty.org/en/documents/eur49/004/2005/en/>.

⁶³ Mikeil Kechaqmadze, "Anti-Revolutionary Measures of the Post-Soviet Regimes (2000-2007)," 4

⁶⁴ *Ibid.*, 5

⁶⁵ *Ibid.*, 5

⁶⁶ *Ibid.* 5

On Freedom Day in 2018, a march on the capital in Minsk took place in protest of what is being referred to as an ‘social parasites’ tax. The tax would impose a fine of about \$230 on those who are unemployed for six months, and Lukashenko insists on its existence in response to the protestors by arresting that it encourages discipline in people who have gotten too comfortable on government subsidies.⁶⁷ Lukashenko’s opposition, however, insists that it punishes those who are without work, and they took to the march to send their message. They were met with police officers detaining and beating protestors, “dragging women by their hair to buses” toward the police station, and water cannons to aid the riot police in their disbanding the large crowds.⁶⁸ Every individual present was detained, including onlookers, reporters, and the elderly; following the raid of Vesna, a human rights advocacy organization, and the arrests of 30 activists during the planning of the protest.⁶⁹ With the persecution of those who speak out against the current regime, whether in the form of a protest or journalism, the likelihood of any opposition success or accountability of the current regime grows slimmer and slimmer while the executives power grows stronger.

The 2019 Belarusian Presidential Election

Aleksandr Lukashenko called for the next presidential election to take place in 2019, and legislation stipulates the presidential election must take place no later than September.⁷⁰ Lukashenko confirmed that he was in pursuit of another term shortly after parliamentary elections that overwhelmingly were won by candidates loyal to him. Election turnouts in Belarus in the parliamentary election were at 71% in all 110 constituencies, so the same was expected in

⁶⁷ “Belarus Protests: Hundreds Arrested after Defying Ban,” *BBC News*, last modified March 25, 2017. <https://www.bbc.com/news/world-us-canada-39393351>.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ “Lukashenka Calls Belarus's Next Presidential Election For 2020,” *Radio Free Europe/Radio Liberty*, April 19, 2019, <https://www.rferl.org/a/lukashenka-calls-belarus-s-next-presidential-election-for-2020/29891622.html>.

the presidential election.⁷¹ Lukashenko faced opposition both from the east and west with his reelection, as Putin urged him to step down in order for Belarus to gain credibility with the rest of Europe, the United States, and China for economic and military ties.⁷² The Organization for Security and Cooperation in Europe, however, found corroborating evidence that there were a “significant number of procedural irregularities and a lack of transparency” in their report of the parliamentary election, cited among other issues likely in Belarus’s 2019 election.⁷³ Lukashenko faces opposition problems as Putin in Russia urges Belarus to rush military and economic integration, as this election marks 20 years since a signed agreement between the two countries about maintaining an open border.⁷⁴ Despite the effort of all opposition parties to gather behind one candidate, Lukashenko won a fifth term in November of 2019 after a 77% turnout in voters, his opposition not gathering a single seat, a step down from the 2016 election where they held two.⁷⁵ [3]

COVID-19 Response

In light of the COVID-19 pandemic, Lukashenko has neglected to institute any form of quarantine or shut down of public gatherings, citing that every person can make the individual decision of whether or not to adhere to the World Health Organization’s social distancing recommendations.⁷⁶ Belarus currently has a population of 9.5 million people, according to

⁷¹ “As Belarus Elects New Parliament, Lukashenka Says He Will Seek Another Presidential Term,” *Radio Free Europe/Radio Liberty*, last modified November 18, 2019, <https://www.rferl.org/a/belarus-parliament-elections-lukashenka-russia-us-china-eu/30276098.html>.

⁷² Ibid.

⁷³ “Elections in Belarus,” *Organization for Security and Co-operation in Europe*, last modified November 17, 2019, <https://www.osce.org/odihr/elections/belarus>.

⁷⁴ “As Belarus Elects New Parliament, Lukashenka Says He Will Seek Another Presidential Term,” *Radio Free Europe/Radio Liberty*.

⁷⁵ “Opposition Wins No Seats in Belarus as Lukashenko Vows to Stay Put.” *EuroNews*, last modified November 18, 2019. <https://www.euronews.com/2019/11/18/belarus-election-sees-clean-sweep-for-alexander-lukashenko-as-opposition-wins-zero-seats>.

⁷⁶ Matias Grez, “Football Is Shut down across Europe Due to the Coronavirus, but in Belarus It’s Business as Usual,” *CNN*, last modified March 30, 2020, <https://edition.cnn.com/2020/03/29/football/football-continues-belarus-coronavirus-lockdown-spt-intl/index.html>.

census data from 2019, and, as of April 30, 2020, 14,027 registered cases of COVID-19, 2,386 recoveries, and 89 deaths since reporting its first case on February 28, 2020, according to the U.S Embassy in Belarus.⁷⁷ The embassy also reports that social distancing measures were implemented in Belarus on April 7, 2020, a month and seven days after the first reported case.⁷⁸ Prior to this, however, Belarusian leadership's only COVID-19 response was left to individual jurisdiction, as President Lukashenko called those concerned about the pandemic "frenzy and psychosis" after criticizing global responses, such as border closures, that he blamed for crippling their economies.⁷⁹ Lukashenko advised citizens to continue working and rely on tractors, washing their hands with vodka (just not at work), having three meals daily, and going to the sauna two to three times weekly.⁸⁰ Football games with crowds of almost 1,700 people continued in the country and whether or not to take social distancing or quarantine precautions was left up to the federation and individuals. Despite this, however, those who wished to follow the World Health Organizations guidelines risked losing their employment and means of survival. Because of no nationwide response, those most vulnerable to COVID-19 are those who are financially insecure, namely those belonging to Lukashenko's elderly, uneducated, impoverished base.

Lukashenko was also quoted at an ice hockey game with Russian President Vladimir Putin, claiming that the cool environment acted as a cure for the virus on March 30, 2020 while the rest

⁷⁷ "COVID-19 Information," *U.S. Embassy in Belarus*, last modified April 28, 2020, <https://by.usembassy.gov/u-s-citizen-services/covid-19-information/>.

⁷⁸ Ibid.

⁷⁹ Robyn Dixon, "No Lockdown Here: Belarus's Strongman Rejects Coronavirus Risks. He Suggests Saunas and Vodka," *The Washington Post*, last modified March 27, 2020, https://www.washingtonpost.com/world/europe/no-lockdown-here-belaruss-strongman-rejects-coronavirus-risks-he-suggests-saunas-and-vodka/2020/03/27/7aab812c-7025-11ea-a156-0048b62cdb51_story.html

⁸⁰ Ibid.

of Europe and most other countries were on lockdown to prevent the spread of Coronavirus.⁸¹ He also stated, in a message to the nation on state sponsored national television that “it’s better for a nation to die standing than to live on your knees,” referencing his refusal to harm the economy by enforcing social distancing or stay at home orders.⁸² Up until April 7, 2020, classes were still taking place at schools and universities and social distancing was only asked of those who were in contact with someone who tested positive for COVID-19.⁸³ Starting after April 7, 2020, however, the country took on additional cleaning methods and prohibited all ceremonies, group gatherings, non-essential medical clinics, and restaurants with less than a 1.5-meter distance between patrons.⁸⁴ Despite this, Belarus has confirmed a large military parade to be held as planned, and Lukashenko insists on maintenance of the economy, likely to appease his base that is largely comprised of elderly, rural dwelling, impoverished people.

The World Health Organization reports that the effects of the delayed response will likely be exacerbated in urban areas, which are comprised of Lukashenko’s opposition: educated, young, economically stable, urban dwelling citizens. As of April 23, 2020, Belarusian students are back in school with instructions to wear masks and wash hands more often, and mass sporting events have persisted.⁸⁵ It is unclear whether or not Lukashenko’s response is directly tied to the higher likelihood of harm in the areas where he faces the most opposition, but the crackdown on independent journalism has persisted. The Committee to Protect Journalists reports that the chief editor of Yezhednevik, an independent news website, and the head of an independent trade group

⁸¹ Matias Grez, “Better to Die Standing than to Live on Your Knees,’ Says Belarus President at Ice Hockey Match,” *CNN*, last modified March 30, 2020. <https://edition.cnn.com/2020/03/30/sport/Belarus-president-alexander-lukashenko-ice-hockey-coronavirus-spt-intl/index.html>.

⁸² *Ibid.*

⁸³ “Policy Responses,” *Health System Response Monitor*, April 23, 2020. [https://www.covid19healthsystem.org/countries/belarus/livinghit.aspx?Section=1.2Physical distancing&Type=Section](https://www.covid19healthsystem.org/countries/belarus/livinghit.aspx?Section=1.2Physical%20distancing&Type=Section).

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

were both detained on charges of bribery; bribery in journalism being outlawed in an attempt to combat fake news from a bout of 2018 media restrictive laws.⁸⁶ The arrest follow a report released from the Yezhednevik alleging corruption in the nation's Health Ministry.⁸⁷

Assessing the Likelihood of Human Rights Violations

With Aleksandr Lukashenko taking on his fifth term after a reported landslide victory, there remains a likelihood for human rights violations to continue on journalists, activists, and opposing politicians, and protestors. Lukashenko has shown persistence with his regime, despite calls from his closest allies in Moscow, other former Soviet nations, and the West, so he is likely to continue ridding himself of any threat to his power. For the past two decades, Lukashenko has worked tirelessly to chip away at the rights of journalists, activists, and opposition forces. Today, we observe that he has been able to sculpt the opposition in his favor through countless rules and regulations that are vague enough to work in his favor when necessary. Between accreditation laws for journalists and updates to police laws that allow him to call upon them to use deadly weapons during peacetime, Lukashenko has equipped himself to be able to directly handle any threat toward him. By forcing out any successfully independent news sources and having them based in other countries, he has limited the world's access to his regime's work, and the only two surviving independent outlets were just shut down in 2019. With a freedom index steadily declining in the last decade and no social shift, the likelihood of human rights violations seems to climb higher with each year of the regime.

Further, it is imperative to consider the societal shift toward Lukashenko. His base, highly comprised of uneducated, impoverished, and rural dwelling citizens are attached to the status

⁸⁶ "Belarusian Journalist Siarhei Satsuk Detained on Bribery Charges after Publishing COVID-19 Report," *Committee to Protect Journalists*, last modified March 31, 2020, <https://cpj.org/2020/03/belarusian-journalist-siarhei-satsuk-detained-on-b.php>.

⁸⁷ *Ibid.*

quo. Even Lukashenko's most successful opposition neglects to advocate for electoral revolution, as there have been no accusations of a compromised election. With consistent threats, suspicious disappearances of those openly against Lukashenko, the minimization of opposition forces to specific buildings, and news media outlets being barred with defamation laws with wording vague enough to indict anyone who speaks against the regime, even the most anti-Lukashenko groups are both discouraged and prohibited from speaking out. Any revolutionary politics are dangerous in the face of the death penalty or persecution, and relatively unsupported by portions of the population benefitting from the Lukashenko regime. With no cultural shift, a virtually guaranteed 5+ more years with Lukashenko, and police brutality becoming normalized against protesters, there is a high likelihood of human rights violations in Belarus.

Conclusion

With the assessment of human rights violations, we must also assess what is being done both domestically and internationally to combat the ongoing crisis. Previously, I have discussed calls from countless non-governmental organizations to release prisoners from protests or independent news outlets, abolish the death penalty, and overturn laws that infringe on access to information. Many actions taken by the Belarusian government, however, violate international human rights agreements with little to no accountability being taken. While the West widely considers the success in democratization in Eastern Europe, though regime changes very seldom protect a young democracy from impending authoritarianism or populism. Research contends that the West often neglects to consider structural and psychological influences that populations of those in former Soviet countries have, using case studies from Georgia, Ukraine, and Kyrgyzstan.⁸⁸ In the case of Belarus, we can analyze a regression in the pursuit of democracy because of a lack of

⁸⁸ Elena Korosteleva, "Questioning democracy promotion: Belarus' response to the 'colour Revolutions'" *Democratization* 19, no. 1 (2012): 37-59.

societal revolution. Because of Lukashenko's established legitimacy with a majority of his people, resulting from economic success and active propaganda building nationalism surrounding his leadership, complacency is societally welcomed because of the stability it holds.⁸⁹ To preserve this, Lukashenko has merely prohibited those who could harm the fragile image he has built around himself by ensuring the failure of opposition groups, intimidation of activists and advocacy groups, judicial tampering on the trials of opposers, and driving out all independent media sources to neighboring countries in order to limit the people's access. The international community has condemned Lukashenko for violations under his rule and brought certain cases onto the floor of the United Nations. The European Union has imposed travel and economic sanctions on the country in an effort to influence Lukashenko's policy making, but this has been counterproductive as Lukashenko turned to his Russian ally to compensate.⁹⁰ These sanctions came in 2010 and have proven to be ineffective, as Belarus goes further and further from raising its Freedom Index, and travel sanctions have started to lift in the region, as many European countries soften in their push for democratization.

In a Freedom House report during 2019, staggering numbers presented that a majority of the Belarusian population, almost 90%, do not think it is appropriate to reach out to human rights organizations in the event of a violation and 14% had never heard of human rights defenders at all. Those who were unaware of human rights work in their region credited the nation's wellbeing to their leadership and gave preferential order to the state, while a majority of those who were aware of independent human rights organizations cite effective and reliable laws with their safety

⁸⁹ "Belarus Election 'Neither Free nor Fair,' Says UN Human Rights Expert | UN News," United Nations. *United Nations*, last modified October 13, 2015, <https://news.un.org/en/story/2015/10/512522-belarus-electionneither-free-nor-fair-says-un-human-rights-expert>.

⁹⁰ *Ibid.* 2

and welfare.⁹¹ About 65% of polled Belarusians participating in a survey dubbed participation in activities of a unregistered organization as an activity that is “strictly not allowed (anywhere, ever),” showing how normalized human rights violations are without independent media and with state instituted propaganda.⁹² Almost 30% of respondents also asserted that human rights are internal matters for each specific country, and the rest of the world has no right to interfere. Citizens of Belarus view the current human rights situation positively, as those who are complacent do not face infringements, and that is a large majority of the population.

In consideration to the data offered throughout this paper, it is important to note that with the suppression of media comes a lack of corroborating information from multiple sources domestically present in the region. Additionally, it is equally as important to consider that, though the population has overwhelmingly shown favor to Lukashenko’s, there is compelling evidence that accuses his regime of rigging elections in his favor.⁹³ Without transparency on the part of the Belarusian government, it is impossible to know the extent of the issues previously discussed, as the regime has been trying to garner support from the West on the orders of allies in Moscow. Of course, with electoral politics and Lukashenko’s treatment of opposition, if his election numbers are genuine, they could be because of a lack of legitimate opposition and sheer intimidation. Though Lukashenko has worked to suppress the media, he has not suppressed his actions of violence, beginning with the disappearance of very public figures, and, more recently, displaying itself as public state-sponsored attacks against protestors. Lukashenko has shown reckless leadership surrounding COVID-19, going directly against guidelines outlined by the

⁹¹ “Belarus: Public Opinion About Human Rights and Advocacy,” December 2016, https://freedomhouse.org/sites/default/files/FH_Belarus_HR_Sociology_Report_ENG_PRINT.pdf.

⁹² Ibid.

⁹³ Belarus Election 'Neither Free nor Fair,' Says UN Human Rights Expert || UN News,” United Nations. *United Nations*

World Health Organization and favoring the economy over the safety of his constituents. This preservation of the economy could result from recently fragile relations with Russia, a majority of his supporters coming from low socioeconomic backgrounds, or a means of garnering more support from his opposition.

Human rights violations in Belarus are contingent upon social movements, if any, remaining dormant in advocacy and activism. If social movements against the regime are planning a revolution behind closed doors, understandably so considering all of Lukashenko's work against them, projections could change about human rights violations taking place, especially in the event of success in taking down Lukashenko. Alternatively, however, this could lead to a spike in these violations against protesters, activists, and human rights defenders if Lukashenko continues with his current tactics of deterring and harming the opposition. The final caveat in this paper lies in Lukashenko's success: his complete intimidation of any and all movements opposing him, complete suppression of the media to the point where non-governmental human rights groups cannot access those in need, and a complete dismantling of the judicial system. While the later seems unlikely, with the situation worsening exponentially within the last five years, this renewed five-year term that Lukashenko recently won has the potential to further all of his agendas, so while data may show a decline in the number of human rights violations, they could actually be spiking, just discreetly.

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Living in A Failed State:
An Examination of Somalia's Potential to Engage in Human Rights Violation

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Abstract

Somalia is strategically located “in Eastern Africa, bordering the Gulf of Aden and the Indian Ocean”¹. Somalia was under colonial occupation and rule of Britain, Northern Somaliland, and Italy, Italian Somalia. However, post-World War II, Somalia became an “Italian-administered UN Trusteeship”¹ until its independence in 1960. During its time of trusteeship, Somalia was regarded as the ‘Switzerland of Africa’ due its political stability, position of neutrality, and its ability to be a safe host country of refugees from neighboring countries. Post Somalian Independence in 1960, most of Somalian history has been marred with political unrest, famine, civil war, pirating, terrorism activity, and state sanctioned violence. Somalia did engage briefly in democracy post 1960s. However, it was short lived. In 1969, “the process of constitutional democracy came to an abrupt end...when Major General Mohamed Siad Barre seized power in a bloodless coup,”¹ Mohamed Siad Barre “remained in power until 1991, when the entire country fell into a state of unstable anarchy, with local warlords controlling geographic sectors.”² In the late 1960s’ the early 1970’s and 1991 Siad Barre’s Regime had political control of the country and the international community recognized and legitimized his government. The Barre regime was flooded with acts of discrimination, repression, state sanctioned violence, civil war, and corruption. By 1991 the fall of Barre Regime caused “the country’s anarchy to intensify.”² Consequently, the regime left a large power vacuum and fertile ground for political unrest, violence, and instability.

In recent times, Somalia is often regarded and arguably, objectively known, as a ‘Failed State’ due to its recent history of political instability and its current transitional government’s lack of sovereignty. Salient aspects and factors of the current Somalian state make it a prime

environment for possible human rights violations. The salient factors that increase the chances of Somalia's engagement in human rights crises are as followed; political instability and lack of sovereignty of Somalia's governance, frequent insurgencies from fractionated groups, continued activity from terrorist group Al Shabab, the absence of relative democratic practices, poor relations with neighboring state- Ethiopia, and state fractionalization- i.e. the Northern part of Somalia, Somaliland has claimed independence from the rest of the state.

There are continual factors that aid in increasing the probability of human rights violations, these factors have the possibility to lend to civil unrest and civil disruption. The lack of a strong political structure removes structure from the general population to operate- the lack of proper policing increases crime in Somalia, the lack of policy removes the possibility of welfare programs, healthcare and necessities. In addition, "Somalia maintains an informal economy largely based on livestock, remittance/money transfer companies, and telecommunications. Somalia's government lacks the ability to collect domestic revenue and external debt – mostly in arrears – was estimated at about 77% of GDP in 2017." ³ The lack of economic opportunity and stability in Somalia could incite the public to ban together and rebel against the relative level of 'governance' of Somalia- this could manifest in the joining of insurgent groups, or terrorist groups- i.e. Al Shabab who capitalize off vulnerable members of society. Conversely, if most of society remains docile and doesn't engage in insurgencies or revolutionary-esque behavior- those members of society could become significantly more vulnerable to abuses- carried out by other insurgent groups or future governance.

The importance of studying Somalia, is the ability to engage and interact with the complicated elements of Somalia that could be the factors that foster an environment of human rights violation.

Keywords: Somalia, Human Rights, Al Shabaab, Somaliland, Puntland, Political illegitimacy, governance, failed state, violations,

Living in A Failed State: An Examination of Somalia's Potential to Engage in A Human
Rights Violation

Introduction

Somalia is strategically located “in Eastern Africa, bordering the Gulf of Aden and the Indian Ocean”¹⁴ and is commonly referred to as the ‘Horn of Africa’, to refer to the likeness of the shape of the country to a horn. Somalia has many ‘nicknames’ and phrases to refer to the state and its current governance. Most notably, Somalia is internationally known as a ‘Stateless State’, since Somalia has not had a formal legitimate government and other legitimized public institutions for nearly three decades. Simply, referring to the state of Somalia is also a highly complicated matter, most international organizations and foreign states refer to Somalia as one State. However, this is highly contested with reality. Internal disputes, fractionalization, and an illegitimate central power have resulted in the formation of three separately declared ‘sovereign states’ have emerged- Puntland, Somaliland, and the Federal Republic of Somalia- which is often internationally recognized as the governing institution of Somalia- but in reality far from it. State separations and successions have not only introduced two new political actors to arise in Somalia- Somaliland and Puntland. Somalia’s struggle to rectify its political illegitimacy limbo has left a large majority of Somalis without any social safety net- since 1991, “as a result, even basic services like education are not available for many Somalis”⁷.

Stateless Somalia has left its occupants in a state of freefall with no social welfare, proper police force- not institutions that are normally provided by a government. Because there is not

one legitimate source of governance in Somalia- Somaliland, Puntland, and the Federal Republic of Somalia are all real and tangible political institutions. However, the legitimacy of the institution being referred to is the lack of legitimacy they possess to enforce their government, because the Somalia citizens either reject their assertions of power or the institutions don't have enough power to present legitimate governance. All three declared states within Somalia are strong enough to control a small bit of territory but lack tangible strength and power to declare complete sovereignty.

However, due to the state's severe fragility Somaliland, Puntland, and the Federal Republic of Somalia are not the only political actors in Somalia. The internationally known, feared, and violent terrorist group, Al Shabaab, operates within the state of Somalia. Using the state's feeble political structure, to bolster its own legitimacy through bombings, suicide attacks, and TMKs. The strength of the terrorist group has diminished slightly due to the African Union Mission in Somalia (AMISOM), a military partnership between the African Union and The Federal Republic of Somalia. However, its persistent threat and attempts to legitimize their power through violence has not stopped. Other foreign actors contribute to the dismantling of what remains of Somalia's feeble governance. Ethiopia and Kenya have conducted wars over disputed territory and, in retaliation to the Somali based Al Shabaab- who at one point held the most legitimate source of political governance in Somalia. Caught between the high levels of political instability, or more accurate- political absence- are a large majority of Somali citizens. Not only is the state of Somalia stateless- but it is facing internal and external violence. Even AMISOM has come under fire for "raping and committing abuse against Somali women"³¹ Somalia has now existed in this state of political illegitimacy that has led to the country's fragility- a fragility that has led to countless conflicts, targeted mass killings, civil wars, internal

displacement, terrorist activity, fractionalization of the state, and a consistent failure at providing the occupants of Somalia with proper needs and protection from the ensuing issues faced in Somalia. For the sake of clarity and efficiency, this paper will be examining the most vulnerable population to be subjected to human rights violations. The population that is most at risk is a wide and broad category- I hypothesize that most women, children, and elders- especially those internally displaced face the most chance of being subjected to acts of violence perpetrated by multiple or different actors potentially being targeted by different actors at the same time. Due to the depth of Somalia's political statelessness and violence perpetrated by fractionalized groups, warlords, and Al Shabaab. The population of people at risk is a larger population size than normal of a population likely to experience a type of targeted mass killings- in Somalia, almost everyone is at continual risk of facing TMKs by either temporary governments of illegitimate power- i.e. Somaliland, Puntland, and the Federal Republic of Somalia- including their military, and terrorist group Al Shabaab.

BREIF HISTORIC CONTEXT

From the inception of Somalia's independence, Somalia has been marred with violence. Before Somalia became a single 'sovereign' state, modern-day Somalia was split into regions of occupation- Italian Somalia and the British colony of Somaliland. "The Italian colony of Somalia and the British colony of Somaliland became independent at the same time and merged into a single country within days"². This joining of the two occupied regions was the culmination of responding to a shared sense of nationalism between the two colonies to restore Somalia to one state. "Although the people of Somalia share a common language and a common Muslim religion, the majority has a sense of nationhood only when there are external threats"² the external threat that was present was fear of foreign occupancy by neighboring Ethiopia or

another foreign power. Usually, “Somalis rely first and foremost on their extended family relationships known as clans and subclans”² a culture that would later affect the vulnerability of elder clan leaders and increase their likelihood of being attacked to help an actor- like Al Shabaab claim legitimacy in a region. At the time of independence, the state of Somalia looked destined for success with the democratic election of Aden Abdulla Osman Daar in 1960.

However, it was short-lived. In 1969, “the process of constitutional democracy came to an abrupt end...when Major General Mohamed Siad Barre seized power in a bloodless coup,”². From 1969 until 1991 Somalia was governed under Barre’s authoritarian rule. The authoritarian rule under the dictator Siad Barre went through two rounds of legitimization by two superpowers. “Because of his political ideology, Siad Barre received significant assistance from the Soviet Union” until 1977, when “Siad Barre decided to launch an invasion of Ethiopia’s Ogaden region to annex that Somali-populated region...But the Ethiopian regime had experienced its own Marxist coup in 1975 and turned to the Soviet Union for support against Somalia. The Soviets decided that Ethiopia was a far greater prize and switched their support from Somalia to Ethiopia”² After the Soviet Union abandon the aid of Somalia, “Siad Barre turned to the United States for support. Having lost its once strong influence in Ethiopia, the United States developed good relations with the Siad Barre regime through major economic development programs and modest military assistance programs”². However, even with the international recognition and legitimization by the US Barre’s authoritarian rule was filled with anarchy. In the 1980s, Barre led a systematic and direct “repressive violence against the people of Hargeisa”² which

“led to large numbers becoming refugees in Ethiopia. The internal situation continued to deteriorate throughout the 1980s, with various clan militias taking up arms against the central government. Toward the end of that decade, Siad Barre’s realm was reduced mainly to the

capital city of Mogadishu. Hargeisa refugees in Ethiopia were trained and armed to fight Siad Barre. They entered the civil war in 1989–1990”²

“During the crisis of the 1980s, the former British Somaliland announced its secession from the Republic of Somalia in two parts, Somaliland and Puntland. Since, the countries have still claimed sovereignty and identify as separate entities”². In January 1991, the Siad Barre government collapsed completely, and Somalia’s anarchy intensified. Post-1991, Somalia entered a state of political illegitimacy and warlords. Since 1991, “the Somali political and ethnic leaders were unable to establish a credible central authority because of mistrust and corruption pervading the clan system”². During this time other internal actors emerged to claim power and legitimacy over the feeble governance barely present in Somalia. “Ethiopian forces in cooperation with Somalia’s Transitional Federal Government (TFG), which was struggling with the ICU for power”⁷. Besides organizations like the TFG and ICU emerged to establish power. Clan led insurgencies caused havoc trying to establish their own power- this civil war between clans and organizations led to violence, famine, and an increase of internally displaced Somalians. "General Abdi Dahir Warsame led the local clan faction, the United Somali Party. The townspeople felt no obligation to help displaced refugees from the outlying areas, with whom they did not share any family or clan relations. Some 300 refugees died each day from starvation, disease, and the depredations of armed bandits”⁵. The UN did try to mitigate the fractionalized Somalia post the fleeing of Siad Barre- however its success was fleeting and temporary due to the inability of one fractionalized group like United Somali Party to assert enough power to claim overall control. The clan-based society of Somalia also undermined different fractionalized groups potential to come to power.

“After the failure of the UN–US led humanitarian intervention in the mid-1990s... In the wake of the collapse of its former institutions, Somalia was considered a safe haven able to facilitate, sponsor and nurture international terrorism”⁶. In 2006, Al Shabaab “an insurgent group with ties to the terrorist organization al-Qaeda began”². Al Shabaab “originally emerged as a wing of militant youths within the Islamic Courts Union (ICU)” Al Shabaab continue to “control much of Somalia”⁷. Eventually in 2012, with help from the African Union via the African Union Mission in Somalia, AMISOM, and “neighboring African military units from Uganda, Burundi, Kenya, and Ethiopia”² the countries were able to bring the Islamic fighters under control. However, the group still operates in the State, still controlling relatively large parts of Somalia and abusing local villagers.

Foreign actors like the United States did little to ease the anarchy in Somalia, instead the US played a bigger role in continuing the presence of smaller warlords throughout Somalia- which further levels of political illegitimacy and violence in some regions. During the early 2000s, Somalia was suspected of housing terrorist groups. After the 1994 BlackHawk Down incident during the US- Operation Gothic Serpent, the US relations with Somalia were strained and “the entire US foreign policy in Africa was influenced by Somalia Syndrome, ‘a risk aversion approach to intervention 'supported by the emerging mantra of assigning African solutions”⁶. However, after 9/11 “the Bush Administration bankrolled the warlords, who are secular, to gain access to al-Qaida suspects and block the rise of the Islamic militia. CIA operatives based in Nairobi funneled \$ 100,000 to \$ 150,000 (£80,000 pounds) a month to their proxies-”³. The funneling on money helped extend the political instability and gave a rise to war lords over their regions of control.

Currently, the government in Mogadishu is internationally recognized as the government system of Somalia. However, internally the Mogadishu government has failed to legitimize power- “the cost of developing domestic power infrastructure, the question of national boundaries, and the design of the state system”⁴ have plagued as major issues in reestablishing structure in the state of Somalia. “The Mogadishu government has completely ignored the second and the third but devotes its energy to achieve the first. Consolidation of power, which is expected to generate wealth, rather than rebuilding the national state, has obsessed the Mogadishu government authorities”⁴. Unfortunately, this focus on consolidation power through infrastructure it constantly undermined by bombings by Al Shabaab and other large attacks not only in Mogadishu- but throughout portions of Somalia that is under their control.

The State of Somalia has remained stateless and fragile. Somalia has made relative progress. However, the country is still struggling to legitimate political institution to properly govern the state, has been split into three regions of declared sovereign states, and Al Shabaab still operates in the region. The state of Somalia has bred an environment conducive of facilitating human rights violations. Each actor mentioned has or has the possibility to facilitate such violations.

Analysis of Underlying Risk of Major Human Rights Violations

"Genocide emerges from situations of political instability and violence such as civil war and state failure (Colaresi & Carey, 2008; Harff, 2003), implying a process with (at least) two stages...the first stage as 'political instability', and the second as 'genocide'"⁸. To assess the prospects of the likelihood of a political actor in Somalia to engage in Human Rights Violation, data about the levels of freedom and rights in Somalia and data about the political climate from Somalia will be used. These two factors are the biggest indicator of a countries level of allowed human rights for its occupants- and further an indicator to predict the likelihood of a Major Human Rights Violation (MHRV) to take place.

The Political Terror Scale, is an index used to empirically test if "countries... violated international human rights standards,"⁹. Which according to the Rome Statute of the International Court is as follows.

"crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: (a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearance of persons; (j) The crime

of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health”¹⁰.

Table 1

Political Terror Scale

Country	Year	Amnesty International	U.S. State Department
Somalia	1994	5	5
Somalia	1995	5	4
Somalia	1996	4	5
Somalia	1997	4	3
Somalia	1998	4	3
Somalia	1999	4	4
Somalia	2000	4	4
Somalia	2001	4	4
Somalia	2002	4	4
Somalia	2003	4	4
Somalia	2004	4	4
Somalia	2005	4	4
Somalia	2006	4	4
Somalia	2007	5	5
Somalia	2008	5	5
Somalia	2009	5	4
Somalia	2010	5	4
Somalia	2011	5	5
Somalia	2012	5	4
Somalia	2013	0	4
Somalia	2014	5	5
Somalia	2015	4	4
Somalia	2016	5	4
Somalia	2017	3	4
Somalia	2018	0	4
Somalia			

Somalia

Somalia

Somalia

Somalia

PTS Data Table. (n.d.). Retrieved from <http://www.polit5icalterroryscale.org/Data/Datatable.html>

The Political Terror Scale uses a ranking from 1-5; “1: Country is under a secure rule of law, 2: Limited imprisonment, disappearances; torture; killing extremely rare, 3: Extensive imprisonment, disappearances; killing and/or torture may be common, 4: Practices of level 3 apply to more people; abuse is common among those involved in politics, 5: Practices of level 4 expanded to whole population”¹¹ According to the Political Terror Scale, Table 1, Somalia has maintained a ranking no lower than 3, which was only assigned on three occasions- 2017, 1997, and 1998. These rankings indicate have maintained a level that reveals that most or the whole population of Somalia has and is at risk of extensive imprisonment, disappearance, torture, and extralegal killings- human rights violations facilitated by some political actor. This is quite conducive with the stateless Somalia’s history. Most noticeably, in 2006 the country of Somalia experienced a jump in ranking from 4 to 5. This timely increase in ranking is aligned with the emergence of terrorist group Al Shabab- which was facilitating attacks on Mogadishu and the broader Somalia- establishing a level of control over Somalia.

According to Transparency International’s Corruption Perceptions Index, Somalia is ranked “9 at out of 100”¹². The index scale is based on “A country or territory’s score the perceived level of public sector corruption on 0 (highly corrupt) to 100 (very clean)”¹².

Another Indicator that could be used is one of economic development or a state’s Human Development Index- However, due to the fact that Somalia “lacks effective national governance because of ongoing violence and political unrest, its largely informal economy is able to function

through remittance/money transfer companies and telecommunications. The central government controls only part of the country, and formal economic activity is largely restricted to urban areas such as Mogadishu and a few regional capitals”¹³. There is little to no reported data on financial institutions in Somalia, and other information needed to form a proper analysis about the economic development of Somalia. The United Nations Development Programme’s Human Development Report has little to absolutely no data for the state of Somalia. This informality speaks to the unrests, and the lack of one central politically legitimate institution of Somalia. It also provides a more comprehensive analysis of the state of Somalia. Which is as follows; due to the “Stability in Somalia is extremely fragile because of fierce clan-based rivalries within the political elite and the continuing influence of Islamist insurgents. The lack of central authority makes the rule of law inconsistent and fragmented, with different militias, authorities, and tribes applying varying legal frameworks” ¹³. This inconsistency and lack of data is the best form of empirical data to suggest that Somalia is in a state of statelessness, which is a high indicator of the likelihood of a MRVH to occur.

ANALYSIS OF CURRENT EVENTS

For the sake of clarity and efficiency and to reduce complication, each actor and their potential population of abuse will be examined separately.

Al Shabaab. “Islam has certain commandments that deal with social justice and promote solidarity with the weak and poor in society, and religious leaders understandably became more popular because of this”¹⁷. Against the backdrop of Somalia’s instability, “religion became a beacon of hope, a thing to turn to” ¹⁷. Al Shabaab, “ benefited from the ‘Somali’ resurgence of religion; it was able, at least initially, to project an image of pious and law abiding individuals, and legal justice based on Islam was a major element in its propaganda, while religious

institutions aided the Somalis when no aid was forthcoming from other sources”¹⁷. Al Shabaab is the most likely actor to be involved in facilitating human rights violations in the state of Somalia. Al Shabaab’s influence and control extend internationally- “Al-Shabaab is Al-Qaeda’s only self-proclaimed ally that wields substantial territorial control”¹⁷. However, “with help from the African Union via the African Union Mission in Somalia, AMISOM, and “neighboring African military units from Uganda, Burundi, Kenya, and Ethiopia”² Al Shabaab lost some territorial control. All though Al Shabaab was significantly affected by the attacks, the terrorist group still is active in Somalia- operating control over large regions of southern Somalia. Even though international, Al Shabaab is not a strictly international jihadist terrorist group like Al- Qaeda. Al Shabaab's goals and ideology are a result from Somalia’s fragility and violence. “Al-Shabaab’s first target is local, to establish a power base, and that its fight is thus a localized version of a larger defensive jihad. Another ideological stand that remains important for Al-Shabaab, as well as its local followers and sympathizers, is its focus on justice, seeing itself as an alternative to the warlords of Somalia, as well as the corrupt police of the Transitional Federal Government”¹⁷

Currently, Al Shabaab remains to be “a large and heterogeneous organization, in which recruits are motivated by a variety of factors such as financial gain, fear (forced recruitment), siding with the winner, anti-Ethiopian feelings, clan grievances, a quest for justice through Sharia legislation, or an idea of defensive or offensive jihad”¹⁷.

The likelihood of Al Shabaab committing MHRV, increase when examining its history- which most of its history is comprised of committing numerous Human Rights Violations.

“According to the December 08 report from the UN Security Council Somalia Monitoring Group (2008/769), Al-Shabaab is responsible for a variety of attacks with Somalia over the last several years, including: - The reported killing and beheading of a

Somali driver working for the World Food Programme in September 2008. - The bombing of a market in Puntland that killed 20 and wounded over 100 on 6 February 2008. - A campaign of bombings and targeted killings in Somaliland intended to disrupt the 2006 parliamentary elections. - The murders of several foreign aid workers... According to reporting, Al-Shabaab raided United Nations compounds in Somalia on 20 July 2009. Al Shabab issued a decree banning three agencies of the United Nations from the Al-Shabaab controlled areas of Somalia”¹⁶.

These accounts of Al Shabaab are a sample size of Al Shabab's violent history within Somalia. All of the previously listed and unlisted attacks are away for Al Shabaab to assert power over regions and establish political legitimacy.

Another indicator of Al Shabaab’s likelihood to engage in MRVHs, is that in 2009 Al Shabaab was able to translate its violent attacks into consolidated power. After the “Harakat Al-Shabaab expansion” Al Shabaab held “control of most of southern Somalia”¹⁷. Therefore, the terrorist group has already experienced the ability to ascend to such a high level of governance- which is evidence to the group that their tactics of committing violent acts works, and perhaps they would be able to consolidate more power if their acts continue and get more dangerous.

The most vulnerable population to the possible violations is a large population of people- it is children, women, elders, foreign Somalians, internally displaced persons (IDPs), and individuals viewed as opposition- which consumes most of the Somalian population even if aligned with Al Shabaab. These groups consume most of Al Shabaab’s potential targeted population because all groups have or are facing violence or persecution from the group. “Since late September 2017, Al-Shabab has ordered elders, teachers in Islamic religious schools, and communities in rural areas to provide hundreds of children as young as 8 or face attack”¹⁷. Elders

are targeted by Al Shabaab due to Somalia's social clan and sub clan system- in which Elders are often the leaders and influential figures within clans- I.e. establish control over the leaders, establish control over a clan. "Village elders said that in September Al-Shabab ordered them to go to Al-Shabab-controlled Bulo Fulay and to hand over dozens of children ages 9 to 15"¹⁸. To receive compliance, Al Shabaab confiscated their "keys to our boreholes [watering points] ... kept [them] for three days commanded them "to consult with our community"¹⁸. Al Shabaab gave the elders only 10 days or threatened to kill them and their community.¹⁸ However, these attacks, or threatened attacks do not stop at elders "The armed group's increasingly aggressive child recruitment campaign started in mid-2017 with reprisals against communities that refused"¹⁵.

"In recent months, hundreds of children, many unaccompanied, have fled their homes to escape forced recruitment For the areas under Al Shabaab or populations aligned with Al Shabaab" 17. "Al-Shabab is the only organization that can provide basic social services, such as rudimentary medical facilities, food distribution centers, and a basic justice system rooted in Islamic law"⁷. "Over the past decade, Al-Shabab has recruited thousands of children for indoctrination and to become frontline fighters"¹⁸. Children, women, and elders have faced the brunt of the brutality. "Consequently, many parents send their children to Islamic schools or mosques for their education. But madrassas and mosques offer a very limited curriculum, and they tend to be fundamentalist in nature because they are financed by Al-Shabab"¹⁹." and "Some children have fled to towns where they have relatives, others end up in dire conditions in internally displaced persons (IDP) camps. Local groups estimate that over half of the children recently displaced to Baidoa now live in IDP settlements. But unaccompanied children, especially those in informal camps, are unlikely to find security or schooling and may be forced

to work to survive”¹⁸. This forced recruitment is not only a violation against another’s bodily integrity and will, but also has increased Al Shabaab’s focus onto the internally displaced population of Somalia to seek out recruits and use attacks against them to sponsor fear. I hypothesize due to the strength of Al Shabaab, past experience at translate MHRV into consolidated power, a strict adherence to its ideology, and the politically vacuum that is Somalia, that the likelihood of Al Shabaab committing a MHRV is exponentially large- and relatively larger by comparison to the following actors likelihood.

Federal Republic of Somalia, Somaliland, and Puntland.

“The Somali region has become fragmented along clan based and colonial boundaries, with newly emerging state structures. The most widely recognized of these are: the South Central Zone, which is home to the capital of Mogadishu and the internationally recognized Somali Federal Government (SFG); the semi-independent Puntland, which functions as a state within the SFG but has its own ministries; and, the break-away Somaliland, which has declared itself to be fully independent of the SFG”²². The De facto states of Somalia also have the potential to participate in conducting human rights violations however the likelihood of these three declared states facilitating a MHRV is significantly less than their political actor counterpart, Al Shabaab. However, their reasons for engaging in an MHRV all are in a similar vein- establishing political legitimacy and defining territory- specifically between Somaliland and Puntland.

“Puntland’s state-building achievements are limited to consolidating its security sector and avoiding a proliferation of violent groups” However the de facto state of Puntland “has also suffered periods of intense fighting due to factionalism within the dominant rebel group”²⁴. The de facto state has establish some resemblance of governance but is extremely weak- similar to the de facto state of Somaliland.

“To compensate for these weaknesses, de facto states cultivate legitimacy by developing “a national identity among the population through symbols, propaganda, history, writing, and the cultivation and ‘invention’ of traditions and national customs”²³. There is “advent of resource conflict between the different groups occupying” Somaliland and Puntland, “territory, and the rise of militant Islam in the region”²². The fighting over territory has turned an area between Puntland and Somaliland as disputed- the area is an area in which internally displaced peoples often establish as camps. This has brought their presence to the forefront of both Somaliland and Puntland governance who seek to establish dominance- “Somaliland seeks international recognition as a sovereign state; in the northeast, the Puntland State of Somalia seeks semiautonomous status in a federal Somalia”²³. The “the terrorist threat in Somaliland”, Puntland, and the SFG put a target on the internally displaced peoples of Somalia because a relatively number of internally displaced are comprised of Al Shabaab defects or recruited by Al Shabaab recruit more child soldiers and radicals among IDPs.

Women in both cases face a level of violence- on a widespread degree that goes beyond political actors down to societal norms. In the research done by Kathleen Kostelny and Ken Ondoro, in *Structural Violence and the Everyday Stresses of Internally Displaced Children in Somaliland and Puntland*

“Rape was identified as a significant and widespread problem facing girls. Girls who had reached puberty—approximately 14 years of age and older—were reportedly the most frequent victims of rape, although girls as young as 10 years were also reported to have been raped. Some people in the community distinguished between rape of older girls as “normal” whereas the rape of young children was a problem”²⁵.

In Somalia, “the rape of girls is common, and every night rapes are occurring to the girls” of Somalia. Rape is so frequent that rape can be attributed to also the “lack of latrines...there are men who are outside to rape girls and that is the most times that we are raped”²⁵. Therefore, the normalcy of violence against women and girls is indicative of the violence and how women and girls may be targeted by the previously listed political actors. In 2017, “ANISOM guards raped four women”³¹ and in 2018, the “TFG abused 20 women”²⁵- including gang rape, genital mutilation, and the molestation of young girls. The same African Union and ‘state’ sanctioned organizations have facilitated human rights violations against Somalilian women- the current level of common violence against women in Somalia is a notable indication of the potential of women to be targets of MHRV- due to the view of their autonomy as inconsequential.

Conclusion

Somalia’s clan-based system is an intricate and complex dynamic that impedes on proper predictions of the future state of Somalia. “In Somali society, clan commands more than mere loyalty, it becomes a constructed filter for social reality, as clans often have com-mon meeting places, even in the diaspora”¹⁷. All political actors and populations previously mention are affected by the dynamics and rules of Somalia’s clan system even “Al-Shabaab to a certain extent challenged clan loyalty, but no organization in Somalia can escape the clan trap”¹⁷. The little acknowledgement within my proposed hypothesis of actors engaging in MHRV, largely looks over the expansive and comprehensive role that clans fulfill in Somalian society.

Another discrepancy within the proposed predictions- is the lack of evaluating external factors- I.e. foreign states, international organizations, returning individuals from the Somalian diaspora. The predictions do not include the possibility of foreign intrusion in some capacity- which is most common and currently happening in some capacity now. The predictions also do

not consider the tension between neighboring Ethiopia and Kenya- which in time declare war or invade the fractionalized state. Another component of foreign actors in Somalia is the returning individuals from the Somalian Diaspora- most of whom that have returned to Somalia- attain a high position in the SFG government or contribute heavily into Somalia's informal economy. Their presence could help legitimize the power of SFG economically, however their presence could enrage and fuel the tactics of Al Shabaab. However, recently Somalia has created "Disarmament, Rehabilitation, and Reintegration (DRR) centers in Baidoa, Kismayo, Mogadishu, and Beledweyne, all under the umbrella of the Somali National Program for the Treatment and Handling of Disengagement Combatants. Although there are no confirmed figures, Somali government officials estimate two thousand disengaged Al-Shabaab combatants have gone through some form of DRR program in Somalia"²⁷. Somalia's new DRR centers could have the possibility of reshaping the intel SFG has on Al Shabaab and possibly help detain or halt its growth.

The predictions in relation to the defacto states- I.e. Puntland fail to acknowledge its largest source of income- piracy. The pirating in the region of Puntland has "become sophisticated and well organized with financiers, mother ships, and financial distribution of ransoms.11 Its international cost is estimated between \$13 and \$16 billion annually"²⁶

In terms of ideas of resolution against potential MHRV, Somalia is a difficult case- its main source of difficulty stems from the lack of any legitimate political institution. Somalia has tried "democracy, nationalism, Marxism and clannism had been tried out and had yielded little for the Somalis" 17. A first idea would be to establish a level of legitimate governance, this could be done by international recognition of the three separate states of Somalia. Perhaps, the separated states can establish some sense of national identity and unification of Islam amongst

the clans- based on those specific clans' history under colonialism- I.e. Somaliland and its clans were previously united under the colonial state of British Somalia. This in turn could into political legitimacy of both states, giving enough support to earn international recognition. Because Somalia's "military force has not succeeded in eliminating" 21Al Shabaab. But perhaps with international recognition the de facto states' "government could receive the international protection, large-scale aid, and loans available to governments in other post collapse contexts; instead, of state building" by means of "a bottom-up process, relying on clan elders and the financial support of business and diaspora communities"²³. From there, the separate states of Somalia could use international help to disband or dispel the terrorist group from Somalian region and resume statehood building- respectively on their own-using Islam and clan-based rule to legitimize their power.

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Myanmar: On the Threshold of Crisis

As the two and a half year anniversary of the beginning of the Rohingya crisis in Myanmar passes, it is clear that proper reparations and changes have not yet been made to quell the international conflict and a peaceful course of action remains uncertain as tensions could return to, or entirely cross, the boundaries of genocidal action. The primarily Buddhist Myanmar doesn't recognize the Rohingya Muslims as an ethnic group in the federal census of their government, treats them as illegal immigrants, and does not give them the rights and citizenship that are afforded to other indigenous groups found in the country.

On August 25th, 2017, the Arakan Rohingya Salvation Army (ARSA), an insurgent group that fights for the rights and citizenship of the Rohingya people, participated in a coordinated attack on 30 police posts, killing 12 members of Myanmar security forces. Immediately following this incident, Myanmar security forces mobilized, leading to an elaborate display of violence against the Rohingya Muslims living in the Rakhine State. Myanmar forces killed over 6,700 Rohingya Muslims, including hundreds of young children, in just the first month of clearance operations undergone to combat the so-called "terrorists" that operated in the region. The Myanmar government, however, claims a death toll of 400, with operations ending much earlier, on the 5th of September.

After Myanmar burned over 250 villages to partial or complete destruction, hundreds of thousands of Rohingya Muslims fled to neighboring countries for refuge, leaving Bangladesh with a surplus of new mouths to feed and a rising sense of xenophobia. As efforts of repatriation emerged and Bangladeshi sentiments of discontent persist, the likelihood of Rohingya Muslims to be forcibly sent back into Myanmar is increasing. This, of course, is muddled even further as the international community has become involved.

In December 2018, the United Nations investigated the incident and actions taken by Myanmar security forces, likening them to a “textbook example of ethnic cleansing.” Regardless, throughout the investigation and the ensuing case by the UN’s International Court of Justice, Myanmar leader, and Nobel Peace Prize laureate, Aung San Suu Kyi denied all allegations of genocidal intent or actions and asserted that all military operations were combating militant forces, denying any targeted killings of civilian Rohingya Muslims. In January of 2020, the International Court of Justice ordered that the Myanmar government take all necessary measures to guarantee the protection of its Rohingya Muslims from genocidal actions.

Though the International Court of Justice has given no clear path for reparations, Myanmar must ensure the protection of Rohingya Muslims from clear acts of genocide, report back in four months with the steps that they have taken to do so, ensure the preservation of relevant evidence, and continue to report to the court every six months until they close the case.

The last two and a half years have been hectic and ambiguous for the Rohingya Muslims of Myanmar that have been displaced from their homes, placed in camps, or brutally victimized in acts of violence, and while it sounds like the future will be bright, there is still no clear evidence that they are out of the woods yet.

Politically speaking, the past and future of the Rohingya crisis are rooted deep in Myanmar's past. From its independence and inception to its modern iteration, the government of Myanmar has always been on shaky ground. Right out of the gate of the Second World War, Burma separated from British rule on January 4th, 1948, and had a rocky start with a particularly weak civilian government, and a strong desire for centralization. As ethnic groups within the country began to push for autonomy and federal representation, General Ne Win staged a military coup d'état and took full control of the government in 1962.

General Ne Win ruled the country through his revolutionary council and pushed to nationalize all aspects of Burmese society towards a pseudo-Soviet central-governing powerhouse. In 1974, the nation adopted a new constitution and became known as the Socialist Republic of the Union of Burma. This socialist republic was under a strict one-party rule as General Ne Win and his military officers ruled through the Burma Socialist Programme Party. Following a historical trend, this socialism-based government would lead the country to become one of the most impoverished nations of this era.

In 1982, the Burma Socialist Programme Party enacted a citizenship law that denoted three types of citizenship: citizenship, associate citizenship, and naturalized citizenship. Citizenship is granted to those persons who belong to one of the national races (of which there are over 130, not including Rohingya). Associate citizenship is granted to those who can't prove that their ancestors did not settle in Myanmar before 1823 but can prove that they have one grandparent or pre-1823 ancestor who was a citizen of another country, as well as people who had applied for citizenship in 1948 and qualified at the time. Naturalized citizenship was only

granted to those who have at least one parent with citizenship or can provide evidence that their parents entered and resided in Burma before its independence in 1948.

In 1988, widespread pro-democratic demonstrations began to sprout throughout the nation due to economic downfalls and vast political repressions that would come to be known as the 8888 Uprising. These uprisings would be quickly dispatched by the military junta as security forces killed demonstrators by the thousands. General Saw Maung staged his own coup d'état and created the State Law and Order Restoration Council (SLORC). SLORC declared martial law in 1989 following widespread protests, finalized plans for elections in May, and changed the name of the nation to the Union of Burma in June 1989. In May 1990, for the first time since the first military coup d'état in 1962, the Burmese government held free elections. However, after the National League for Democracy (NLD) won 80% of the seats of the national parliament, the military junta refused to cede power to the rightful new rulers, and continued to control the country. In 1997, SLORC had a rebranding to the State Peace and Development Council (SPDC) and continued to rule the nation until it was dissolved in March 2011.

Democratic reforms for Myanmar began on May 10, 2008, after a Burmese constitutional referendum began to sow the seeds of democracy for the Burmese people. The nation was renamed once again to the Republic of the Union of Myanmar, and general elections were held under their new constitution in 2010, though these elections were deemed fraudulent by the United Nations and several Western countries. The military junta, or SPDC, claimed a heavy victory over the 2010 general elections, but would soon be dissolved on March 30, 2011.

After the 2010 elections, the government of Myanmar set out to enact several reforms that were aimed to shift the nation towards liberal democracy and a mixed economy. These

reforms included the relaxation of press censorship, new labor laws, the establishment of the National Human Rights Commission, and the amnesty of over 200 political prisoners, including Aung San Suu Kyi, a leader of the NLD. The government also abolished laws that barred the NLD from political activity, allowing them to take 43 of 45 available seats in the 2012 by-elections. These compromises did not come without a cost though, as the military junta ensured that they would always have a guaranteed seat at the table, constitutionally granting themselves 25% of the seats in both houses of the new parliament.

On November 8, 2015, Myanmar held its first openly contested general election since those that were wholly neglected in 1990. This election handed the NLD an absolute majority control over the national parliament of the country. This absolute majority allowed the party to ensure that its candidate would become the president of Myanmar. However, the NLD leader, Aung San Suu Kyi, was constitutionally barred from becoming the president of the nation. The new parliament convened in February of 2016 and by mid-March was able to elect their candidate, Htin Kyaw, as the first non-military president of Myanmar since the coup d'état in 1962. On April 6, Aung San Suu Kyi would assume the newly-created role of State Counsellor, essentially acting as the nation's Prime Minister.

Aung San Suu Kyi is the daughter of Aung San, a revolutionary politician who was assassinated just a few months before Burma gained its independence in 1948. She would go on to work with the United Nations as a young woman and was a very active politician in Burma, paving her way towards a position of leadership in the NLD. In 1990, the SPDC refused to hand power over to the NLD who had won the general elections and subsequently placed Aung San Suu Kyi under house arrest, which would only be prolonged time and time again as the standing

government found any reason to extend her sentence. She would eventually spend 15 of the next 21 years under strict house arrest, promoting her message of nonviolent action. During this time, she would be awarded the Sakharov Prize for Freedom and Thought in 1990, and the Nobel Peace Prize for humanitarianism in the following year. An international outcry for the release of Aung San Suu Kyi persisted for years from various members of the international community, including President Barack Obama. Cries for her release continued up until the day that she was released by the democratic reforms in November 2010.

There appears to be a genuine threat of Major Human Rights Violations (MHRV) occurring in Myanmar in the near future. As the Rohingya crisis continues to drag on in 2020, there are several indicators that are commonly attributed to a risk of MHRV occurring in the country: from a pattern of political upheaval, enduring regional conflicts, changes in its political opportunity structure, low economic development, and their history of genocidal actions surrounding ethnic and religious cleavages.

It is clear that Myanmar has had a turbulent political track over the past several decades, and to this day is still ambiguous as to who holds the real power over the country. The Tatmadaw, the official name for the armed forces of Myanmar, still constitutionally own 25% of the seats of both of the houses of parliament, and clearly still hold great power over the people of the nation, feeling confident enough to cede democratic reforms and parliamentary control to the NLD. There does appear to be a pattern of sudden and dramatic political upheaval amongst the many shifts in Myanmar's political opportunity structure between the military coup d'états, assassinations, and the sudden shift towards democracy in 2010. Alongside this unsteady political ground, the economic development of Myanmar has been unsteady, with a heavy focus

on agriculture and a poverty rate of nearly a third, it appears that Myanmar is still lagging behind the economic growth and development of its neighbors in South-East Asia.

The biggest indicator for a heightened risk of Major Human Rights Violations, however, is the fact that active efforts of ethnic cleansing have been occurring within Myanmar for years with no clear stopping point. The Rohingya Muslims are actively and discriminately being refused recognition as citizens in their own nation of birth due to citizenship laws crafted in a bygone era that refuse to recognize any ethnic group outside of those chosen by the old regime as Burmese citizens deserving of human rights. This has led to the government's adamant rhetoric that refers to the Rohingya as illegal immigrants, and those who stand up for autonomy or citizenship equated to terrorists in the eyes of the military. If Myanmar were to change their minds now and allow the Rohingya to be recognized as fully-fledged citizens of the country, there could then be legal cases taken against Myanmar for its treatment of civilians, or sudden changes in the political sphere if these people are given a voice in their "democratic" government. This eventuality is a perceived threat to the government and military officials of Myanmar and had led to their language becoming more terrorist-focussed, doubling down on their vicious treatment of the Rohingya. The presence of a strong exclusionary ideology against the Rohingya alongside these existing structures and conditions connotes a potential pathway towards an MHRV in the near future.

There are three explicit roles that can be taken within a human rights crisis: the perpetrator, victim, and bystander. In the case of the Rohingya crisis, it is blatantly obvious that the Rohingya Muslims would be taking the role of the victim. Their political goals lie explicitly in awarding citizenship to their ethnic group. Even the ARSA, the militant Rohingya forces, only

wish to be granted citizenship and autonomy as any other major ethnic group would be freely and equally given in Myanmar.

Equal treatment tends to not be the cause of the perpetrator, though silent sympathizers would undoubtedly fall under the category of the bystander. The sympathizers help aid and grant refuge to the displaced Rohingya in an indirect manner, so as not to be confused with a rebel by the Tatmadaw. Another group that could fall under the bystander category would be the United Nations and other members of the international community. Though the International Court of Justice has made a clear case for the Rohingya and stated that the government of Myanmar must protect the Rohingya, it is not a victim alongside the Rohingya, it seeks only to protect their human dignity and rights from a bureaucratic distance. This would even encompass the role of the neighbors that have taken in Rohingya refugees, the kinder ones offering as much aid as possible to those in need of a place to rest, though unable to offer them citizenship of their own or a path towards their own goals.

The perpetrator at first glance seems a simple matter, but it can become a bit more nuanced as intentions become vague. In the case of the Rohingya crisis, the perpetrator is undeniably the Tatmadaw, the active security forces that oppress the Rohingya Muslims by destroying their homes and killing their people. Their political intentions lie in the eradication of the ARSA, and clearing out other ethnic rebel groups. Often, however, in civilian conflicts and civil wars, governments and rebels alike will kill civilians when those deaths will lead to the success of important political and/or military objectives. In the case of this crisis, the deaths of more dehumanized, non-citizen Rohingya can make it easier to identify opposition forces as well as deter civilian aid and sympathy to the rebel forces and refugees alike. In a similar vein, the

Tatmadaw maintains an ethno-nationalist superiority by displaying their military power over the oppressed Rohingya.

The real issue when discerning the political intentions and roles of the players in the Rohingya crisis is when a wild card pops up, and in the case of the Rohingya, the wild card happens to be Aung San Suu Kyi. The roles seem to be pretty set in stone, so how can we have a wild card? Well, when you take a hard look at Aung San Suu Kyi, it begins to get difficult to discern whether her political intentions in the crisis are her own or something derived from the Tatmadaw. In any case, we can haphazardly place her in the perpetrator bin for the time being, as she vehemently denies that the genocidal actions taken against the Rohingya have taken place, following the military's rhetoric of dealing with rebel terrorists, and stating that she'd happily accept the Rohingya back into her nation. The message that Aung San Suu Kyi leaves is one of ambiguity, on one hand, it can be seen as a Nobel Peace Prize laureate returning to her humanitarian roots, welcoming the downtrodden into her nation, perhaps out of sheer ignorance. On the other, a villainous woman who sides with the military and hides behind their excuse while wholly complicit in the vile actions taken by the Tatmadaw.

The most difficult part of this case is that no matter what way you slice it, Aung San Suu Kyi is entirely complicit in the actions of the Tatmadaw, and the only real distinction is her own intention or understanding of the issue. As the democratic spearhead of the nation, she has the people's trust, and if she sides with the Tatmadaw, she is a vile perpetrator, and the people of Myanmar will follow her word. If she is genuinely ignorant of the actions of the Tatmadaw, then she is still complicit in their actions as a bystander by not carrying out genuine investigations or action against the military's genocidal actions. At the most speculative end of this spectrum, she

could very well be under threat by the Tatmadaw and forced to openly deny the actions of the military, making her a victim at their mercy as well. Though these narratives are based in speculation, without the explicit intentions of Aung San Suu Kyi out to the public, it is difficult to place her anywhere but in the role of the perpetrator as she continues to follow the rhetoric of the Tatmadaw.

To this day, Rohingya Muslims are not allowed to travel without official permission, are banned from owning land, and are required to sign a legal document agreeing not to have more than two children. This pseudo-apartheid legislation is atrocious and is indicative of deeply racist, if not genocidal intent to inhibit the growth of the Rohingya population. While the Rohingya Muslims have been in the territory for just as long as many of their ethnic neighbors, they are treated as illegal immigrants and are met with pejorative terms and referring to them as non-indigenous residents that don't belong in Myanmar. Often referred to as "stateless Bangali Muslims," even as refugees they are turned away at the borders of their neighbors as they try to flee the nation. This mentality alongside the murders, burnings, and bombings of their homes, has made it very clear that the government of Myanmar vehemently wishes that the Rohingya were not in their nation. The ethnic cleansing of the Rohingya is all the testimony we need to derive that the rationale of the Tatmadaw and their sympathizers is one of racist and xenophobic origin.

The Rohingya are not a new addition to Myanmar, nor are they displaced from their "homeland," they are Myanmar-born peoples who have been on the receiving end of racist, xenophobic sentiments for decades. When a nation continues having issues institutionally, they will look for any excuse in the book to find a scapegoat, and for the people of Myanmar, their

group of choice happens to be the Rohingya. It is not evident that there are any national issues derived from the presence of the Rohingya, but rather the issue with them has appeared due to the prolonged non-citizen rhetoric that has surrounded them for decades. As in a self-fulfilling prophecy, the people of Myanmar saw the Rohingya left in the gutter by their government and saw a target for scrutiny, a problem that needed to be solved.

Since June 2019, several townships in the Rakhine state have been placed under an internet blackout by the Myanmar government, joined by a handful more in early February 2020. Many activists have claimed that this is a gross denial of a basic human right to people who desperately need to spread their stories to the rest of the world, or need updates on where the conflict gets heated in order to stay safe. Student activists have been arrested and are facing ludicrous charges in Myanmar for protesting the internet blackouts as military operations continue to take civilian casualties. This blackout has been an excellent opportunity for the Tatmadaw to escalate their offensive campaign against the Rohingya militants in the Rakhine and has already led to dozens of civilian deaths as the conflict continues to escalate.

Similarly, the onset of the COVID-19 virus has had people on both sides of the conflict crying out for efforts of unity as this pandemic sweeps over the world. In April 2020, insurgents from the Rakhine reached out to the Tatmadaw but were refused when they offered a ceasefire in these unorthodox times. The Tatmadaw continues to call the rebel forces out as terrorists and refused the call for a ceasefire, citing previously insurgent-rejected ceasefires, declaring their new proposal unrealistic. Shellings from military bases continued in light of the ceasefire proposal, leading to more civilian deaths, which the Tatmadaw commented on as “fake news.”

With the next wave of general elections on the horizon in November 2020, every statement made by the Tatmadaw and Aung San Suu Kyi will be key in determining their public appeal in the near future. This upcoming event could open the door for more nationalist and xenophobic rhetoric to rouse the voting populous of Myanmar and invite a whole new wave of violence against the Rohingya.

The power dynamic is extremely skewed in favor of the Tatmadaw, as the Rohingya insurgents are foremost a minority community in the Rakhine state, and have access to significantly less firepower than the national security forces. However, thanks to the guerrilla-style combat that has been utilized by the insurgent forces, the Tatmadaw has had difficulty outright crushing their opponents.

The Rohingya, on the other hand, remains the clear favorite of the international community, as the United Nations' International Court of Justice has sided with the Rohingya Muslims by setting expectations on the Tatmadaw to ensure the protection of the Rohingya from genocidal actions in the future. This sentiment does not seem to be having the intended effect as of right now, as three months later the violence is only escalating, but the international community's sentiments still lie with the victims of this crisis. However much "support" there is for the Rohingya from the international community, none of it will come in the form of troops or weapons to fight their oppressors, but are mostly diplomatic sentiments and perhaps a road towards international sanctions as Myanmar continues to violate the order of the International Court of Justice in the eyes of the world. Myanmar's immediate neighbor, and supposed originator of the Rohingya, Bangladesh remains particularly discontent with the Rohingya refugees coming in droves to their borders, where they are accepted into overflowing camps if

not turned away entirely. The Bangladeshi consensus appears to be the same as that of Myanmar, that these now illegal immigrants are coming to their nation and are becoming an economic issue for the border towns.

An upcoming human rights crisis is quite likely in the near future for Myanmar, as even when the court rulings of the International Court of Justice loom over the Tatmadaw, offensive conflicts with the Rohingya militant groups continue to escalate. The Tatmadaw, with compliance from Aung San Suu Kyi, is most likely to instigate this new crisis, as the xenophobic and blatantly racist rhetoric will likely escalate throughout the 2020 election cycle in Myanmar. After already being issued an order by the International Court of Justice, the Tatmadaw continue to flaunt their power over the Rohingya militants, this behavior indicates that they will likely continue to ignore the warnings of the international community as the conflict continues to escalate in the future, leading to another potential campaign of ethnic cleansing against the Rohingya civilian population. So long as Aung San Suu Kyi continues to pave a path of acceptance of the status quo, this situation will likely be well on its way to another explosion of ethnic cleansing and potentially genocidal action. This new wave of violence against the Rohingya could lead to the exodus, or potential death, of hundreds of thousands more that still remain in their homes within Myanmar.

In order for the potential of this crisis to decrease, there must be a concession by the government of Myanmar, a resurgence of humanitarianism from Aung San Suu Kyi, or the end of the militant operations in Rakhine. On the most unlikely end, if the government of Myanmar was to make concessions that granted the citizenship of its Rohingya “immigrants,” there could be a peaceful and quick end to the operations of the Rohingya militant groups, as their political

intentions would be fulfilled, however, this in no way fulfills the goals of the government. A slightly more reasonable road towards peaceful reconciliation is if the State Counsellor, Aung San Suu Kyi, reverts to the Nobel Peace Prize laureate that the international community expected, understanding and acknowledging the atrocities committed by the Tatmadaw under her leadership. Upon condemnation of those actions, and movements in parliament to compromise with the Rohingya population, there could be a road to reconciliation. One of the most probable roads to avoid this crisis would be the end of militant operations from the Rohingya, but if the rebels were to be defeated, it would likely inspire a new generation of fighters and lead to another cycle of violence, so this option ends up being more unreasonable than the concession of the Tatmadaw. Any of these key players giving up their political positions on this issue is immensely unlikely, but are some of the only roads out of the current trajectory.

However, in the unlikely event that the United Nations Security Council makes a unanimous decision to intervene directly and grant humanitarian aid and protection of the Rohingya, there could be a genuine chance at avoiding the human rights crisis. However, the United Nations Security Council is infamous for its inability to unanimously agree to intervene in international matters, so this becomes another highly unlikely golden ticket to peace. As humanitarian aid comes in from outside sources, however, the potential violence of the Rohingya militants could be slowly assuaged. If humanitarian efforts could grant a more permanent home to the Rohingya, there would be less reason for the violent militants to continue their conflict, leading to a potentially peaceful end. If no international humanitarian aid is provided, the likelihood of continued ethnic cleansing and genocidal action at the hands of the Tatmadaw

seems quite high, but with offers of international asylum or the protection of the elusive United Nations Security Council, there could be a road to a peaceful end of this crisis.

The last two and a half years have been the violent culmination of decades of demeaning sentiments at the hands of the government of Myanmar against its Rohingya populous that have endured a tempest of challenges that reflects the hectic history of the nation. The turbulent and dramatic pattern of political upheaval in the history of the government of Myanmar, alongside enduring conflicts with the ethnic minority groups of the country, ample changes in the political opportunity structure, and a crystal-clear history of internationally-acknowledged genocidal action sparked by decades of continuous cleavages carved along ethnic and religious identity have painted a clear picture that indicates a serious likelihood of a Major Human Rights Violation.

In the coming crisis, the role of the perpetrator will undoubtedly be played by the Tatmadaw in association with the government of Myanmar, who lead active offensive campaigns to eradicate the “terrorist” Rohingya militants, yet have no remorse for the civilian casualties of their conflict. The victims in this crisis will, of course, be the Rohingya Muslims, including ARSA, who only wish to be treated as citizens equal to the other 135 ethnic groups that are acknowledged by the government of Myanmar. The bystanders encompass both the members of the International Community who watch on as non-victim supporters of the Rohingya and sympathizers of the Rohingya who support them indirectly. Aung San Suu Kyi is a wild card in this endeavor, as her political intentions are vague, and her stance could be either one of ignorance, compliance, or malediction.

The rationale of the Tatmadaw and Myanmar government appears to be one rooted in xenophobic and deeply racist rhetoric. Decades of dehumanization and scapegoating has led to the polarization of the people of Myanmar, and the Rohingya are actively and vehemently being excluded from that group. The Rohingya are alienated and treated as illegal immigrants in their own homes, and a campaign for equal rights is viewed as vile terrorism in the eyes of the Tatmadaw. Civilian lives are ignored in the military campaign against these alleged terrorists, and aid to the civilians displaced from their homes is few and far between in this evident tirade of ethnic cleansing.

Every month new developments upset the status quo for the Rohingya Muslims, amid internet blackouts unleashed on their townships and new developments with the spread of COVID-19, the Tatmadaw takes new opportunities to escalate the conflict. Civilian deaths rise by the week and more and more peaceful protesters face arrests and legal charges as the throes of nationalism begin to take hold with the 2020 general elections looming on the horizon.

The power dynamic in the crisis will continue to be deeply skewed in favor of the Tatmadaw, as Rohingya militant supplies are easily overtaken by the firepower of national security forces. ARSA manages to survive thanks to guerrilla tactics and the indirect support of sympathizers. Support from the international community feels meaningless as no direct intervention will likely arrive from the United Nations.

The development of this crisis is quite likely as the perpetrating Tatmadaw is steadfast in its mission to uproot the “terrorist” militants, and the victimized Rohingya will not cease until they are treated as equals with the other ethnic groups of Myanmar. The necessary intervention lies in the hands of the United Nations Security Council, which will likely follow its evasive

reputation, and not vote unanimously to intervene in the conflict. The necessary changes for peace are unlikely as the two conflicting parties have very stark goals that they will not cede to the opposition. Though the simple answers seem impossible and there are no clear compromises on the horizon, if things continue as they are, the potential for a Major Human Rights Violation will be very likely.

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Human Rights Crisis in Venezuela

Venezuela experienced great success in the 1970s through high growth rates, stable democracy, and low levels of inequality. However, precipitating factors rattled the prosperous country. The dependency on oil production as a primary stimulus for the economy heavily contributed to the collapse of the economy under Hugo Chavez. Before Chavez, the two-party system was criticized for corruption, so the Chavez revolution and their later political victory incited a wave of support for his socialist regime. However, his popularity decreased later in his reign due to the slow collapse of the economy, and the socialist party received accusations of corruption. Political unrest began to surface, and many underlying risk factors for human rights violations took hold in the country. The cracks that instigated vulnerabilities within the state were made by Chavez's regime, but the present potential for human rights violations in Venezuela are exacerbated by the conditions and ideas festering under Nicolas Maduro's reign. It is important to study the prospects of major human rights violations within Venezuela because the risk of violations is far greater than the state has endured in the past. Venezuela's potential risk for human rights violations lands at a four on a scale of one to five. It is likely Venezuela will endure human rights violations because the country possesses both underlying and precipitating factors that create a high threat of violations. The underlying factors are numerous: poverty, unstable government, and conflict. The standard precipitating factors for human rights violations are almost all present, and they are coupled with the defining and debilitating coronavirus pandemic. The present vulnerability of Venezuelan citizens is lofty. However, the extent of such violations and the potential for prediction error should be accounted for in the score. A four on the scale simultaneously illustrates the urgency of the risk and the acknowledgement that human behavior is difficult to accurately predict. Due to the historical

background and current state of Venezuela, the possibility of major human rights violations is likely.

An overview of Venezuela's rich history is important for analyzing the underlying and precipitating factors in order to construct an accurate and dependable prediction of human rights violations. The main snowflake that started the avalanche that is the Venezuela crisis is the dependency on oil production. "From the 1940s to 1970 the country was the world's largest petroleum exporter; it remains one of the principal exporters of oil to the United States" (Britannica, 2020). The government started using the revenue incurred from petroleum export to fund social programs within the country, known as "sowing the oil." However, inflation, inefficient management, corruption, and a lack of skilled personnel significantly deterred progress, so the economy suffered "massive foreign debt, high unemployment, rapid population growth" (Britannica, 2020). The instability of the oil industry led to the economic crisis in the 1980s. The effects of the crisis greatly affected the civilians which led to political unrest and accusations of corruption within the two-party system. In 1989, the cries of dissatisfaction towards the government flooded the streets of Caracas and other cities. The Caracazo Uprising truly illuminated the struggle civilians suffered by the economic collapse. President Perez sent troops to thwart the riots resulting in a massacre that killed 300 to 3,000 people (Robertson, 2014). Finally, on February 4th, 1992, Hugo Chavez and military officers initiated a coup attempt to overthrow President Carlos Andres Perez and his government. The attempt failed but Chavez's *por ahora* ("for now") speech incited praise from citizens for his bold reform ideas. His popularity grew enormously, and his support won him the presidency under the political party called Movement of the Fifth Republic. The party was comprised of former socialists and military officers. "During his first year in office, his approval rating reached 80 percent, and his

platform – which advocated an end to corruption, increased spending on social programs, and redistribution of the country’s oil wealth – was widely applauded” (Nelson, 2020). In the beginning of his presidency, Chavez possessed the wealth and resources to fulfill promises of his “Bolivarian Revolution.” By following through on his promises, he gained more support from his constituents. His approval rating grew, and his power and influence within government expanded as well. A new constitution was passed, and “traditional checks and balances on executive power have all but disappeared as key state institutions” (International Crisis Group, 2007). The Venezuelan government slowly morphed into an autocratic government in which Chavez and his loyalists gained most of the control. He severely limited independent press, and his socialist propaganda was widespread. Due to Chavez’s rising power and the steep decline in the economy, the public’s discontent was at an all-time high. “By early 2002 his approval rating had fallen to 30 percent, and anti-Chavez marches had become regular occurrences” (Nelson, 2020). People within his own party started to reject his revolution. After an anti-Chavez rally in 2002, a military coup d’état arrested Chavez and set up an interim government. Within days, Chavez miraculously regained power, but the derision within Venezuelan society remained. Chavistas and Escualidos possessed battling ideologies, and political opposition caused Chavez to tighten his reign further. The state regained control of Petroleos de Venezuela, so Chavez regained possession of resources to fund even more social programs which helped his approval rating. The uproar from Venezuela’s public sector and Chavez alliance with Cuba, Iraq, Iran, and Libya caused the international community to closely watch Chavez and his government. In 2006, Chavez delivered a speech to the United Nations General Assembly criticizing President George W. Bush as the “devil.” Chavez’s condemnation of the United States for continuing imperialistic traditions ignited support from Venezuelans and other states within the UN National General

Assembly. Hugo Chavez weathered coup attempts and riots throughout his presidency, but his power remained undeniable. Under his presidency, the Venezuelan executive branch's power enormously expanded. Before Chavez was diagnosed with cancer, "the government launched an aggressive program to stifle dissent, arresting key political opponents, [and] closing dozens of opposition radio stations" (Nelson, 2020). The censure of opposition showed the extent of power Chavez and his government held. However, the strong and vibrant Venezuelan leader became ill in 2011, and he appointed his vice president, Nicolas Maduro, as interim president. After Chavez's death in 2013, Maduro won the following election and remained in office. The power acquired over Chavez's reign remained within the executive branch. Nicolas Maduro continues to uphold Bolivarian Revolution ideals, the economy continues to decline, and political unrest remains. Venezuela's GDP in 2012 was \$18,382 and dropped to \$12, 857 in 2017 (Desjardins, 2017). In the 2018 election, "many candidates had been barred from running while other had been jailed or fled the country for fear of being imprisoned" (BBC, 2020). Maduro was re-elected, but political opposition attested to the appointment. The National Assembly appointed Juan Guaido as acting president. Broadcasting and newspaper media that covered Guaido's inauguration had their headquarters raided by military police and their internet disconnected. There is argument as to whom is the rightful president within Venezuela and the international community. Russia and China support Maduro while many countries, including the U.S., recognize Guaido as acting president. The state of Venezuela suffers from political repression, extreme food and medicine shortages, a lack of social services, and economic collapse. By 2019, "three million Venezuelans have fled their homes" (Teff, 2019). By February 2020, 4.8 million refugees from Venezuela were reported (International Crisis Group, 2020). Now, the world is undergoing a pandemic that is crippling even the most powerful countries. Venezuela lacks the

necessary medical equipment and institutional structure to manage the crisis. Starting from the prosperous democratic country in 1970s to the economic collapse to the debilitating pandemic, the historical developments over the past 60 years have festered, and they created a vulnerable environment and conditions that powerful actors can exploit to terrorize the country to ensure their own self interests.

In order for major human rights violations to occur, a foundation that fosters instability and fear is necessary. Historically, major human rights violations occur in countries that possess poverty, unstable government, or previous conflict. By enduring these characteristics and conditions, a country becomes more susceptible to human rights crises. Over the years, Venezuela's political and economic environment has molded a primed spot for powerful actors to exploit its vulnerabilities. First, the government's instability and ideology clearly reflects countries that have undergone human rights violations. Political upheaval transpired by the hands of Hugo Chavez is one example of political instability. Even though Hugo Chavez won the presidential election in 1998 and had popular support, he implemented drastic and sudden changes within the government. The adoption of a new constitution and multiple provisions granted unprecedented power to the executive branch than the two-party system previously possessed. Many of his opponents and non-governmental organizations highlighted his increasing power and shift to autocracy. International Crisis Group warned that "if [Chavez] continues to build personal power at the expense of other institutions and militarise much of the government and political life, there will be serious risks for internal conflict" (Crisis Group, 2020). By 2009, a constitutional referendum abolished presidential term limits which allowed Chavez and his successors to remain in power, and their rumored sway in elections added to the suspicions that Chavez's government transformed into an autocratic government. This political

upheaval caused major instability and resulted in numerous efforts to overthrow Hugo Chavez and the socialist party. “In April 2002 and late 2003, he weathered first a coup then a national strike, while in August 2004 he emerged from a recall referendum” (Crisis Group, 2007). The changes in political opportunity surpass just the cleavages within Chavez’s government. The vulnerability of a state is highest during transitions of power, and the ascendance of Maduro after Chavez’s death and the 2018 election were no exception. However, the ascendance of Nicolas Maduro in 2013 showed less uncertainty than his re-election in 2018. Now the country and international community struggle to define the true leader of Venezuela. So, the country is experiencing an extended and confusing political shift. However, Maduro continues to hold most power over government through an autocratic rule. The 2018 election faced major controversy because of the exclusionary ideology driving the government. Many of Maduro’s opponents were barred from the ballot, arrested, or forced to flee the country. This exclusion of political opposition shows the repression already occurring and future violations towards opposition. The shift from a democratic to an autocratic government causes an increased probability that major human rights violations can occur. Bueno de Mesquita and other experts found that democracies hold a low chance of carrying out human right violations because they possess the accountability and party competition. Second, political conflict has been and continues to be present. From Chavistas versus Escualidos to Maduro supporters versus Guaido supporters, political conflict has existed in the heart of Venezuela. With each coup d’état, referendum, and foreign sanction, Venezuela’s political ideology becomes further polarized. Cliver Alcalá-Cordones, former army general, was arrested by the DEA in March 2020. He was known for publicly criticizing Maduro, but he was indicted for collaborating with Maduro and others in drug trafficking. Alcalá later claimed he was conspiring against Maduro under direction of Juan Guaido and “American

advisers” (Goodman, 2020). Both political groups deny involvement in either conspiracy. For whomever Alcala was working, suspicion and conflict between Guaido and Maduro is at an all-time high. Venezuela also has had to bear conflict and violence from increased crime and drug trafficking. Venezuela has one of the highest homicide rate in the world. Venezuela Violence Observatory “estimates that murders dropped from 89 per 100,000 in 2017 to 81.4” in 2018 only due to mass emigration (Sheridan and Zuniga and Krygier, 2019). By sharing a border with Columbia, Venezuela’s crime rate also heavily revolves around drug trafficking. Many Venezuelan officials are charged with conspiring alongside the cartels, including Maduro and the Minister of Defense, Vladimir Padrino Lopez. In the case *United States of America v. Vladimir Padrino Lopez*, Lopez is indicted “for conspiracy to distribute and possess with intent to distribute five kilograms or more of cocaine on board an aircraft registered in the United States” (Case 1:19, at 1). The United States’ indictment of Venezuelan officials is a major threat to Maduro’s regime and an uncloaked attempt to dethrone Maduro. However, the indictment also highlights the suspicions of political corruption and corroborates the power drug trafficking possesses over the nation. Third, economic decline and immense poverty persist throughout the country. The unpredictability of the oil industry is the source of Venezuela’s economic instability. The “sowing the oil” initiative did not succeed in the 20th century because the country continued to remain dependent on petroleum exports as the main source of revenue. The U.S. sanctions against the state oil company, PDVSA, also harshly inflicted further decline of the state’s GDP. The main victims of the economic crisis are Venezuelan civilians. The conditions they are forced to live in are unbearable that many flee to Columbia to seek refuge. Increased poverty has also led to an increase in civil unrest. “In 2018, Venezuela experienced a marked increase in civil unrest and spontaneous protests because of the lack of food and/or basic

services, including the lack of electricity/public transportation, poor working conditions, and increased criminality” (OSAC, 2019). Conflict and poverty are interconnected, each one feeding off of the other. The clear evidence that Venezuela suffers from political conflict, an unstable government, and poverty shows that Venezuela possesses the foundation of fear and instability. This foundation is similar to so many countries that endured major human rights violations. This foundation provides powerful actors, such as Maduro, to exploit his power and ignite a flame of violations. The past behavior of the Venezuelan government and events shaped the environment the state is currently experiencing. The analysis can also help shape current actors and help predict how current events can shape their behavior.

While there is an ever present underlying risk for major human rights violations, the current events and actors and the actors’ behavior play a necessary evil for violations to occur. The key actors can be distributed under three categories: perpetrator, victim, and bystander. I predict the perpetrator, one who will implement major human rights violations, is Maduro and his military. Maduro holds roughly the same values as Hugo Chavez. He wants to continue the Bolivarian Revolution and a socialist regime, but his main interest is to maintain power. His attempt in 2017 to establish a new constituent assembly clearly illustrates his interests revolve around power. If he succeeded and the assembly were established, it would have the “power to rewrite the constitution, or to bypass and even dissolve the opposition-led National Assembly” (BBC, 2019). This once again is an attempt for Maduro to undermine the power of his opposition and dissolve the remaining checks and balances. The National Assembly is the only branch of power restricting his complete control over government, and Maduro desperately wants to gain influence over the branch. The legislature “inhibits his ability to secure more foreign investment for the country’s collapsing oil production from China and Russia, given that the Assembly...can

approve oil-licensing agreements” (Sonneland, 2020). If Maduro had the ability to permit foreign companies to access Venezuela’s resources, he would find another source of revenue to implement his socialist programs and reinvigorate Chavismo support. Maduro remains President and holds most of his power because of his control over the military. The allegations that he is conspiring with the cartel would give him additional power and influence inside and outside Venezuela. The two officials who hold direct control over the military are Maduro and the Minister of Defense. Both of which are being indicted by the U.S. for drug trafficking. The former army general, Cliver Alcala, who was arrested by the DEA, claims to have ran with Maduro and other Venezuelan officials alongside the cartel. Alcala can be used as a state’s witness in the trials against Maduro. Even though Maduro and other officials face trial in the United States, they maintain power and control over the Venezuelan military. The pressure from political opposition and U.S. criminal charges could make Maduro feel cornered, and he could take drastic measures to maintain power and relieve that pressure. So far, in order to maintain his power, Maduro has found it necessary to attack and suppress any opposition. He eliminated opponents in the 2019 elections, suppressed civilian riots and protests with the help of his army, and restricts criticism from independent press. Maduro’s main targets and the potential victims of major human rights violations are anyone he finds as an aggressor to his regime. Guaido, Guaido supporters, independent press, and civilians all pose a threat to his control, and all potential victims hold little to no power to protect themselves from such violations. In February 2020, Maduro claimed that the arrest of Guaido “hasn’t come yet, but it will come” (Aljazeera, 2020). Juan Guaido shows no interest in completely yielding power back to Maduro. Guaido shows that his interests are in rebuilding Venezuela as a democracy. After swearing himself in as interim president in 2019, he declared that a president’s power should come from “the vote, the people,

the streets, the strength, the recognition and the love of [Venezuelan] people” (Herrero, 2019). His rhetoric shows his vexation regarding the autocratic rule of Maduro, and the international and domestic displeasure for Maduro motivates Guaido and the National Assembly to continue their opposition. While Guaido is the face of political opposition, civilians are the backbone of the resistance. Under the two-party system, Hugo Chavez regime, and Nicolas Maduro regime, Venezuelan people have voiced their displeasure towards the government and the conditions they are forced to live through. The Venezuelan economy continues to crumble and is exacerbated due to U.S. sanctions against Venezuela, and Venezuelans are the main victims from the political feud. Venezuela’s people are affected by hyperinflation, food shortages, and a public health crisis. “Ninety percent of families in Venezuela are not able to purchase enough food on a daily basis, according to Encuesta Nacional de Condiciones de Vida” (ShareAmerica, 2019). The horrific conditions have led many to riot and protest against the government. Protests in 2019 show armored vehicles plowing through crowds of people injuring and killing many protestors. While the protests are great in number, the people do not hold enough power to protect themselves against persecution. Guaido and civilians heavily depend upon one another for strength to oppose Maduro and his military. The international backing of Guaido and the economic influence over Venezuela has made the United States an important actor. Even though the United States would be a bystander, analyzing their role is important to understand Guaido’s and Maduro’s future behavior. The Trump administration is interested in establishing a democratic government within Venezuela. The U.S. is motivated to establish a democracy within Venezuela because it would benefit the United States’ economy. If Guaido seizes power of the government, the backing of Guaido allows for the creation of diplomatic ties between the United States and Venezuela. This would lead to a possible opportunity for the United States to

negotiate a beneficial trade deal with Venezuela. At the height of the conflict between Maduro and Guaido, Maduro warned of the possibility of a civil war outbreak and blames the international interference. Guaido lost his seat in the National Assembly and most international support. Due to a political standstill, in March 2020, the United States asked Juan Guaido to renounce his claim as interim president while the U.S. develops a new approach towards Venezuelan democracy. Guaido and other officials opposing the autocratic rule blame Maduro for their loss in power. They claim he manipulated the National Assembly elections by using military police to stop “numerous officials from entering the National Assembly, apparently preventing them from voting” (Rapoza, 2020). Maduro maintains power despite the protests, Guaido, U.S. sanctions, and economic decline. Maduro’s political opposition is weakened, but it still present throughout Venezuela. The opposition’s vulnerable position grants Maduro an opportunity to completely eliminate the remaining threat to his power. The contemporaneous events such as the National Assembly election, the United States withdrawal of support for Juan Guaido, refugee crisis, and the dangerous coronavirus pandemic all greatly impact the likelihood of major human rights violations being carried out by Maduro. These events are known to be precipitating factors of major human rights violations. Elections provide opportunities for political actors to exploit the nation’s vulnerability during a transition of power through voter fraud, barring candidates, pushing propaganda, and restricting voters’ rights. The months leading up the election, the Supreme Court retracted legislative immunity from at least 30 deputies, and Maduro harassed and persecuted all 108 members of the opposition by arrest, harassment of family, and cancelling passports (Sonneland, ASCOA). In Venezuela, the 2020 National Assembly election experienced a complete block of a vote. Instead, armed forces surrounded the building where the vote was supposed to take place, and they blocked Mr. Guaido and other

political opposition officials from entering. In order for Guaido to remain interim president he would have had to be re-elected as Speaker in the National Assembly. Mr. Guaido was expected to be re-elected since the majority of the assembly is Maduro's opposition; however, there was no vote and Luis Parra was sworn in as the Speaker. Luis Parra election is clearly supported by Maduro and his party. The elections for the remaining seats in the National Assembly are planned take place later in 2020, but the date will most likely be moved earlier in the year to aid in Maduro's plan. While the opposition worries about their safety and chances in the next election, Maduro hopes to regain complete control over the National Assembly. United States' request that Guaido steps down as interim president represents its withdrawal of public support for Guaido. The implications of this action are grave for the potential victims of Maduro's regime. Without the public support of a major world power, Guaido loses a driving force in the fight against Maduro. Even though Maduro still faces international pressure through sanctions and criminal charges, his opposition has been severely weakened. The likelihood of future major human rights violations is increased by the already present refugee crisis. While political opposition leaders are forced to take refuge in embassies or flee the country entirely, Venezuelan civilians are forced to flee the country due to malnutrition, civil unrest, political repression, and lack of medical supplies. Many people flee to bordering states and islands in the Caribbean. Columbia and Trinidad and Tobago receive the majority of refugees; however, both do not provide adequate resources for refugees to seek asylum. There are also cases where refugees are deported back to Venezuela. The refugee crisis demonstrates the escalating tension and conflict within Venezuela. If citizens are not able to escape persecution, they will continue to suffer and riot. An increased number of riots and protests will result in added pressure upon Maduro. Based on Maduro's response to previous protests and political opposition, he will find it necessary to

escalate measures in suppressing an uprising. The coronavirus pandemic is another precipitating factor that renders the potential victims of major human rights violations even more vulnerable. Stable states that do not normally face a lack of medical supplies and possess a relatively reliable healthcare system are crippling under the weight of the pandemic. Before the pandemic, Venezuelans were suffering from malnutrition and lack of daily medical supplies. “Sixty-six percent of the biggest hospitals in Venezuela do not have running water. They just receive water once or twice a week. They don’t have water, and they don’t have soap either” (Reeves, 2020). There are shortages of equipment, and most of the medical staff have fled the country in recent years. The conditions of hospitals are in no way adequate to fight against the storm of the pandemic. No one knows the extent of the outbreak in Venezuela because the government is censoring any reporting on the outbreak. Journalists are not allowed to photograph or write about the conditions of hospitals. Redes Ayuda, a Venezuelan NGO specialized in defending press freedom, reported that “more than 35 journalists and media outlets have been victims of smear campaigns, lawsuits, threats, persecution and confiscation of their equipment, preventing them from reporting on COVID-19” (Cincurova, 2020). The lack of information Venezuela is willing to share regarding the coronavirus outbreak threatens the safety of its citizens, and it shows the extent of how oppositional voices have become diminished. In the beginning of April, UNICEF delivered 90 tons of medical supplies to Venezuela, and Venezuela has also received aid from Russia, Cuba, and China (Reeves, 2020). In lieu of the virus, the United States has seized upon this opportunity in hopes to oust Maduro from presidential office through drug trafficking charges. In April, “the U.S. dialed up the pressure by sending extra naval forces to the Caribbean near Venezuelan shores, saying it would intercept drug smugglers” (Reeves, 2020). However, many people do not appreciate United States’ geopolitical maneuver. Critics of the United

States' decision state that the lives threatened by the pandemic should be prioritized over democratizing Venezuela. COVID-19 shifts international focus away from Venezuela's political conflict, thus granting Maduro's government more freedom and power over the country. The current events transpiring inside Venezuela greatly diminishes the power of political opposition, but they still hold a viable threat to Maduro's regime. If they did not threaten his power, Maduro would not find it necessary to implement suppressive actions against any opposition. By decreasing the opposition's influence in government, the current events also allow Maduro to regain any lost power or hold over his country. He regained power of the National Assembly, and international pressure has relatively reduced. However, the instability within Venezuela is still present and still keeps political opposition at risk of falling victim to major human rights violations. The current events have allowed Maduro to gain enough power internally to do virtually whatever he wants which time after time has proven to be his objective. The persistence of civil unrest is inevitable because of the continuing economic recession, corruption, and lack of basic necessities. Maduro has witnessed civil unrest threaten the power of Chavez and his personal regime before, so the government will feel incentivized to carry out targeted mass killings against civilians in order to obtain and maintain Maduro's objective. By killing civilians, Maduro will assert his power over the already vulnerable population which will deter other civilians from supporting oppositional forces. Maduro has tried to distinguish his supporters from his opposers. In the 2018, he gave a "prize" to those who voted. The prize was an ID that was required in order to receive access to housing, pensions, medical procedures, and boxes of food (Human Rights Watch, 2018). Targeting political opposition, especially in Venezuela's case, is difficult because it is hard to differentiate one group from the other. Unless civilians have a physical trait that excludes them from the other, and government would use documentation to

determine an individual's inclination, such as a government-issued ID. In order for Guaido to achieve victory and officially oust Maduro out of his presidency, Guaido would need to stage a coup d'état. His strategy to constitutionally overthrow Maduro was hopeful, but it did not sufficiently illegitimate Maduro's election. Maduro claims Guaido and the United States have attempted numerous coups, contributing one of them to the arrested retired general Cliver Alcalá. Even if Guaido manages to retrieve power and Venezuela begins the transition to a democratic governing body, the country is still at risk of civil war and violence. The United States' hostile international influence by directly challenge Maduro on multiple occasions will only increase the probability politicide occurs. The balance of power teetered between Guaido and Maduro since Guaido swore himself in as interim president; however, the past year has tipped in Maduro's favor. Based on my analysis of Maduro's past and present behavior, I believe the current political, economic, and social events all lean towards Maduro implementing actions that would escalate into major human rights violations. Whether Guaido manages to overthrow Maduro's government or the political opposition remains weak but present, the potential that Maduro will use his military to murder, imprison, persecute, or enforcing disappearance of political opposition remains likely. The potential remains likely because in either scenario his power is threatened and he maintains enough power and influence from the legacy of the Bolivarian Revolution to fight against his opposition. The would-be victims of major human rights violations have a limited capacity to fight back. Guaido has some sympathizers within the Venezuelan army. Many citizens do not have access to enough weapons to raise a militia. One Venezuelan man interviewed by The Washington Post about the economic downfall stated "criminals have to kill a cop to get a gun" (Sheridan and Zuniga and Krygier, 2019). The economy has rendered civilians helpless against state issued violence. Guaido's and civilian's

main capacity to fight back depends upon international support of Guaido, specifically the United States. The U.S. maintains motive to remove Maduro from power evident through indictments of Venezuelan officials, sanctions, and placement of the U.S. naval ship along the Caribbean. The U.S. request for Guaido to step down has left uncertainty within Venezuela. The U.S. implements actions against Maduro outside of Venezuela but simultaneously pull back influence within Venezuelan borders. I think the U.S. is trying to place pressure upon Maduro to step down, but if violence breaks out within Venezuela, the U.S. will not help defend the political opposition. The United States has experienced enough failures while intervening such as Bay of Pigs and the Bosnian Genocide. These past failures have caused the U.S. to hesitate in physically intervening abroad using military means. Whether the U.S. will continue to diplomatically support a resistance against Maduro is difficult to conclude. The U.S. holds many batons within Venezuela and the complexity of their government's decision making is overwhelming. However, the U.S. is likely to value a beneficial economic outcome over supporting a potentially failed coup. Also, many experts predict the coronavirus pandemic will lead nations to look inward and implement more isolationist policies immediately following the pandemic, so U.S. support diplomatically or militarily is unlikely. The Venezuelan governing body remains unstable due to the continued political threat from the opposition. The economy shows no signs of improvement. The IMF foresees by 2022 "Venezuela's GDP per capita (PPP) will be just \$12,210 which would be a massive economic setback" (Desjardins, 2017). The decline in the standard of living and consequently the rise of civil unrest is another setback for Venezuela. The current state of Venezuela's government, economy, and society do not allow for much hope. As each sector deteriorates by the hands of the key political actors, major human rights violations seem more and more likely to occur. The likelihood of international intervention

also seems unlikely. Considering Rwanda and past occurrences of major human rights violations, the international community fears involvement in conflicts that threaten sovereignty and that risk the lives of their own countrymen. And the current worldwide pandemic will further deter nations from rescuing persecuted Venezuelans because their constituents will be displeased with countries sending resources to other countries while they continue to suffer domestically.

The precipitating factors continue to pile on top of one another on an already unstable foundation. The status of Venezuela is like a game of Jenga being played on a house of cards. The house of cards is the underlying risk factors: poverty, unstable government, and political conflict. The Jenga pieces are the precipitating factors: elections, coup attempts, protests, and hostile international interference. The house of cards already struggles to stand alone, and with the added weight from each piece quickly piling on top it is only a matter of time until Maduro decides he has had enough of the game and knocks over the entire structure, i.e. carries out politicide or other major human rights violations. Maduro has already persecuted his political opposition and suppressed civilian unrest through violence. Operation Peoples' Liberation was created by the government as a response to protests. Two years after its creation, over 500 people had been killed from OLP raids (Human Rights Watch, 2018). In order for a large scale of major human rights violations to occur, Maduro's regime needs to be threatened more. Combining the pressure from the United States, political opposition, and civil unrest, only time can add enough strain on Maduro until he acts against the Venezuelan population. If Maduro does commit politicide, every Venezuelan will be affected. In the 2014 protests, police arrested demonstrators and bystanders. Even with identification, Maduro's armed forces will find it difficult to determine Maduro's supporters and may target anyone near protests or connected to the opposition. The form of the potential major human rights violations will most likely be politicide

through killing, detention, or forced migration. The killing of protestors through OPL raids have already occurred, and the officials that oppose Maduro have been detained or forced seek refuge in embassies or other countries. It is only a matter of time until Maduro's behavior escalates. There is the inevitability of error within one's prediction regarding human behavior especially when one's behavior is influenced by many actors. I was not able to analyze and understand every actor's influence over Maduro. Despite the absence of my analysis of certain actors, this does not dampen their importance in the issue. The actors that I did not address like China, Russia, Cuba, and the Cartel of the Suns, still hold a valuable pawn in the conflict within Venezuela. I did not include an analysis of the cartel's involvement with Maduro because so far it is all speculative. The Cartel of the Suns is cells within the Venezuelan military that traffic cocaine and have rumored connections to Maduro and other officials. Maduro's nephews, Efrain Campo and Franqui Flores, are drug dealers, and their arrest led to the indictment of Maduro and other government officials on charges of drug trafficking and "narco-terrorism" in March 2020 (New York Post, 2020, Vincent). Of the many officials indicted by the United States, the new oil minister of PDVSA is one of them (Newman, 2020). However, the officials receiving indictments have yet to go on trial and face prosecution. While the probability Maduro's regime has ties to the cartel is high, the lack of undeniable evidence is not enough to justify a deep analysis of the cartel as a key actor. There are a handful of options to reduce the threat and likelihood of major human rights violations. The state of Venezuela first requires short term actions to deescalate the situation and open doors for negotiation and peace domestically and internationally. In order for these actions to be successful, both sides need to overcome cognitive challenges and understand that an agreement will produce a beneficial outcome for Venezuela and their political parties. Actions that can be taken domestically to produce a short term

reduction of tensions are the release of prisoners, end to judicial and police persecution, and restoration of National Assembly powers (Crisis Group, 2020). Another short term action included negotiations over humanitarian aid and economic relief. By providing aid and relief to Venezuela and its citizens, civil unrest and the refugee crisis could lessen dramatically. The lowering of protests and riots will ease pressure off of Maduro making it less likely for him to feel threatened by his opposition. Long term would be the construction of a stable government with free and fair elections. As a way of lessening the threat to Maduro's reign, Maduro should be entitled to run for re-election, and prior to the election an interim government should be created where the head should be nominated by both sides (Crisis Group, 2020). The United States should also phase out sanctions as Venezuelan conditions improve. The European Union could also use targeted sanctions to ensure compromise within the government and that term limits are reinstated. There is hope for Venezuela to not endure anymore human rights violations, but the potential for conditions to escalate is still likely. If conditions do escalate, the international community should step in. Most nations will find no desire to send troops into Venezuela and wage war against Maduro's regime. However, states should at least offer aid to refugees or offer themselves as a mediator between Maduro and the opposition opening opportunities for possible negotiation. Nongovernmental organizations can also offer themselves as a mediator because they offer less bias to the situation and both parties may trust NGOs more. While the shift to a more reliable source of foreign revenue for Venezuela is unlikely, the shift towards a more stable government can greatly aid in lessening the likelihood of major human rights atrocities from occurring. Venezuela has endured years of political conflict and civil unrest since the economic crisis, and it is important to continue watching Venezuela with caution as the economy continues to fall, the elections and pandemic unfold, and protests flood the streets.

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Research Project: Venezuela

By: Stephen Moitz

Introduction

Venezuela is currently forgoing a major humanitarian crisis that seems to be getting worse. Previously known as one of the most prosperous economies in Latin America, Venezuela was doing well until about 2016. That year, the economy began to crash, leading to increases in gangs, crime, violence, hunger and more, severely devastating its population. With their resources constantly depleting and the minimum wage now only amounting to a cup of coffee a day, living standards in Venezuela have reached an all-time low. Millions and counting have decided to simply leave the country, and considering the difficulties they are facing, I cannot say I blame them. For those who have remained in their homeland and continue to fight on, the struggles increase day to day. Gangs members have begun persuading kids to “join up” by using food as an attraction, offering them warm meals that their parents are unable to provide due to the country’s current economic status. These same gang members, who have killed and incited violence for years, are beginning to value ammunition much more as the economy falls, for it is considered a luxury to have such “expensive” protection. Just under half a million asylum cases have were filed in 2018, and the number continues to rise as people seek help from neighboring nations. The UNHCR has estimated that nearly 7 million Venezuelans are currently in need of humanitarian assistance, such as housing, food, or even protection. With undernourishment and lack of food stability increasing daily, Venezuelans on average have lost around 24 pounds and are scrapping by for their next meals, making alternatives such as gangs and crime increase tremendously. Horrible crimes such as sex trafficking and SGBV have become common practice in the country and many are suffering daily due to the lack of adequate health systems. During these hard times, women and children seem to be suffering the most, with those either pregnant or kids under five being most vulnerable to malnutrition and disease. Not only are they not able to get the food they need, but they are most vulnerable to sex trafficking as it is one of the only ways people can make money there. You would think there would be an increase in crime regarding robbing banks or valuable homes, but that simply has not been the case. Instead, your typical law-abiding citizens are resorting to robbing restaurants and grocery markets just to try and feed their kids regularly. A crisis of this magnitude will require millions in refugee efforts and years of struggle to recover even half of what the nation used to be. The government has failed the people of Venezuela and continues to do so, and even with major effort, they could never recover the entirety of what they have lost. Neighboring countries will have to struggle with the burden of this crisis, like Columbia who has taken on over a million of the Venezuelan refugees. There are no winners in a situation like this, whether you’re an Venezuelan who has just lost your home and possibly family members or loved ones; if you’re a Columbian who now has to pay for these new refugees huddling at your boarder; or if you’re part of the failed socialist government that thought it would be wise to base the entirety of the country’s economy on the price of oil barrels, everyone is losing.

Brief History

Venezuela is currently experiencing a serve crisis, but the country was not always in this state of detriment. As a nation that possesses the world’s largest crude oil reserves, it used to be a relatively stable democracy with an economy growing at a faster rate than most countries in the America’s. The

nation was so rich in petroleum revenues that its government, under the former president and socialist Hugo Chavez, was able to provide massive amounts to social programs, including free heating oil to his impoverished citizens.

It began back in 1922, when an oil well in the Maracaibo basin (western Venezuela) started producing about 100 thousand barrels of oil per day. This large quantity of oil hinted to the potentially massive amount of reserved beneath the country. The Venezuelan government at that time was controlled by dictator Gen Juan Vicente Gomez, who allowed over a 100 differing foreign oil companies to enter the country. By 1928, they had become the world's second biggest petroleum exporter. As the years went by, the nation's military regime was enriched by the oil revenues, and even more so once they enacted a law in 1943 that required all foreign oil companies to turnover half of their profits. This law (The Hydrocarbon Law), also sought to reform the oil sector by funneling funds into government coffers, and offset the 98% of its oil market being run by just three foreign entities (Royal Dutch Shell, Gulf, and Standard Oil). The law was so successful that within five years, the government's income was increased six-fold. The massive amounts of revenue allowed many citizens at the time to flee rural poverty and live better lives, but it is argued that this was merely a surface-level solution to the country's bigger problems. Professor Miguel R. Tinker Salas of Latin American studies and history at Pomona College in California states, "Even before the rise of the oil industry Venezuela did not have a highly productive agricultural sector" which suggests that the country was becoming increasingly dependent on its oil profits. He also stated that, "Land was monopolized by a handful of powerful families, infrastructure was lacking, and the country lacked a nationally integrated economy." These oil profits, however, allowed cities such as Caracas to enable citizens and advocated for the continuation of petroleum dominance over other economic sectors.

A few years later, in 1958, the people of Venezuela would overthrow ruler Marcos Pérez Jiménez, who began his political regime as a military captain who took part in the 1945 coup that allowed the left-leaning Democratic Action Party (DPA) of the time to take power. Once in power, he installed himself, along with two other officers as the country's leaders, voiding the Constitution and outlawing the DPA due to his opposition of their accelerating changes. In the years to come, General Pérez Jiménez was a brutal ruler, forcing many of his former associates into exile while torturing, murdering, and incarcerating hundreds of his opponents. He closed the national university, abolished labor unions, and intimidated the press with his abrasive National Security police force. With him finally out of the picture, Venezuela's remaining three political parties agreed to the Punto Fijo Pact which allowed them to convert to a democracy and elect opposition leader Rómulo Betancourt, who is widely regarded as the father of Venezuelan democracy. Under this pact, it was guaranteed that state jobs and oil rents would be divided out to the three parties in proportion to voting result, and thus allowing Venezuela to have its first stable democratic government. It protected against future dictatorships and ensured that oil profits would be condensed to the state.

Following this new era was Venezuela's decision in 1960 to join Iran, Iraq, Kuwait, and Saudi Arabia as a founder for the Organization of the Petroleum Exporting Countries, or better known as OPEC. Many other large oil producing nations would later join, and together they coordinated prices and allowed states more control over their industries. During that same year, the country established its first oil company and increased oil company income tax to 65% of profits. Years later, in 1973, Venezuela enacted a five-month OPEC embargo on countries that were backing Israel in the Yom Kippur War. Although this angered western leaders, the move quadrupled oil prices, thus making Venezuela the

highest per-capita income country in Latin America at the time. Within two years, it is claimed that the windfall added around \$10 billion to state coffers, which led to massive corruption (graft) and mismanagement. By the mid-1970s, management of national assets began deteriorating immensely. With so much money coming in, the president at the time (Carlos Perez) established a program called "The Great Venezuela" that would end in a financial and social disaster. In an attempt to convert southern Venezuela into a long-lasting profitable economic region, the government invested close to \$2 billion in industrial projects. Eventually there were more than 300 state-owned companies, yet none of them were profitable. On top of this, President Carlos Perez nationalized the oil industry and created PDVSA (Petroleos de Venezuela S.A.) in 1976 and structured the company to operate as a business with very minimal government regulations. This combination of massive government expenditure and insufficient enforcement of regulations allowed for corruption to spike significantly. Before this, only the ruling elites were practicing graft, but now lower classes too began to participate in the abuse of public funds.

When the global oil prices began to fall in the 1980s, Venezuela's economy took a hard hit as it contracted, and inflation started rising. It did not help that the nation had also accumulated a massive amount of foreign debt by making risky purchases, such as Citgo in the United States. Corruption in Venezuela from this time and onward would remain relatively high, the administration of former President Jaime Lusinchi was not an exception. According to an estimate from Venezuelan sociologist Ruth Capriles at the Caracas Andres Bello Catholic University, \$36 billion was potentially stolen through his corrupt exchange control program. There are several factors that resulted in this level of corruption. At the time, they had weak political institutions, a lack of administrative controls, and a vast amount of money circulating in the financial system. Debatable the most significant factor, however, was that they had populist leaders promoting a welfare system that did not encourage hard work or social discipline. In 1989, the re-elected President Carlos Perez would now have to juggle the weight of \$33 billion in debt. His solution was to implement a new fiscal austerity package in an attempt to re-boot the economy and receive a financial bailout by the International Monetary Fund (IMF). This resulted in big changes, such as instead of the interest rates being determined by the Central Bank of Venezuela, they would now be determined by the market. This privatized public services and goods, such as gas, that were subsidized before. The price of these goods/services now increased to match the price of the market. Tariffs that had been in place before to protect national industries were scrapped, making the markets completely open. This meant Venezuelan companies would now have to compete in equal conditions with foreign companies that wanted to enter the country's markets and establish a presence. It resulted in massive failure as citizens rioted in the streets, vandalized the cities, and became violent. It quickly became a national emergency and armed forces were used to control the situation, resulting in the death of hundreds. The government then implemented a nationwide curfew and suspended many civil liberties.

Fed up with many failed attempts to successfully govern the people of Venezuela is a man named Hugo Chavez, a military officer who would launch a failed coup in 1992 that gave him national fame. The country was ready for a significant political change, and by the end of the 20th century they were looking to Chavez. During his run for presidency in 1998, he promised he would bring about radical political reform, and was perceived as someone who spoke and acted like a "true Venezuelan." Once elected and inaugurated in 1999, Chavez took advantage of his popularity and convoked a Constituent Assembly (in violation of the existing constitution) that possessed absolute power to write a new constitution and redefine the state. This assembly resulted in the dissolve of the democratically elected

Congress, an end to term limits, and dismissal of all members in the Supreme Court. This dismissed the Attorney General, the General Comptroller, and most judges in the country. They were all replaced by bureaucrats that were loyal to him, and thus his socialist-authoritarian regime began. He then harassed the press and closed any independent news outlets. For the next decade and a half, Chavez would implement massive social spending by redirecting oil profits to address social inequality in what he would call, "Bolivarian missions." Although these missions would expand social services and cut poverty by nearly 20%, they also made the nation more increasingly dependent on oil production. He made many risky and seemingly costly decisions, such as firing thousands of the PDVSA workers who had taken part in an industrial strike, thus gutting the company of important technical expertise. On top of that, throughout the course of his presidency, which lasted until 2013 because he died of cancer, Chavez subsidized oil to several countries in the region through an alliance known as Petrocaribe. This alliance resulted in strategic petroleum reserves to dwindle and government debt to double.

After Chavez died in 2013 and paved the way for dictatorship to come, he would then be replaced by his hand-picked successor Nicolás Maduro. Nicolás Maduro was a former trade unionist who served in Venezuela's legislature from 1998 until 2006 and held the position of National Assembly president from 2005 to 2006 when he was selected by President Chávez to serve as foreign minister. Maduro retained that position until mid-January 2013, concurrently serving as vice president beginning in October 2012, when President Chávez placed him in that position following his reelection. Maduro often was described as a strong Chávez loyalist. Fast forward to 2013, President Maduro (the nation's current leader) won his election by a small margin of 1.6% over his opponent Henrique Capriles, who believes the election was illegitimate and demands that there be a recount of the votes. He is not the only one, as many western nations have stated they feel the same, including the United States. Regardless, he remained the leader and has been since then. He claimed he would continue the work of Chavez and thus pursue an economy like socialist Cuba.

When the global prices for oil began to tumble again in 2014, the economy went into a free fall in which it has had very little recovery, if any. As the people of Venezuela began to feel unrest, Maduro began consolidation of power through political repression, censorship, and electoral manipulation. These factors alone provoke concern as they mimic the actions of the previous dictatorial regimes, such as Marcos Pérez Jiménez's.

Analysis of Underlining Risk of Major Human Rights Violations

From 2013 to about 2018, the stage is set by this new radical president, and the political atmosphere would change immensely. Several factors suggest that a major human rights violation is on the verge, if not already in progress. After his highly questionable election in 2013, the opposition party (Democratic Unity Roundtable lead by Henrique Capriles) alleged that there were "significant" irregularities in the election and protested the outcome. They began to believe that Maduro was trying to consolidate his powers, which was highly probable. Security forces (Maduro's forces) and civilian groups who supported Maduro violently suppressed the protests and began restricting freedom of speech and assembly. In 2014, around 43 people died and an estimated 800 were injured in clashes between pro-Maduro forces and student-led protesters concerned about rising crime. On top of this, Maduro began imprisoning opposition figures, such as Leopoldo López, the head of the Popular Will (VP) party, who was sentenced to more than 13 years in prison for allegedly inciting violence. Leaders like him were being silenced for speaking out against Maduro, and after the deadly protests, were being

blamed for the bloodshed. In February 2015, the government again cracked down. There was a massive series of protests through the year of 2015, mainly due to the poor economic state of the nation and the national shortages. Unfortunately for the people of Venezuela, however, these protests began to dwindle later into the year as many became preoccupied with simply finding food and resources.

By the December 2015 legislative elections, the Democratic Unity Roundtable (Known as MUD) captured a two-thirds majority in Venezuela's National Assembly, marking a major setback for Maduro's power hold. Maduro did not want to play fair though, and the PSUV-aligned (United Socialist Party of Venezuela) Supreme Court blocked three of the MUD deputies from taking office. This deprived the opposition of a two-thirds majority, and reaffirmed Maduro's hold. From January 2016 through August 2017, the Supreme Court blocked laws and assumed the legislature's functions, further violating the constitution's installment of a separation of powers. At the same time, opposition efforts in 2016 focused on attempts to recall President Maduro in a national referendum that was delayed and then suspended by the CNE (National Electoral Council). In late 2016, most of the opposition (except the VP party) agreed to talks with the government mediated by the Vatican; the former leaders of the Dominican Republic, Spain, and Panama; and the head of the Union of South American Nations. By December 2016, the opposition had left the talks due to the government's lack of progress in meeting the commitments they had agreed upon.

In 2017, the Maduro government continued to harass and arbitrarily detain his political opponents. In addition, President Maduro appointed a hardline vice president, Tareck el Aissami, former governor of the state of Aragua and designated by the United States as a drug kingpin. He fits all meaning in the title, as he is currently on the Most Wanted List by the U.S. Immigration and Customs Enforcement for alleged international narcotics trafficking and money laundering. By this time, popular protests had dissipated, and the citizens of Venezuela had little power over Maduro. In addition to restricting their freedom of assembly, the government started to crack down on media outlets and journalists further to repress media coverage. Despite the obstacles, however, the MUD got reenergized in response to the Supreme Court's March 2017 rulings to dissolve the legislature and assume all legislative functions (violating the constitution). After domestic protests, a rebuke by then-Attorney General Luisa Ortega (a Chávez appointee), and backlash from the international community, President Maduro told the court to revise those rulings, and it did. It posed as a seemingly decent step forward for Venezuela until a little later that year. In April 2017, the government banned opposition leader and two-time presidential candidate Henrique Capriles from seeking office for 15 years, resulting in an angry opposition and fueling more protests. From March to July 2017, the opposition engaged in large demonstrations against the government, calling for President Maduro to release political prisoners, respect the separation of powers, and hold an early presidential election. Clashes between security forces (along with armed civilian militias) and protesters left more than 130 dead and several hundreds injured.

In May of 2017, President Maduro announced that he would hold a constituent assembly to revise the constitution and scheduled in July for 30 elections to take place in order to select the delegates for the assembly. The Supreme Court then ruled that Maduro could have the assembly without first holding a popular referendum (which the constitution normally requires). The opposition obviously boycotted, arguing that the elections were unconstitutional. This position taken by then-Attorney General Ortega and even international observers (including the United States) as well. Despite an opposition boycott, however, the government still orchestrated the July 2017 election with a 545-

member National Constituent Assembly (ANC). Even though many countries do not recognize it as legitimate, including the U.S., the ANC dismissed Ortega from office and declared itself superior to all other branches of government. The ANC also approved a decree allowing it, and no longer the National Assembly, to pass any legislation. Ortega was forced to flee Venezuela in August 2017 and has since spoken out against the Maduro government.

President Maduro held the upper hand over the MUD, disregarding any international condemnation of his actions. In October 2017, the PSUV won 18 of 23 gubernatorial elections (elections for governors). With the discrepancies between opinion polls and the election results, the opposition believed that there was fraudulence in these elections but could not prove it to be widespread. However, there is evidence that the PSUV influenced the voters by placing food assistance card registration centers next to polling stations, a practice utilized in previous elections. The MUD coalition had rejected the election results, but four victorious MUD governors took their oaths of office in front of the ANC (rather than the National Assembly), which fractured the coalition.

The opposition was in disarray, wary of how to further approach the escalating political situation. President Maduro continued to consolidate power and began blaming U.S. sanctions (evoked by President Trump) for the country's economic problems. In further retaliation, Maduro fired and arrested the head of PDVSA and the oil minister for corruption. He appointed a general with no experience in energy to fill both positions, consolidating military control over the economy. Not long after, the ANC approved a law to further restrict free speech and assembly. Although most opposition parties did not participate in municipal elections that would be held in December 2017, a few fielded candidates. Regardless, the PSUV won over 300 of 335 mayoralties.

The original constitution established that the country's presidential elections would be held in December 2018. Even though many major opposition politicians had been imprisoned, barred from seeking office, or even put in exile, some MUD leaders tried to unseat Maduro through elections. Those leaders negotiated with the PSUV to try to obtain guarantees for the election, such as a reconstituted CNE and international observers, to help ensure the elections would be as free and fair. In January 2018, the ANC ignored those negotiations and even called for elections to be moved up from December to May, violating the constitution. The MUD declared an election boycott, but Henri Falcón, former governor of Lara, broke with the coalition to try and run. The election had little competition and took place within a climate of state repression. There were no internationally accredited election monitors. The government coerced its workers to vote and placed food assistance card distribution centers next to polling stations once again. It was reported by the CNE that Maduro received 67.7% of the votes followed by Falcón with 21%. Even more intriguing was how voter turnout was much lower in 2018 than in 2013, a comparison of 80% to a mere 43%. After independent monitors reported widespread fraud, Falcón called for new elections to be held.

Following the disputed election, Maduro faced mounting economic problems, coup attempts, and increasing international isolation. His government began acting, first by releasing some political prisoners. They then established Delcy Rodríguez, former head of the ANC and former foreign minister, as the executive vice president. Not long after, they made changes to increase his control over the judiciary and the intelligence services. They also arrested anyone perceived as threats, including military officers and an opposition legislator accused of involvement in an alleged assassination attempt against Maduro. Foro Penal and Human Rights Watch documented many cases in which those accused of

plotting coups were subjected to “beatings, asphyxiation and electric shocks.” The October death of the in-custody Fernando Albán, an opposition politician, started further domestic and international outrage with the Venezuelan government.

Maduro would begin his second term on January 10, 2019. The United States, the European Union (EU), the Group of Seven (an international intergovernmental economic organization with the seven largest economies in the world), and most Western Hemisphere countries do not recognize his mandate as legitimate. They view the National Assembly as the only democratic institution in Venezuela, and just 5 days before the start of Maduros second term, they sought to put their own representative in power. On January 5, 2019, the National Assembly elected Juan Guaidó, a 35-year old industrial engineer from the VP party, as their president. By mid-January, Guaidó announced he was willing to serve as interim(temporary) president until new elections were held. With support from the huge turnout of protests he called for, Guaidó took the oath of office on January 23, 2019. The United States and more than 50 other countries recognized Guaidó as interim president.

In 2019, Guaidó’s supporters organized two high-profile but ultimately unsuccessful efforts to get security forces to abandon Maduro. The first in February, where Guaidó supporters sought to bring emergency aid into the country across borders that Maduro had closed but did not work. The second on April 30, when Guaidó called for a civil-military uprising. Guaidó and his allies hoped that sustained protests and international pressure would lead to enough military defections to get Maduro to leave office, but that did not happen. Aside from the former head of the national intelligence agency (General Manuel Christopher Figuera), who supported the April 30 uprising, the military high command remained loyal to Maduro. Many speculate about how Maduro has retained the loyalty of most security forces in Venezuela. Truth is, military leaders have enriched themselves through corruption, drug trafficking, and other illicit industries. Some of these military leaders also fear that they could face prosecution for human rights abuses under a new government or even extradition abroad. The U.S. government has said it might remove sanctions on officials who abandon Maduro (as they did with General Figuera), but the reality of that could be difficult, depending upon the individual and sanctions involved. The fear could also be aimed toward Maduro himself, as Venezuelan intelligence officials, trained and supported by Cubans, arrest any dissidents within the military. In June 2019, a naval officer died after being tortured in custody when his loyalty to Maduro was questioned. It seems, however, that neither Maduro nor the opposition are perfect when a corruption scandal involving opposition legislators in late 2019 caused Guaidó’s credibility to take a hit.

Since Maduro took power in 2013, several factors have come into play that seem evident of a potential human rights violation to come. He has abolished the previous Venezuelan constitution and installed a legislature that is entirely loyal to him while abandoning the old legislature. He has suppressed the media into submission and when protests arise, he has used his security forces to end them by any means necessary, even resulting in the death of many. When opposition leaders rise and stand against Maduro, he has imprisoned, exiled, or even eliminated them. The only standing democratic institution left in Venezuela is the National Assembly, led by Juan Guaidó and back by foreign entities such as the United States. While the two parties fight to hold power, the political situation in Venezuela has escalated tremendously. This division makes the country unstable as it is unknown what will result, and what possible radical solutions could come about.

Analysis of Current Event and Key Political Figures

As time continues, the possibility of a human rights violation to occur is quite likely. Due to the political figures in power now, the possibility of a civil resolution without dire consequences seems less and less achievable. It is a political war zone (and in some ways a physical one as well) between Maduro who wants to maintain and extend his power, and Guaidó who was elected by the constitutional legislature and wishes to return Venezuela to a democracy. It became public in May of 2019 that Norway would try and mediate talks with Maduro and Guaidó that could have led to a negotiated solution to the political crisis and establish conditions for internationally monitored elections to be held. Hopes faded, however, after Maduro stopped participating in negotiations in early August 2019 following new U.S. sanctions and Guaidó pulled out of the process permanently in September.

Despite backlash from Maduro, Guaidó has pressed forward on his fight for power. As of March 2020, Guaidó continues to retain broad diplomatic support evident of his three-week diplomatic tour in early 2020, but still lacks domestic political power. Guaidó has called for renewed protests, but Venezuelans are growing weary of the mobilization efforts. In early January 2020, Maduro used National Guard troops and armed civilian militias known as *colectivos* to block Guaidó and other opposition legislators from entering the National Assembly. This was widely condemned, and even by governments that recognize Maduro as president. Although 100 of 167 legislators were able to gather in an off-site location to reelect Guaidó as the Assembly president, they continue to lack access to their building. With many in exile or under detention, they may struggle in the future to keep the minimum number of members required to make the proceedings of the meetings valid. In addition, disagreements persist about whether to participate in legislative elections, which are due by the end of 2020. The opposition also disagrees about whether to push for legislative or general elections this year and about what minimum requirements are needed to ensure the integrity of those elections. Experts say that these requirements may include new leadership at the CNE (National Electoral Council); international observers; a new voting process; and the prevention of abuses from state resources. Maduro and his allies have an incentive to support legislative elections in order to try to recoup control of that body and maintain a legislature that can approve new economic plans, but it is unclear why he would agree to new presidential elections. For the opposition, participating in rigged elections risks losing control over the legislature. On the other hand, if the opposition boycotts the elections and a National Assembly favorable to the Maduro government is elected, Guaidó would risk losing his legitimacy as Interim President in January 2021.

It will seem as if Maduro has a plan to recover his lost power by using the opposition's system against them. He retains control over his security forces and all the branches of the federal government except the National Assembly, economic resources (legitimate and illegitimate), state and municipal governments, media outlets, and food aid on which millions are dependent. Analysts have predicted that Maduro could urge the smaller parties to move up the National Assembly elections that are due to be held by December 2020. Even though they lacked a number of members needed to promote validity, those parties voted, possibly after receiving bribes, with the PSUV (United Socialist Party of Venezuela) legislatures to elect Luis Parra as the new head of the National Assembly in January 2020. It is predicted that Maduro will try and make it seem like he is running Venezuela under a democracy but continue his inhumane practices with his security forces and armed civilian militias to further harass Guaidó and the opposition.

While Maduro and the Guaidó battle it out for power, the real ones suffering during all this are the people of Venezuela. Many human rights organizations have expressed deep concerns about the deterioration of democratic institutions and threats to freedom of speech and press. Abuses have increased, as security forces and allied with the *colectivos* have been deployed to violently quash protests. According to the reports it is indicated that these forces used excessive force to deter demonstrations, crush dissent, and instill fear. It was also reported that many of those detained were subject to cruel, degrading treatment that in some cases amounted to torture. In February 2019, the Venezuelan Human Rights group Foro Penal documented, “seven deaths, 107 arbitrary detentions, and 58 bullet injuries that resulted from the use of force by state security forces and colectivos that blocked aid from entering the country on February 22-23, 2019”. Then, in October of 2019, the International Labour Organization (ILO) Commission of Inquiry published findings citing violations on several accounts by the Maduro government. The report documented the murders of more than 30 trade unionists from 2015 to 2018, physical attacks on trade unionists that remained in impunity, and the detention and subjection of unionists to military tribunals. Just a month later, a *Reuters* (an international news organization) investigation of the Special Action Force of Venezuela’s National Police (FAES) documented 20 killings by the force, a group that has been accused of hundreds of such killings. In addition, another report published by Reuters in February 2020 describes how convicted criminals are part of the FAES ranks. Fast forward another month to March 2020, and the U.S. State Department’s Country Report on Human Rights Practices cited “extrajudicial killings by security forces, including colectivos; torture by security forces; harsh and life-threatening prison conditions; and political prisoners” as some of the most serious human rights abuses in Venezuela. According to the report, new issues include “intimidation, harassment, and abuse” of legislators. These reports and accusations would suggest that a human rights violation is not only imminent, but already in progress.

When the U.N. High Commissioner for Human Rights, Michelle Bachelet, visited the country back in June of 2019, the report her office issued afterward was profound. The report documented a range of significant human rights abuses practiced by the Maduro government, including evidence that security forces committed about 6,800 extrajudicial killings from January 2018 through May 2019. In the report were details on how intelligence agencies have arrested and tortured those perceived as threats to Maduro, including military officers and opposition politicians. It describes deteriorating conditions for freedom of expression and asserts that the Maduro government “is violating its obligations to ensure the rights to food and health,” and that “indigenous peoples have been disproportionately affected” by those violations. Within a year, Maduro and his forces have been able to murder almost 7000 people and destroy the livelihood of many more, all to continue their political regime. The worst part is that these practices are still being used today, and potentially at a rate higher than before. It is predicted that repression will continue in Venezuela as Maduro seeks to wrest control of the National Assembly from Guaidó. Another report from Foro Penal stated that there were an estimated 381 political prisoners in Venezuela as of mid-February 2020. Some of the prisoners being held by Maduro’s intelligence police are Juan Requesens (a legislator detained in August 2018), Roberto Marrero (Guaidó’s chief of staff detained in March 2019), and Gilber Caro (a legislator released in 2018 and then rearrested in December 2019). Nearly 36 other legislators are in state custody, in exile, or have sought refuge in a foreign embassy.

Maduro is sending a message to the people that is quite clear: if you stand against me, I will ruin your life. It is no wonder that many are beginning to worry that Guaidó himself could face arrest or exile,

or how that is not already the case. His life is obviously in extreme danger, as he is the single most powerful political figure standing against Maduro in the country. Just back on February 29th 2020 Guaidó was holding a protest and a man deemed to be loyal to Maduro was pointing a gun at his head. This same protest was later suppressed by security forces on March 10th with the use of tear gas. Again, the message is clear, and Maduro will go to any length to suppress the people of Venezuela.

The political battle these people are facing is one of many serious issues they must deal with. Even before the recent phase of political upheaval, Venezuelans were already facing a humanitarian crisis due to a lack of food, medicine, and access to social services. Political persecution, hyperinflation, loss of income, and oppressive poverty only contributed to the dire situation. Household surveys have estimated the percentage of Venezuelans living in poverty increased from 48.4% in 2014 to 94% in 2018, with this number growing tremendously through 2019 and into 2020. U.N officials estimated that, “approximately 7 million people were in need of humanitarian assistance, with pregnant and nursing women, those with chronic illnesses, indigenous people, migrants, children under five, and people with disabilities particularly in need.” As the people grew poorer, many have fled the country in search of asylum elsewhere. In February 2020, it was estimated by the U.N. High Commissioner for Refugees (UNHCR) that more than 4.8 million Venezuelans had left the country (more than 17% of the population). Further reports by the UNHCR have suggested that by the end of 2020, the number of Venezuelan refugees and migrants could reach over 5.5 million. The crisis in Venezuela has affected the entire region. Neighboring countries, particularly Colombia (where more than 1.6 million of the refugees have gone), are being strained when absorbing arrivals who are often malnourished and in poor health. The spread of previously eradicated diseases, such as measles, has become a major concern along with new coronavirus that just recently developed out of China.

Venezuela also faces a massive problem with criminal activity. Gangs and drug cartels are found all over the country and have increased in popularity over the years due to the decrease in the country's standard of living. Some reports have stated that ordinary civilians are easily recruited to these gangs and cartels by simply offering them food and shelter, commodities that are becoming increasingly scarce. Law-abiding citizens are forced to the extreme when resources get low and will rob stores and restaurants in order to make ends meet. When no other reasonable options are available, they are easily manipulated into joining these criminal organization. Not only would it put food on the table and feed their families, but the according to reports, the drug cartels are thriving in a lucrative industry. WOLA (the Washington Office on Latin America) reported that almost 210 metric tons of cocaine were transferred through Venezuela in 2018, and it is estimated that number could have risen since then. The U.S. State Department reported in its *2020 International Narcotics Control Strategy Report* (INCSR) that Venezuela was one of the preferred trafficking routes for the transit of illicit drugs out of South America, especially cocaine, because of the country's porous border with Colombia, economic crisis, weak judicial system, lacking international counternarcotics cooperation, and permissive and corrupt environment. The partnership that Venezuela has with Colombia has provoked many of Colombia's illegally armed groups to set up operation in Venezuela, who are attracted by the country's instability, weak institutions and lawlessness. Not only are citizens joining these groups, but many in the government do as well. Hugo Carvajal, Venezuela's former intelligence chief, was just extradited to the United States in March of 2020 to stand trial for drug and weapons trafficking. In March 2019, a U.S. court charged former Vice President Tareck el Aissami with violating the Foreign Narcotics Kingpin Act. These are merely two examples of an on-going phenomenon happening within the Venezuelan government.

Along with these massive drug empires, there have been reports of massive human trafficking as well. As the economic situation in Venezuela has continued to deteriorate, criminal groups have subjected men, women, and children to human trafficking both within Venezuela and abroad. Within the country, victims are being trafficked from rural to urban areas to serve as prostitutes or domestic servants. While Venezuelan women and girls are often trafficked abroad for sexual exploitation, men and boys are trafficked for forced labor and/or are forcibly recruited by Colombian illegally armed groups. The human trafficking measures have increased significantly as many flee the country, due to these migrants lacking identity documents and work permits.

In addition to all these serious problems, the coronavirus epidemic has caused for radical changes in the country's already deteriorating situations. Like many other nations around the globe, Venezuela has quarantined millions of its people. Many do not understand how they will survive with no income and no way to get food or essential goods. Travelling in general has become increasingly difficult and risky due to the massive shortage of masks and gloves. One citizen stated, "for those who have them, they pay dear" regarding others who have obtained proper safety equipment. The health employees are feeling the pressure too, as they cannot get the P.P.E. (Proper Protective Equipment) they need to safely service victims of the virus. Throughout the past few years, the health system was already in a terrible state, so consequentially, the system is not nearly as prepared as it should have been. "We have about 80 intensive care beds in the country - Venezuela should have about 2,500," says Dr Freddy Pachano, a doctor in the state of Zulia and president of the National Board of Directors for Postgraduate Medicine. Some of these hospitals do not even have running water or a constant electrical supply, let alone medicine to treat patients of any kind, coronavirus or not. Key workers, including these doctors and nurses, are forced to wait in long lines at the few gas stations that still have fuel to sell. Although this was common among other regions of the country before the virus hit, it is now the norm in almost every region, including big cities like Caracas. As this disaster continues to ravage the country, Maduro is dealing with the situation as he does with many situations in the past. He is silencing media outlets who seek to expose the truth of how the coronavirus is destroying their nation, contrary to the day-to-day TV coverage the government provides expressing how well they are doing in controlling the pandemic. Just last month, a reporter named Darvinson Rojas was arrested after he reported on the coronavirus. Authorities charged him with "advocacy of hatred," and he has since been incarcerated.

According to the C.I.R.I. Physical Rights Index, Venezuela had quite intriguing scores. For freedom of speech, Venezuela received a zero indicating a high level of government censorship. For extrajudicial killing, Venezuela also received a zero indicating a high level of killings by the government. For torture, they again received a zero indicating a high level of torture happening frequently. Although Venezuela got good scores in areas such as women's rights and freedom of religion, the overall human rights score was a 15, a rather concerning number considering the reasons it is that low (killings, torture, etc.). With the acknowledgement of these scores, along with the events currently taking place, it is obvious that a major human rights violation is taking place that could get worse over the course of the next few years. The way I see it, the more the people of Venezuela suffer, they will seek three forms of retaliation: they will fight against the tyranny of Maduro and many will die; they will conform to Maduro's new administration and suffer inhumane living standards; or they will leave their homeland of Venezuela where generations before them have thrived. Either option is a problematic, but they are only ones that these people have from what I have observed.

Conclusion

Venezuela is in a state of mass chaos and its people are suffering. The current ruler, President Maduro has been in power for quite a few years now, and although the nation seems divided, it is likely he will remain president. It is debated, however, whether Maduro can retain his grip on power and how best to help hasten a return to democracy in Venezuela. He has eliminated the Venezuelan constitution and established himself highest political power. When he began his second term in 2018, it was widely regarded as illegitimate within Venezuela and by much of the international community. Maduro has faced tough sanctions by the U.S. and a reenergized opposition under the leadership of Interim President Juan Guaidó. Despite two bold efforts by Guaidó and his supporters to encourage the Venezuelan military to abandon Maduro and sustained international pressure against him, Maduro remains the supreme leader of Venezuela. While holding this status, he has slaughtered many civilians and activists who have protested his might. He silences the media outlets from reporting the truth about his actions and prosecutes anyone who would defy him. Many in the opposition have been arrested, exiled, and even eliminated in the name of Maduro and his regime. Corruption riddles the country as many in the government have engaged in drug rings and human trafficking. Members of Maduros special forces have also been verified as convicted criminals and members of some of these same criminal organizations. As the people endure these harsh times, they are left with difficult choices that involve major sacrifice.

There are faults in my prediction of further major human rights violations in Venezuela. The likely hood of a violation happening soon could be detoured by the recent outbreak of the coronavirus. This virus has caused the situation in Venezuela to become more unstable and unpredictable, as it is to be expected from a major disaster. Due to this, the people of Venezuela might be forced to put aside their differences with the current administration in order to survive the crisis. Although this would probably lead to increased consolidation of power for Maduro, the virus could force the public to subside the level of unrest they feel regarding other aspects of society. They could become less worried about opposing the administration and more concerned about staying healthy and cooperating with Maduro. Another reason is that the news coming out of Venezuela, being as censored as it is, could be in some cases inaccurate or even false. To truly understand the living standard that the Venezuelans endure would involve experiencing that on a personal level, which I have not. It is entirely possible that the level of unrest I have observed is not the true level experienced in the country, and that a large majority of the people consent and even appreciate Maduros unorthodox methods. Finally, it is also possible that by allowing Maduro to remain in power and continue his radicalization of Venezuela, he could reach his own solution to the many problems the country is dealing with. Perhaps he will reunite the public, rebuild the economy, and lower the poverty level. Due to my research, I do not believe this will be the case as it seems quite unlikely, however, it is still possible.

In my opinion, in order to solve the problem in Venezuela, the country must first rebuild the economy, and that might only be possible if Maduro is out of the picture. He has appointed many people in powerful positions due to their loyalty to him, and not their experience in the industry. This is a major reason why PDVSA and other oil companies have failed in recent years, and greatly affected the economy due to their dependence on oil production. It has led to the current crisis that Venezuela faces and the human rights violations the people endure. To solve this, the opposition must obtain power and implement their plan of reform know as, "Plan for the Country: The Coming Venezuela." This plan would allow foreign and private capital to enter the energy sector, allow private money to take majority stakes

in oil projects, set competitive tax rates and create a new regulatory agency of oversee efficiency of hydrocarbon deposits. Oil would remain the priority of the nation, and this plan is estimated to get Venezuelan output back up to 3 million barrels per day in seven years. The plan would also restore market mechanisms and economic freedom, lift price controls, demilitarize security forces, and restore an independent judiciary to allow for a democratic system to be re-established. It would immediately address basic food-supply and medicine shortages that have caused widespread malnutrition and illness by issuing direct subsidies to vulnerable households. This plan would address many of the major issues the country faces but is only possible if Maduro is taken out of office. For that reason, establishing a new administration must be Venezuelans top priority.

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