

# R2P MONITOR

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the Global Centre for the  
Responsibility to Protect

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

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

## R2P Monitor applies the Responsibility to Protect lens to the following situations of concern:

### CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

### IMMINENT RISK

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

### SERIOUS CONCERN

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

## R2P Monitor:

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

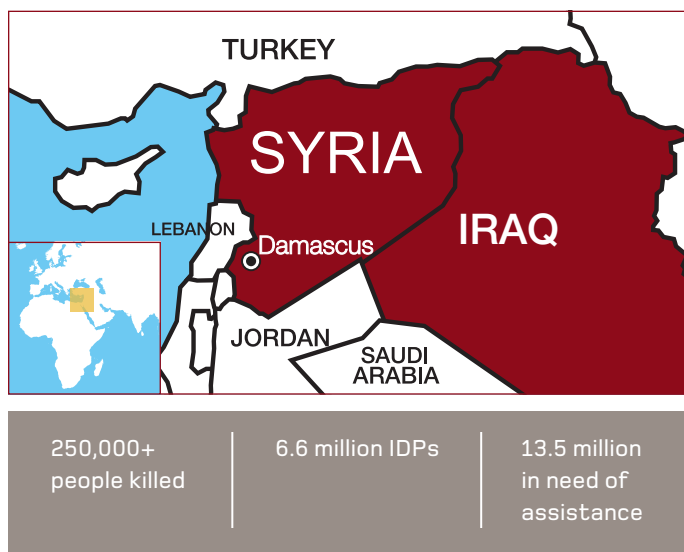
Syria {p. 2}  
Iraq {p. 4}  
Yemen {p. 5}  
Sudan {p. 7}  
Burma/Myanmar {p. 8}

Lake Chad Basin {p. 11}  
Burundi {p. 12}  
CAR {p. 14}

South Sudan {p. 16}  
DR Congo {p. 17}  
Libya {p. 19}

## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



## SYRIA

*The ongoing civil war in Syria leaves populations facing mass atrocity crimes committed by state security forces and affiliated militias. Some armed opposition groups and the Islamic State of Iraq and the Levant are also committing war crimes and crimes against humanity.*

### BACKGROUND

Nearly five years of conflict in Syria has resulted in over 250,000 people killed. The UN High Commissioner for Refugees (UNHCR) reported that as of 17 December there were nearly 4.4 million Syrian refugees in neighboring countries, with at least 6.6 million internally displaced persons (IDPs) – the largest number of people displaced by any conflict in the world. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported on 27 October that over 13.5 million Syrians are in need of "some form of protection and humanitarian assistance" – an increase of 1.2 million people in ten months. All parties to the conflict have impeded humanitarian access to vulnerable civilians, with 4.5 million Syrians in inaccessible areas, an estimated 393,000 of whom are living under siege.

The conflict has been increasingly influenced by the intervention of foreign powers. On 30 September Russia commenced major airstrikes in Syria, claiming it would target the Islamic State of Iraq and the Levant (ISIL), an extremist armed group operating on both sides of the Syria-Iraq border. However, it has been reported that most airstrikes have been on non-ISIL positions held by opposition forces, including civilian-populated urban areas. The Syrian Observatory for Human Rights (SOHR) reported on 20 November that Russian airstrikes had killed 403 civilians, including 97 children. In a 23 December report, Amnesty International said that Russian air strikes on residential areas have killed at least 200 civilians and may amount to war crimes.

In its tenth report, the UN Human Rights Council-mandated Commission of Inquiry (CoI) said that Syrians of all backgrounds "have been the subject of crimes against humanity and war crimes" that are "massive in extent and scope." The UN Secretary-General has called for the situation in Syria to be referred to the ICC.

The government continues to conduct airstrikes in residential areas, contravening UN Security Council (UNSC) Resolution 2139 of 22 February 2014, which demanded all parties cease attacks on civilians and the use of indiscriminate weapons. The Syrian Network for Human Rights reported on 10 January that 17,318 barrel bombs were dropped in Syria during 2015, killing 2,032 people.

The government also continues to obstruct the delivery of cross-border humanitarian aid, contravening UNSC Resolutions 2165 and 2191. On 11 January an aid convoy was finally granted access to Madaya, near the Lebanese border, after a six-month blockade by pro-government forces. Madaya's 42,000 residents represent 11 percent of Syria's besieged population. On 14 January the UN Secretary-General described the use of starvation as a weapon as a "war crime." The Secretary-General said all sides are committing this and other "atrocious acts" prohibited under international humanitarian law (IHL).

On 7 May the Organization for the Prohibition of Chemical Weapons (OPCW) informed the UNSC that its inspectors had found traces of sarin and ricin at three military locations, despite the government's agreement to destroy its chemical weapons stockpile. In addition, an OPCW Fact-Finding Mission created in April 2014 has presented three reports establishing that chlorine continues to be used as a chemical weapon in Syria. The mission's mandate, however, prevented it from attributing responsibility to any party.

Syrian government forces and allied militias have committed large-scale massacres and perpetrated war crimes and gross violations of IHL as a matter of state policy. The CoI has reported that pro-government forces have conducted "widespread attacks on the civilian population, committing murder, torture, rape and enforced disappearances as crimes against humanity."

Several armed opposition groups have also committed mass atrocity crimes, violated IHL and targeted religious minorities for attack.

ISIL poses a direct threat to civilians as its fighters have carried out mass executions and sexual enslavement in areas under their control. The CoI has reported that ISIL has committed crimes against humanity. According to the SOHR, between June 2014 and December 2015 ISIL executed 3,700 people, including 2,000 civilians.

An international coalition of nine states is currently conducting airstrikes against ISIL in Syria. The SOHR reported that at least 3,547 ISIL fighters and 250 civilians were killed during coalition military operations between September 2014 and November 2015.

International actors continue to vie for influence in shaping the outcome of the conflict. Saudi Arabia and Qatar are providing arms to some rebel groups. Meanwhile, Iran continues to provide crucial economic, military and political support to the Syrian government. Hezbollah has directly engaged in fighting against Syrian rebels on both sides of the Syria-Lebanon border. Lebanon, which hosts over 1 million Syrian refugees, has also seen sporadic clashes between supporters and opponents of the Syrian government.

On 5 May the UN Special Envoy to Syria, Staffan de Mistura, began bilateral meetings in Geneva with the Syrian government, several opposition groups and regional powers to assess whether there is potential for a new round of peace negotiations.

On 30 October the International Syria Support Group (ISSG) – including the UN, European Union (EU), League of Arab States and other countries – met in Vienna, Austria, to discuss the conflict. The group released a joint statement emphasizing the importance of accelerating diplomatic efforts and ensuring humanitarian access throughout the country. During a second meeting on 14 November, the ISSG agreed on "the need to convene Syrian government and opposition representatives in formal negotiations under UN auspices."

On 9 December, following a local ceasefire agreement, the UN evacuated over 300 rebel fighters and their families – about 700 people – from the last rebel-held neighborhood of Homs. On 26 December de Mistura announced 25 January 2016 as the target date to begin possible peace talks.

## ANALYSIS

With all sides in Syria committed to an outright military victory, the lives of countless civilians are imperiled by the ongoing civil war.

The government continues to utilize its military resources to retain power at all costs and perpetrate crimes against humanity and war crimes. Under increasing military strain, the government has suffered serious territorial losses and increasingly relies upon Iran, Hezbollah and Russia to fight the civil war. The Syrian government directs the war against armed rebels and populations presumed to be supporting them, regardless of the consequences to civilians trapped or displaced by the fighting.

The fracturing and radicalization of the opposition has compounded the difficulty of achieving a negotiated political settlement. ISIL, which will not be invited to the peace talks, and several other armed groups continue to pose a direct threat to civilians, especially those from minority religious communities.

External political influence upon the Syrian government via the UN and regional actors remains weak. Despite adopting several resolutions concerning humanitarian access and chemical weapons, the UNSC has been unable to enforce their compliance, while long-standing divisions within the UNSC over Syria have allowed the situation to deteriorate to the point where few options for a peaceful political solution currently exist.

The government of Syria has not only manifestly failed to uphold its Responsibility to Protect, it bears primary responsibility for the ongoing commission of mass atrocity crimes.

## INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the regime for its widespread violations of human rights. [For responses prior to August 2015 see [GCR2P's Timeline of International Response to the Situation in Syria](#).]

Since March 2011 the UNSC has consistently failed to adequately respond to the deteriorating conflict in Syria. Four draft resolutions have been vetoed by Russia and China. During 2014 the UNSC passed Resolutions 2139, 2165 and 2191 on ending the use of indiscriminate weapons and increasing humanitarian access, but these have not been fully implemented.

On 7 August 2015, in response to continued allegations of chemical weapons use, the UNSC adopted Resolution 2235, establishing an OPCW-UN Joint Investigation Mechanism "to identify to the greatest extent feasible individuals, entities, groups or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons" in Syria.

On 18 December 2015, following the third meeting of the ISSG, the UNSC unanimously adopted Resolution 2254, endorsing a road map for a peace process, including a nationwide ceasefire. On 22 December 2015 the UNSC passed Resolution 2258, demanding that all parties comply with their obligations under IHL and renewing for 12 months the decisions of Resolution 2165, authorizing cross-border humanitarian access. Resolutions 2254 and 2258 both reiterate the primary responsibility of the Syrian government to protect populations.

The UN Human Rights Council has adopted 16 resolutions condemning atrocities in Syria. The latest, adopted on 30 September, demanded that all parties take all appropriate steps to protect civilians and stressed that the primary responsibility to protect the Syrian population lies with the Syrian authorities.

## NECESSARY ACTION

Syrian government forces and armed opposition groups must facilitate immediate and unimpeded humanitarian access to civilians trapped or displaced by fighting, in keeping with UNSC Resolutions 2139, 2165 and 2258. The international community must intensify efforts towards finding a potential political solution to the conflict while increasing assistance to populations already affected by the civil war.

The UNSC needs to take proximate steps to end atrocities in Syria, including imposing an arms embargo and referring the situation to the ICC. In keeping with Resolutions 2139, 2165 and 2235, the UNSC must take expeditious action to end the use of chemical weapons and other indiscriminate and illegal weapons and hold all perpetrators accountable, regardless of position or affiliation.

Russia, Iran and Hezbollah must cease enabling the crimes of the Syrian government. Countries opposed to the rule of President Bashar Al-Assad must withhold support to armed groups who commit war crimes or target minority communities. All foreign states participating in airstrikes in Syria must ensure all necessary precautions are taken to avoid civilian casualties and uphold IHL.

## MORE INFORMATION

- » [Statement to the UNSC on Syria](#), OCHA, 27 October 2015
- » [UNSC Resolution 2254, S/RES/2254](#), 18 December 2015
- » [UNSC Resolution 2258, S/RES/2258](#), 22 December 2015
- » ["Syria: Russia's shameful failure to acknowledge civilian killings,"](#) Amnesty International, 23 December 2015
- » [GCR2P Populations at Risk: Syria](#)



3.2 million displaced  
since January 2014

7,000+ civilians killed  
in 2015

## IRAQ

*The extremist armed group the Islamic State of Iraq and the Levant is committing war crimes and crimes against humanity in Iraq. As the Iraqi Security Forces, Shia militias and Kurdish fighters confront ISIL, civilians remain at risk of further mass atrocity crimes.*

## BACKGROUND

The security situation in Iraq remains dire as a result of ongoing attacks by ISIL, which has declared a caliphate spanning Syria and Iraq. Widespread fighting between the Iraqi Security Forces (ISF) and ISIL, as well as several other armed groups, has also led to sectarian violence and gross human rights abuses. The

UN Assistance Mission for Iraq (UNAMI) reported that 506 civilians were killed in acts of terrorism, violence and armed conflict during December.

OCHA estimates that 10 million people in Iraq are now in need of some form of humanitarian assistance, with nearly 3.2 million people internally displaced since January 2014. Over 7,000 civilians were killed during 2015.

ISIL continues to systematically attack and persecute vulnerable ethnic and religious minority communities, including Christians, Shabak, Yazidis and Turkmen, causing their mass displacement. Iraq's Defense Minister claimed that ISIL had killed an estimated 2,000 civilians in Nineveh province by 7 August 2015. ISIL also routinely targets Shia neighborhoods in bombings. On 11 January ISIL killed at least 29 people in attacks in Baghdad and Muqadadiya.

UNAMI and the Office of the High Commissioner for Human Rights (OHCHR) have continued to report that ISIL's violations, which include targeted killings, forced conversions, slavery and sexual abuse, "may amount to war crimes, crimes against humanity and possibly genocide."

Following several months of fighting, on 15 May ISIL captured the strategic city of Ramadi, Anbar Province. Prime Minister Haider al-Abadi deployed Shia militias to assist the ISF counter-offensive, heightening concern for the civilian population. On 2 December the United States announced it would deploy approximately 100 special operations troops, joining the 3,500 other personnel already supporting Iraqi forces against ISIL in Ramadi and elsewhere. During December the ISF recaptured Ramadi, and on 29 December Prime Minister Abadi declared victory over ISIL in the city.

Following an Iraqi government request, prompted by ISIL seizing the northern town of Sinjar, on 8 August 2014 the United States began airstrikes against ISIL forces "to prevent a potential act of genocide" against the minority Yazidi community, according to President Barack Obama. ISIL killed at least 500 Yazidis and abducted 1,500 women and girls. Since then a number of European and Middle Eastern countries, as well as Canada and Australia, have joined the military coalition against ISIL in Iraq, with some also participating in airstrikes on ISIL in Syria.

Responding to sectarian terrorist attacks and the rise of ISIL, Shia militias have carried out violent reprisals against Sunni civilians. The ISF has also been accused of extrajudicial killings, illegal detention, torture and other violations of IHL and human rights law. UNAMI and OHCHR have reported armed groups affiliated to the government carrying out targeted killings, abductions of civilians and destruction of property. On 4 December OHCHR expressed concern at reports of increasing human rights violations, including forced evictions and extrajudicial killings, committed by Iraqi and Kurdish security forces and affiliated militias "against Sunni Arab communities in parts of Iraq that have been reclaimed from ISIL."

## ANALYSIS

ISIL poses an existential threat to ethnic and religious minorities, who face the risk of further mass atrocities. ISIL also poses a direct threat to members of the majority Shia community. ISIL has consistently failed to protect civilians in areas under its control and is committed to the eradication of all religious communities and minority cultures that do not conform to its strict interpretation of Islam.

Despite a November 2010 power-sharing agreement between political parties representing Shias, Sunnis and Kurds, many Sunnis felt marginalized under former President Nouri al-Maliki. The government's violent response to a Sunni protest movement that started in December 2012 further aggravated these divisions. ISIL exploited widespread disaffection to build alliances with Sunni tribes and seize large swathes of territory and resources. Cultural identities and religious loyalties continue to be manipulated by various political forces in Iraq. Some Shia militias, mobilized by the government to fight ISIL, pose a direct threat to Sunni civilians.

There are grave fears for the fate of civilians who continue to be trapped by fighting between ISIL and the ISF and allied Shia militias. Human rights violations continue to be perpetrated by the ISF, who often commit abuses in the name of counterterrorism.

The Iraqi government is unable to uphold its Responsibility to Protect and needs ongoing international assistance.

## INTERNATIONAL RESPONSE

In addition to United States support to the Iraqi government, several EU member states, as well as Albania and Canada, have provided ongoing assistance to Kurdish fighters battling ISIL.

On 2 August, one year after ISIL captured Sinjar, the UN Special Representative for Iraq, Ján Kubis, called for "more forceful and coherent action on the protection of minorities," including "zero tolerance" for those committing crimes against humanity.

On 29 August the UNSC issued a Press Statement condemning the use of sexual violence in Syria and Iraq, emphasizing that such acts constitute war crimes.

On 16 December the UNSC held its first meeting on the issue of modern slavery, hearing testimony from a Yazidi survivor of ISIL's sexual slavery. The UNSC adopted a Presidential Statement deploring all acts of human trafficking by ISIL, including for the purpose of sexual slavery and forced labor, emphasizing that these acts constitute war crimes.

## NECESSARY ACTION

The international community should continue to provide support to the Iraqi government to combat the threat ISIL poses to vulnerable populations, especially religious and ethnic minorities. While confronting ISIL and other armed groups, the government must protect civilians and address the underlying sources of conflict between Sunnis, Shias and Kurds in Iraq.

The government must actively prevent reprisals against Sunni civilians by the ISF and Shia militias. Displaced populations also require urgent humanitarian assistance.

Iraq's international supporters must ensure that the ISF and Kurdish forces strictly and consistently comply with their obligations under international human rights law. The Kurdistan Regional Government is also in need of international support to defend vulnerable populations from ongoing ISIL attacks.

All members of the international anti-ISIL coalition must abide by IHL and avoid civilian casualties.

## MORE INFORMATION

- » [UNAMI Website](#)
- » [Casualty Figures, UNAMI](#), 1 January 2016
- » [UNSC Presidential Statement, PRST/2015/25](#), 16 December 2015
- » [GCR2P Populations at Risk: Iraq](#)



21 million people in need of humanitarian assistance

2,800 civilians killed since March 2015

## YEMEN

*Mass atrocity crimes are being committed in Yemen as a regional military coalition and pro-government forces fight against Houthi rebels, who have taken control of most of the country.*

## BACKGROUND

The ongoing armed conflict in Yemen leaves civilians facing mass atrocity crimes. According to OCHA, ongoing violence between Houthi rebels and various pro-government forces, as well as months of sustained Saudi-led coalition airstrikes, resulted in an estimated 2,800 civilians killed by explosive weapons between March and December 2015. Despite recent attempts to negotiate an end to the conflict, violence continues.

During 2014, amidst a UN-facilitated political transition process, the Houthis, a Shia militia from northeast Yemen, and military units loyal to former President Ali Abdullah Saleh, took control of the governorates of Saada, Hodeida, Dhamar, Amran and



Sana'a. On 26 March Saudi Arabia and a coalition of nine other countries responded to a government request for regional military intervention. Growing violence forced President Abed Rabbo Mansour Hadi to seek refuge in Riyadh. Despite recent military setbacks, and the 22 September return of President Hadi, Houthis and pro-Saleh forces still control much of Yemen, including the capital, Sana'a.

According to OCHA, the majority of the violence has taken place in cities and populated areas, with civilians comprising 95 percent of casualties in these areas. There are more than 2.5 million IDPs in Yemen and an estimated 21.2 million people, over 82 percent of the population, require humanitarian assistance to meet their basic needs.

Houthi and government-allied forces have both targeted civilian infrastructure and international humanitarian workers. The UN Assistant Secretary-General for Humanitarian Affairs, Kyung-wha Kang reported on 22 December that since March 2014 more than 170 schools and 70 health facilities have been destroyed. The Houthis have also been accused of indiscriminately shelling civilian areas while Saudi airstrikes have reportedly included banned cluster munitions. The UN High Commissioner for Human Rights reported during December that coalition airstrikes have caused a disproportionate number of civilian deaths. On 6 January the government declared the OHCHR representative in Yemen persona non grata, although the decision was later rescinded.

The UN and Gulf Cooperation Council (GCC), have made numerous attempts to broker peace talks between the warring parties. The UN Special Envoy to Yemen, Ismail Ould Cheikh Ahmed, facilitated negotiations between 15 and 20 December, but cancelled the talks until January because of ongoing armed violence in the country. The Special Envoy had called upon parties to adhere to a ceasefire during negotiations, but the temporary cessation of hostilities was not adhered to.

Other armed groups are also taking advantage of the current conflict to perpetrate violence against civilians. Since March ISIL has claimed responsibility for a series of attacks on Shia mosques and detonated car bombs throughout Sana'a. ISIL has also claimed responsibility for several recent assassinations in Aden, including killing the regional governor on 6 December, while Al-Qaeda in the Arabian Peninsula (AQAP) has also perpetrated attacks in the city. The government established a curfew in Aden after ISIL reportedly perpetrated several attacks that resulted in 22 civilian deaths.

## ANALYSIS

All sides of the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. The use of banned cluster munitions and the worsening humanitarian crisis further threatens the population. Ongoing fighting and attempts to subvert the political transition are in violation of UNSC resolutions and the UN-brokered peace process.

The country also risks becoming another proxy battlefield between Saudi Arabia and Iran. While Saudi Arabia remains the main force backing the regional military coalition, Iran has allegedly provided substantial military assistance to the Houthis.

Fighting between Houthi rebels and pro-government forces threatens to further fracture Yemeni society along tribal and sectarian lines. Terrorist groups such as AQAP and ISIL are trying to exploit tensions between Shia and Sunni populations to increase their influence.

The Yemeni government is unable to uphold its Responsibility to Protect and requires international support.

## INTERNATIONAL RESPONSE

In 2011 the UNSC adopted Resolution 2014, which condemned human rights violations by the government of former President Ali Abdullah Saleh and affirmed Yemen's primary responsibility to protect its population.

The UNSC imposed sanctions on former President Saleh and Houthi leaders in November 2014 and has extended the mandate of the Panel of Experts on Yemen until 25 March 2016. On 15 February the UNSC unanimously adopted Resolution 2201, condemning the armed takeover of the capital and demanding the Houthis withdraw.

On 14 April the UNSC passed Resolution 2216 establishing an arms embargo against Houthi leaders and some supporters of former President Saleh, and demanding full implementation of previous resolutions.

Following the December collapse of the temporary ceasefire and corresponding negotiations, the UNSC urged all parties to resume talks in January. On 7 January the UN Secretary-General and High Commissioner for Human Rights urged the government to reverse its decision to expel the OHCHR representative in Yemen. The expulsion was rescinded on 8 January.

## NECESSARY ACTION

The distinction between military and civilian targets is central to IHL and must be adhered to. Parties to the conflict must halt the use of illegal and indiscriminate weapons. All parties must uphold their Responsibility to Protect vulnerable populations regardless of their tribal, religious or political affiliations.

All parties to the conflict must respect agreed ceasefires in order to ensure humanitarian access to vulnerable civilians in desperate need of food, water and medical supplies.

The UNSC, GCC and all parties to the conflict need to ensure that Resolutions 2201 and 2216 are fully implemented and that Yemen returns to the previously agreed political transition process. The UN Human Rights Council should establish an international commission of inquiry to investigate serious violations of IHL and international human rights law in Yemen.

## MORE INFORMATION

- » [UNSC Resolution, S/RES/2204](#), 24 February 2015
- » [UNSC Resolution, S/RES/2216](#), 14 April 2015
- » [GCR2P Populations at Risk Page: Yemen](#)



2.5 million IDPs in Darfur

1.2 million displaced or in need of aid in South Kordofan and Blue Nile

## SUDAN

*Populations in South Kordofan, Blue Nile and Darfur continue to face mass atrocity crimes perpetrated by the Sudanese Armed Forces, affiliated militias and armed rebel groups.*

### BACKGROUND

More than three years since the UNSC adopted Resolution 2046, calling for a negotiated settlement to the conflicts in South Kordofan and Blue Nile, the Sudanese Armed Forces (SAF) and armed rebels of the Sudan People's Liberation Movement-North (SPLM-N) continue to engage in hostilities and directly threaten vulnerable civilians. The government continues to prohibit access to South Kordofan and Blue Nile and is systematically preventing aid from reaching populations at risk of starvation.

According to OCHA, since June 2011 the conflict has resulted in over 1.2 million people "internally displaced or severely affected and in need of humanitarian assistance," while more than 246,500 have fled to South Sudan and Ethiopia. The recent collapse of the tenth round of peace talks, held between 19 and 23 November under the auspices of the African Union (AU) High Level Implementation Panel (AUHIP) for Sudan, resulted in both parties reportedly mobilizing forces and amassing weapons ahead of the dry season.

The SAF has committed war crimes, including extrajudicial killing, forced displacement and widespread sexual violence against civilians in South Kordofan and Blue Nile. It has also engaged in "scorched earth" tactics, systematically targeting food sources and deliberately destroying civilian infrastructure, including at least 26 health facilities since 2011. The SPLM-N has also perpetrated war crimes, including indiscriminate attacks on

civilian-populated areas, alleged recruitment of children and attacks on UN personnel.

Despite President Omar al-Bashir declaring a one-month ceasefire on 31 December, the SPLM-N has accused the SAF of renewed attacks in South Kordofan and Blue Nile. Between 1 and 10 January the SAF bombed villages in Kurmuk county, Blue Nile, leading to widespread destruction. Ground offensives were also reported on 4 January near Mazlagan, South Kordofan. According to Human Rights Watch, the SAF has also dropped illegal cluster munitions on civilian areas in Kauda, South Kordofan.

Sudan has consistently failed to honor AU-brokered agreements and UNSC resolutions calling for a cessation of hostilities. This includes the failure to end aerial bombardments, disarm pro-government militias and allow humanitarian access to conflict areas.

The situation in Darfur also remains dire as civilians face ongoing inter-communal violence, as well as attacks by the SAF and Rapid Support Forces, a pro-government militia with aerial and ground support from the SAF. Meanwhile, fighting between the SAF and rebel groups contributed to the displacement of more than 233,000 people during 2015. A total of 2.5 million people are now displaced in Darfur.

On 21 August OHCHR issued a report on the situation in Darfur, revealing that 411 recorded human rights violations affecting 980 individuals took place during 2014. It also noted that the ability of the AU-UN hybrid peacekeeping force in Darfur (UNAMID) to carry out human rights monitoring was hindered by the government's "denial of access to sites and victims of human rights violations and abuses and serious violations of IHL, as well as denial of access by armed opposition movements to areas they control." The UN Secretary-General has condemned the increase in attacks on UNAMID, including the killing of a peacekeeper on 7 January, and called upon the government to respect the status-of-forces agreement.

### ANALYSIS

The government has a history of perpetrating atrocities in Darfur and during its civil war with the south. It has consistently defied external pressure to halt mass atrocity crimes. Such crimes are currently being committed in South Kordofan and Blue Nile, where patterns of violence targeting civilians for their perceived support of the SPLM-N have been witnessed for over four years.

The UNSC and AU have failed to push the government and SPLM-N to honor past agreements on the cessation of hostilities and delivery of humanitarian assistance. Indiscriminate bombings of rebel-held areas by the SAF demonstrate an unwillingness to distinguish between combatants and civilians, actions that violate IHL and may amount to crimes against humanity.

Despite the presence of UNAMID, civilians have not been afforded adequate protection in Darfur. Ongoing inter-communal violence and SAF operations contribute to the risk of further mass atrocity crimes. Attacks on UN peacekeepers also constitute war crimes.

Not only is the government of Sudan manifestly failing to uphold its Responsibility to Protect, it is directly responsible for perpetrating mass atrocity crimes in South Kordofan, Blue Nile and Darfur.

## INTERNATIONAL RESPONSE

The UNSC has adopted 60 resolutions on Sudan since 2004, most of which have not been fully implemented. The response of the international community to mass atrocities in South Kordofan and Blue Nile has been grossly inadequate. [See also, [GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States.](#)]

Members of the current government, including President Omar al-Bashir, the Defence Minister, Abdel Raheem Muhammad Hussein, and the current governor of North Kordofan, Ahmad Haroun, were indicted by the ICC in 2007 for war crimes and crimes against humanity committed in Darfur. President Bashir was also indicted in 2010 for perpetrating genocide in Darfur. The ICC issued an additional arrest warrant during September 2014 against rebel leader Abdallah Banda for war crimes resulting from an attack on AU peacekeepers during 2007 in northern Darfur. None of the Sudanese indictees have been surrendered to the ICC.

On 12 December 2014 the Chief Prosecutor of the ICC suspended the Court's Darfur investigation due to the failure of the UNSC to meaningfully assist in the arrest of indicted suspects.

On 29 June the UNSC unanimously adopted Resolution 2228, which extended UNAMID's mandate until 30 June 2016. The resolution emphasized that those responsible for violations of IHL and abuses of human rights "must be held accountable and that the Government of Sudan bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

## NECESSARY ACTION

After more than 10 years and 60 resolutions it is time for the UNSC to review its entire approach to endemic conflict and ongoing atrocities in Sudan. The UNSC should immediately expand the arms embargo on Darfur to include South Kordofan and Blue Nile.

The UNSC and AU must ensure the government and SPLM-N facilitate the delivery of humanitarian assistance, as stipulated in the 2011 Framework Agreement and 2012 cooperation agreements. The UNSC should mandate the establishment of an independent international commission of inquiry for South Kordofan and Blue Nile and actively support efforts to bring ICC indictees to justice.

States with major investments in Sudan, including China, Qatar, Iran and Saudi Arabia, should press the government to fulfill its commitments. The UNSC should ensure that violators of the arms embargo are held to account.

The government and SPLM-N, in accordance with UNSC Resolution 2046, must cease armed hostilities and address the underlying causes of the conflict. The government must stop obstructing UNAMID and allow them to uphold their mandate, including investigating gross human rights violations. Mediation efforts should be facilitated between the government and armed groups operating in Darfur.

## MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [UNSC Resolution, S/RES/2228](#), 29 June 2015
- » [GCR2P Populations at Risk: Sudan](#)



139,000 people remain displaced by ethnic violence in Arakan/Rakhine state

## BURMA/MYANMAR

*Stateless Rohingya in Burma/Myanmar face systematic persecution that poses an existential threat to their community.*

### BACKGROUND

Discriminatory state policies and systematic persecution in Burma/Myanmar threaten the ongoing existence of the Rohingya, a distinct Muslim ethnic minority group. Despite the historic 8 November democratic elections, Rohingyas were largely disenfranchised in advance of the vote and continue to be denied citizenship and other fundamental human rights by the government. While the opposition National League for Democracy (NLD) won the elections, it did so while excluding all Muslims as candidates. A spokesman for the party said in November that the Rohingya's plight was not an NLD priority.

On 29 September 2014 at the UN General Assembly, the outgoing government announced the "Rakhine Action Plan," requiring the approximately 1 million Rohingyas in Burma/Myanmar to accept



ethnic reclassification as "Bengali" in order to obtain citizenship or be forced into detention camps. Many Rohingyas in Arakan/Rakhine state also face the ongoing threat of violence at the hands of Buddhist extremists who reject their right to exist in Burma/Myanmar.

An estimated 139,000 people, mostly Rohingyas, remain segregated in IDP camps due to inter-communal violence and attacks against the minority Muslim community that occurred between June and October 2012, when clashes in Arakan/Rakhine state killed nearly 200 people. The government continues to restrict the IDPs' movement and block access to food, water, healthcare and other vital humanitarian assistance.

On 31 March 2015 the government invalidated the identification cards held by many Rohingyas, forcing them to apply for citizenship as "Bengalis," suggesting their illegal migration from Bangladesh. This follows the government denying Rohingyas the ability to self-identify on the national census of March 2014, the first since 1983. On 31 August Burma/Myanmar's outgoing President, Thein Sein, signed into law the last of four so-called "Protection of Race and Religion" bills. These discriminatory laws place harsh restrictions on women and non-Buddhists, including on fundamental religious freedoms, as well as reproductive and marital rights.

The former UN Special Rapporteur on the human rights situation in Myanmar, Tomás Ojea Quintana, has said that previous violence against the Rohingya could amount to crimes against humanity and warned that the government's failure to address the ongoing human rights situation in Arakan/Rakhine state "will ultimately mean the extermination of the Rohingyas."

The cumulative impact of deteriorating living conditions, combined with ongoing persecution by the government and some Buddhist chauvinist groups, has led tens of thousands of Rohingyas to flee to neighboring countries, where they are often subject to further abuse, human trafficking and refoulement. UNHCR reported that at least 31,000 people fled during the first half of 2015, over 1,100 of whom died from the voyage or mistreatment. During May mass graves containing the bodies of Rohingyas were discovered at human trafficking camps in Thailand and Malaysia.

The country's military forces (Tatmadaw), which have previously perpetrated atrocities against several ethnic minority groups, also pose an ongoing threat. While the government signed a ceasefire agreement on 15 October with eight armed ethnic groups, conflict between the Tatmadaw and several other groups continues, including in Kachin and Shan states. On 12 January representatives from the army, parliament and ethnic armed groups gathered for five days of peace talks.

## ANALYSIS

The current government's refusal to grant the Rohingya access to citizenship or end discriminatory state policies, as well as its failure to restrict hate speech, encourages ongoing

violations of their fundamental human rights and reinforces the dangerous perception of the Rohingya as ethnic outsiders. Recent government initiatives, including the Protection of Race and Religion bills, appear to be intended to eradicate the Rohingya's legal right to exist as a distinct ethno-religious group and threatens their continued existence.

The 8 November elections have legitimized a state that denies the Rohingya their most fundamental human rights. As a result of the government curtailing their voting rights and barring many Muslim candidates, Rohingyas have also lost political representation in Arakan/Rakhine state. Disenfranchisement, combined with years of persecution, exclusion and poverty, is causing unprecedented numbers of Rohingyas to flee from Burma/Myanmar, despite the refusal of several countries in the region to offer asylum.

The incoming NLD government has an opportunity to reverse discriminatory policies and drastically improve the plight of the Rohingya, but appears unwilling to do so.

The country's constitution still exempts the Tatmadaw from prosecution for any act carried out "in the execution of their respective duties." With a pervasive culture of impunity, the military has not been held accountable for previous mass atrocity crimes. On 25 June the military-dominated parliament defeated a bill that would have abolished the Tatmadaw's veto power over constitutional amendments.

The government of Burma/Myanmar is failing to uphold its primary Responsibility to Protect with regard to the Rohingya.

## INTERNATIONAL RESPONSE

Following decades of military dictatorship, democratic reforms have contributed to rapprochement between Burma/Myanmar and the international community, including the lifting of sanctions by a number of countries. [For responses prior to July 2015, see [GCR2P's Timeline of International Response to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar](#).]

The UN Human Rights Council adopted a resolution on 1 July, condemning systematic violations of human rights committed against Rohingyas and urging the government of Burma/Myanmar to grant the Rohingya citizenship and end growing prejudice against Muslims.

On 16 October the Association of Southeast Asian Nations (ASEAN) Parliamentarians for Human Rights released a report warning that the region risks another major refugee crisis as a result of the persecution of the Rohingya and urged the Burma/Myanmar government and ASEAN states to address the situation.

On 4 November the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect released a statement expressing concern that the electoral process has

resulted in "further marginalization of religious minorities," highlighting "decades of institutionalized discrimination in law, policies and practice" against Rohingyas.

On 17 November the UN Secretary-General congratulated the NLD for its success in the elections, but stressed that "cooperation and inclusive dialogue involving all stakeholders, including those representing ethnic groups, religious minorities as well as civil society," was essential.

### NECESSARY ACTION

The newly-elected government of Burma/Myanmar must uphold their Responsibility to Protect all populations, regardless of their ethnicity or religion. The incoming NLD government should immediately abolish the Rakhine Action Plan and end institutionalized discrimination against the Rohingyas, including the denial of citizenship. It must hold accountable all those who commit human rights abuses, including inciting ethnic and religious intolerance and violence.

In Arakan/Rakhine state the government must facilitate the safe, voluntary return of IDPs to their communities. Neighboring

countries should offer protection and assistance to Rohingya asylum seekers.

The international community must urge the new NLD government to develop a comprehensive reconciliation plan, including establishing a commission of inquiry into crimes committed against the Rohingyas in Arakan/Rakhine state. The new government must demonstrably improve the welfare of ethnic and religious minorities and end discriminatory practices that pose an existential threat to the Rohingya community.

A central component of the new government's reform process must include constitutional reform that addresses the needs of ethnic minorities, as well as the development of an independent judiciary as a means of safeguarding human rights and tackling the culture of impunity regarding past mass atrocity crimes.

### MORE INFORMATION

- » [HRC Resolution, A/HRC/RES/29/21](#), 1 July 2015
- » [Statement by the UN Special Advisers](#), 4 November 2015
- » [GCR2P Populations at Risk: Burma/Myanmar](#)

## ACCOUNTABILITY WATCH

### Rwanda:

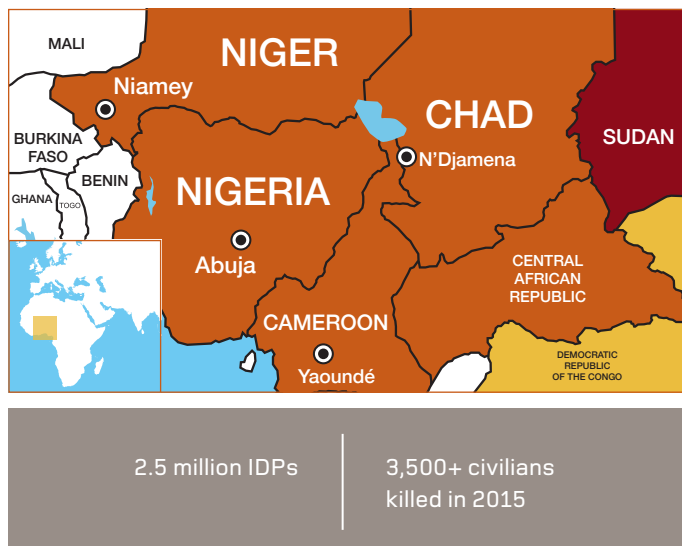
On 9 December authorities in DRC reportedly arrested one of nine International Criminal Tribunal for Rwanda (ICTR) fugitives, former mayor Ladislas Ntaganzwa. Ntaganzwa is expected to face trial in Rwanda on charges of genocide and crimes against humanity for the massacre of thousands of Tutsis, as well as rape and sexual violence, committed during the 1994 genocide. On 29 December a German court sentenced another former Rwandan mayor, Onesphore Rwabukombe, to life in prison for ordering the 11 April 1994 massacre of 400 Tutsis who had taken refuge in a church. On 31 December the ICTR completed its judicial work after delivering its 45th and final judgment on 14 December.

### Guatemala:

On 6 January Guatemalan prosecutors announced the arrest of 18 former military leaders for alleged crimes against humanity committed during Guatemala's civil war. The ex-military leaders face charges of ordering massacres and the enforced disappearance of people by the security forces. Prosecutors also moved to have immunity lifted for Édgar Justino Ovalle Maldonado, a former military leader with close ties to the incoming President Jimmy Morales. On 11 January the scheduled retrial of former military ruler Efraín Ríos Montt on charges of genocide and crimes against humanity was again suspended in order for the court to resolve outstanding legal petitions.

## IMMINENT RISK

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



## LAKE CHAD BASIN (BOKO HARAM)

*The extremist Islamist group Boko Haram poses an ongoing threat to populations in Nigeria, Cameroon, Chad and Niger, where it continues to commit sporadic attacks and mass atrocity crimes.*

### BACKGROUND

Despite nearly a year of joint military operations against Boko Haram, attacks by the group against civilians continue in Nigeria, Cameroon, Chad and Niger. At least 17,000 people have been killed since Boko Haram launched its first armed attacks in 2009.

According to OCHA, there are approximately 2.5 million IDPs in Nigeria, Cameroon, Chad and Niger. In addition, Cameroon, Chad and Niger host more than 216,000 Nigerian refugees. Most areas previously affected by Boko Haram violence remain unsafe for the return of refugees and IDPs. An estimated 4.6 million people remain food insecure in Nigeria's northeast. Boko Haram also continues to target women and girls for kidnapping and has used some previously-kidnapped girls to perpetrate suicide bombings.

According to UN Children's Fund (UNICEF), as of December 2015 more than 1 million children in Nigeria, Cameroon, Chad and Niger are unable to attend school because of Boko Haram attacks on infrastructure and personnel. In Nigeria alone, approximately 600 teachers have been killed by Boko Haram since 2009.

A joint military offensive against Boko Haram was initiated in early 2015 by a coalition of troops from Nigeria, Cameroon, Chad and Niger. Despite the offensive, cross-border raids increased, with the Diffa region of Niger alone experiencing more than 60 attacks during 2015. At least 26 people were killed in multiple

attacks in northern Cameroon in late November and December, as well as 12 killed in an attack on a mosque in the Far North region on 13 January. Attacks also continue in Chad where the government declared a state of emergency in the Lake Chad region from 9 November through March 2016.

On 24 December Nigeria's President, Muhammadu Buhari, said that Nigeria had "technically won the war" against Boko Haram, whom he said were no longer capable of conducting "conventional attacks" against security forces or population centers. Despite this claim, Boko Haram has perpetrated several recent assaults in Borno state. On 25 December 14 residents were killed in Kimba village, while on 27 and 28 December at least 52 people were killed in bombings and other attacks in Maiduguri. Approximately 30 people were killed between 4 and 6 January in Boko Haram attacks on the remote village of Izghe. Seven people were also killed in Madagali, Adamawa state, on 10 January.

Nigerian security forces have previously failed to provide sufficient protection from Boko Haram and there have been extensive reports of soldiers deserting during attacks. The military has also been accused of committing human rights abuses against civilians, including arbitrary arrests and extrajudicial killings of suspected Boko Haram members.

Nigerian security forces have also been accused of grave abuses while clashing with members of the Islamic Movement of Nigeria (IMN), a Shia group, in Kaduna state. According to Human Rights Watch, at least 300 members of the IMN were killed by security forces between 12 and 14 December. The governor of Kaduna state announced the establishment of a Judicial Commission of Inquiry on 17 December. On 14 January the IMN claimed that more than 700 members remained missing following the December clashes.

### ANALYSIS

Although Boko Haram's insurgency started in Nigeria, during 2015 cross-border attacks became more common, transforming the group into a regional security threat. Despite Boko Haram being significantly weakened by joint military operations, it continues to target civilians in Nigeria, Cameroon, Chad and Niger. While offensives during early 2015 drove Boko Haram out of many previously occupied territories, ongoing sporadic atrocities and the destruction of remote villages demonstrate the group's resilience and enduring threat.

Displacement and insecurity have increased unemployment and poverty within Nigeria, Africa's largest economy. Destroyed civilian infrastructure across the northeast and the threat of continued Boko Haram attacks makes the return of displaced populations dangerous and severely limits humanitarian access.

The governments of Nigeria, Cameroon, Chad and Niger are struggling to uphold their Responsibility to Protect and need ongoing support from the international community.

**INTERNATIONAL RESPONSE**

Despite the escalating crisis, during Nigeria's 2014-2015 term as an elected member of the UNSC the Council only issued three Presidential Statements on efforts to combat Boko Haram.

In January 2015 the AU Peace and Security Council (PSC) authorized deployment of the Multinational Joint Task Force (MNJTF), comprised of troops from Benin, Cameroon, Chad, Niger and Nigeria. The mandate of the force includes "the protection of civilians under immediate threat" of attack from Boko Haram.

In September France said it would provide intelligence and equipment to the MNJTF. On 24 September the United States announced it would supply \$45 million in defense services, including military training, to support Benin, Cameroon, Chad, Niger and Nigeria, in their efforts to defeat Boko Haram. In October, at the invitation of the government, the United States deployed 90 troops to Cameroon to provide "airborne intelligence, surveillance and reconnaissance." The force is expected to increase to 300. During the same month the AU and the Lake Chad Basin Commission signed a Memorandum of Understanding on the Operationalization and Sustenance of the MNJTF.

In November the AU PSC issued a Press Statement in which it "expressed concern at the continued ability of the Boko Haram terrorist group to carry out attacks against civilians" and commended ongoing efforts to fully operationalize the MNJTF.

On 8 January the UN Central Emergency Response Fund announced a \$31 million grant to assist 1.7 million IDPs in Nigeria, Cameroon, Chad and Niger who have been uprooted by Boko Haram violence.

**NECESSARY ACTION**

Regional and international cooperation is crucial to defeating Boko Haram and holding perpetrators of mass atrocities accountable. Governments involved in the MNJTF and ongoing military operations against Boko Haram need to ensure they mitigate the risk to civilians and strictly adhere to IHL and international human rights law.

Families of Boko Haram members, as well as captives living in Boko Haram camps and child soldiers, need to be adequately protected and carefully reintegrated into society. There is an urgent need for the Nigerian government and humanitarian organizations to assist IDPs in host communities. The return of refugees and IDPs in northeastern Nigeria should be conducted on a strictly voluntary basis.

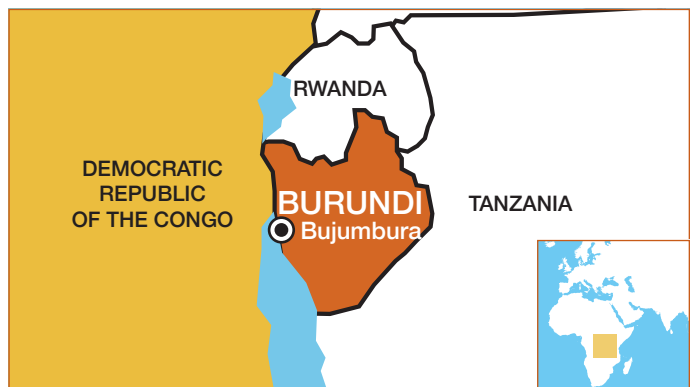
Captured Boko Haram leaders should be held accountable for crimes against humanity committed in areas under the group's command and control.

The UN, AU, Economic Community of West African States, and Economic Community of Central African States should urgently assist Lake Chad Basin governments in meeting humanitarian needs of affected communities and provide technical and military expertise to help combat Boko Haram.

With international support, the Nigerian government needs to urgently undertake security sector reform to ensure that the army and police are trained to protect civilians and prevent mass atrocities while respecting human rights. The government should conduct thorough investigations into all abuses, including all alleged extrajudicial killings committed by the military.

**MORE INFORMATION**

- » "Nigeria conflict forces more than 1 million children from school," UNICEF, Press release, 22 December 2015
- » "Lake Chad Basin: An Overlooked Crisis in a Neglected Region," OCHA Humanitarian Brief, December 2015
- » GCR2P Populations at Risk: Lake Chad Basin



216,000 refugees since April 2015	439 people killed since April 2015, including 130 during December
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**BURUNDI**

*Civilians in Burundi face an imminent risk of mass atrocity crimes as growing political violence threatens to further destabilize the country.*

**BACKGROUND**

There is an imminent risk of mass atrocity crimes in Burundi as a result of targeted killings, increasing human rights violations and a growing number of clashes between the security forces and armed opposition elements. The UN Special Adviser on the Prevention of Genocide, Adama Dieng, and the UN High Commissioner for Human Rights, Zeid Ra'ad al-Husseini, have warned of a possible relapse into civil war if ongoing violence is not halted.

Since 26 April at least 439 people have been killed in civil unrest. According to the UN, at least 130 people were killed December, double the number reportedly killed during the preceding month.

The crisis developed following the announcement by the ruling Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie (CNDD-FDD) that President Pierre Nkurunziza would seek a third term in the country's elections.

President Nkurunziza's candidacy was regarded by the political opposition and many civil society groups as being in violation of the constitution and the 2000 Arusha Peace and Reconciliation Agreement, which brought an end to a civil war that claimed over 350,000 lives and led to the displacement of more than 1 million civilians between 1993 and 2005.

Violence has been steadily increasing in Bujumbura since early November following the call by President Nkurunziza for all citizens to disarm or face action by Burundian security forces as “enemies of the nation.” At least 100 people were reportedly killed in Bujumbura on 11 December following coordinated attacks against military barracks by unidentified armed opposition elements. There were also reports of extrajudicial executions of suspected opposition supporters by Burundian security forces as well as the existence of suspected mass graves in the aftermath of the attacks.

There are ongoing reports of hate speech and incitement to violence by members of the government and some opposition supporters. On 29 October the President of the Burundian Senate, Révérien Ndikuriyo, urged local officials and ordinary citizens to identify opposition members and threatened that security forces may “go to work” to exterminate them.

High Commissioner Zeid has raised concern over a systematic policy of targeting members of the opposition, journalists and human rights defenders. OHCHR has also reported increasing cases of sexual violence by government security forces, including against women in opposition neighborhoods of Bujumbura. Opposition politicians, human rights defenders and journalists have also been subjected to arrest and torture, and independent media outlets have been systematically destroyed or shut down.

Members of the Burundian army have also been targeted for assassination. On 11 September 2015 seven people were killed in a failed assassination attempt against General Prime Niyongabo, the chief of staff of the Burundian army. This followed the 15 August assassination of Colonel Jean Bikomagu, the head of the Burundian army during the civil war, and the 2 August assassination of General Adolphe Nshimirimana, a close aide of President Nkurunziza.

UNHCR reported that over 220,000 Burundians, including a number of high-ranking government officials, have fled the country since April, with a surge of refugees following the failed 13 May coup and another wave of refugees leaving in advance of the expiry of President Nkurunziza's November ultimatum. Refugees have reported harassment, enforced disappearances and murder, including by the Imbonerakure, the CNDD-FDD's paramilitary youth movement.

## ANALYSIS

The protracted political crisis in Burundi is deteriorating into an armed conflict between forces loyal to the President and those that oppose his third term. There are also growing reports of armed opposition elements recruiting from refugee populations in neighboring countries.

Despite a sustained period of stability since the end of the civil war in 2005, recurring political and ethnic conflict have previously caused mass atrocities in Burundi. While the current conflict is primarily political in nature, there is a risk that widening conflict will reignite pre-existing cleavages.

Tensions between the army, traditionally dominated by the ethnic Tutsi minority, and ethnic Hutu political organizations have also been a perennial source of conflict. There is a growing risk that the army, which has been a source of stability since the end of the civil war, is fracturing as a result of ongoing conflict.

The Burundian government must take urgent action to uphold its Responsibility to Protect and consolidate peacebuilding gains made since the Arusha Peace Agreement.

## INTERNATIONAL RESPONSE

On 6 July the East African Community (EAC) appointed Ugandan President Yoweri Museveni to facilitate dialogue in Burundi. On 23 July the AU deployed human rights monitors and ten military observers to the country.

The Chief Prosecutor of the ICC, Fatou Bensouda, stated on 6 November that she was prepared to take further action should any conduct in Burundi amount to crimes under ICC jurisdiction.

On 9 November the UN Secretary-General reminded Burundian authorities of their responsibility to protect civilians. The Secretary-General also appointed Jamal Benomar as his Special Adviser on Conflict Prevention, including on Burundi.

The UNSC held an urgent meeting on Burundi on 9 November, during which the UN Special Adviser on the Prevention of Genocide stated that the “international community has a responsibility to protect Burundians.” On 12 November the UNSC passed Resolution 2248, warning of possible further measures against those perpetuating violence in the country and calling for the Secretary-General to report on options for an enhanced UN presence. On 1 December the Secretary-General issued a letter outlining two possible options for Burundi: an integrated UN special political mission or a fully-fledged peacekeeping operation.

On 17 December the AU PSC authorized the deployment of a 5,000-strong African Prevention and Protection Force in Burundi (MAPROBU) for a period of six months pending acceptance of the proposal by the government. If rejected, the AU PSC recommended the implementation of Article 4(h) of the AU's Constitutive Act relating to intervention in a member state in grave circumstances where genocide, war crimes or crimes against humanity are occurring.



The government has rejected the deployment of MAPROBRU and the AU will discuss the matter further at its 30 to 31 January Summit.

Discussions between the government and opposition facilitated by the EAC, AU and UN were due to resume on 6 January, but were indefinitely postponed by the government due to concerns over the participation of certain opposition elements.

### NECESSARY ACTION

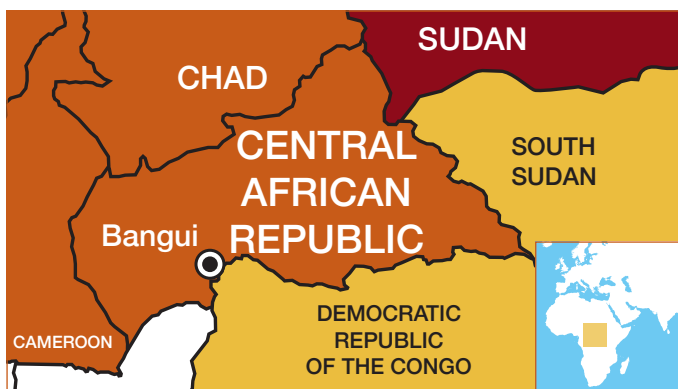
Immediate steps must be taken by the government and opposition to decrease tensions and avoid any further militarization of the current political conflict. Allegations of human rights abuses, torture and extrajudicial killings should be subject to thorough and independent investigation and prosecution. All individuals must refrain from using inflammatory language or inciting violence. The use of such language should be immediately and publicly condemned.

The AU should continue to engage the government regarding the potential deployment of MAPROBU, which should be supported by the international community. The UNSC should immediately authorize a UN special political mission with the mandate to facilitate political dialogue and monitor and report on the human rights situation. An international police force should be deployed as part of the mission with appropriately trained and adequately equipped officers to protect civilians and assist in maintaining the rule of law. Contingency planning must continue to prepare for all eventualities in Burundi.

The AU, UNSC and individual states should immediately impose targeted sanctions on any individuals implicated in targeted killings or deemed responsible for inciting violence or breaching the Arusha Peace Agreement.

### MORE INFORMATION

- » [MENUB Website](#)
- » [UNSC Presidential Statement, S/PRST/2015/18](#), 28 October 2015
- » [UNSC Resolution 2248, S/RES/2248](#), 12 November 2015
- » [GCR2P Populations at Risk: Burundi](#)



3,000+ killed  
since December  
2013

36,000 besieged  
Muslim civilians

447,000  
refugees

## CENTRAL AFRICAN REPUBLIC

*As the country awaits election results, civilians in the Central African Republic remain at imminent risk of mass atrocity crimes committed by "anti-balaka" militias, ex-Séléka rebels and other armed groups.*

### BACKGROUND

Civilians in the Central African Republic (CAR) remain at imminent risk of mass atrocity crimes despite the holding of the first round of presidential and legislative elections on 30 December and the presence of a UN peacekeeping operation (MINUSCA), French military forces and an EU military assistance mission (EUMAM-RCA).

The crisis in CAR began following the 24 March 2013 overthrow of President François Bozizé by the predominantly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominantly Christian and animist "anti-balaka" militias. According to the International Commission of Inquiry (CAR-Col), both armed groups have committed war crimes and crimes against humanity.

The 30 December elections were held in relative peace with 72 percent of registered voters participating, according to the UN. The second round is expected to be held on 31 January 2016. A constitutional referendum was also held on 13 December, with voting marked by violence in Bangui, the capital, resulting in at least five people killed and dozens wounded. Factions of the ex-Séléka and anti-balaka were able to disrupt voting in several major towns, including Bossangoa, Kaga Bandoro and Birao.

The overall situation continues to be marked by insecurity and ongoing human rights violations with armed groups continuing to exercise control over the majority of the territory. Over 100 people were killed in violence in Bangui between 25 September and 1 November. On 10 November at least 10 people were killed, including a MINUSCA peacekeeper, and over 700 shelters were burned during an attack by presumed ex-Séléka rebels on an

IDP site in Batangafo. On 11 and 12 November at least three people were killed in an attack on a displacement site in Bambari.

On 4 December armed men attacked an IDP site in Ngakobo, killing eight civilians. On 25 December at least five people were killed and 4,100 displaced after reprisal attacks between armed groups near Batangafo. Attacks against civilians, humanitarian workers and peacekeepers are ongoing in western prefectures, including along the Main Supply Route, which links CAR to Cameroon. Over 200 attacks were reported against humanitarian organizations during 2015.

The Muslim population of CAR has been systematically targeted by "anti-balaka" militias. According to the UN, there are still approximately 36,000 Muslim civilians trapped in seven besieged communities. These enclaves have been systematically encircled by the anti-balaka, subjected to periodic attack, and cut off from regular food and medical supplies.

The CAR-Col estimated that at least 80 percent of CAR's Muslim population had been driven out of the country by December 2014, and concluded that crimes committed by the anti-balaka constitute a "policy of ethnic cleansing" against CAR's Muslims.

There are currently more than 447,000 IDPs in CAR and over 456,000 refugees in neighboring countries. An estimated 2.7 million people remain in urgent need of humanitarian assistance.

## ANALYSIS

The risk of mass atrocity crimes continues as elections proceed and final results are announced. Armed groups and opportunistic spoilers may continue to violently disrupt the electoral process in Bangui and the interior, putting civilians at risk.

Hostilities between anti-balaka militias, factions of the Séléka, armed Muslim self-defense groups and other armed groups, as well as between international peacekeepers and these groups, continue to pose a threat to civilians. Violence between nomadic pastoralists and settled agriculturalist communities in the transhumance corridor also continues. Some armed groups continue to illegally exploit natural resources to fund their activities.

National security forces remain unable to prevent attacks by various armed groups without the assistance of international forces. The fragmentation of the Séléka and anti-balaka will prove challenging for disarmament, demobilization and reintegration programs.

MINUSCA continues to face critical capacity gaps that impede its ability to uphold its mandate to protect civilians throughout CAR. The scaling down of French military forces presents additional operational challenges for MINUSCA.

CAR's Transitional Authorities are unable to uphold their Responsibility to Protect and require sustained international assistance.

## INTERNATIONAL RESPONSE

Following the deadly surge in violence during late 2013, the international community intensified its response to the crisis in CAR, including passing six UNSC resolutions between October 2013 and April 2015 that emphasized the interim government's responsibility to protect the civilian population. [For response prior to March 2015, see [GCR2P's Timeline of International Response to the Situation in CAR](#).]

On 28 April the UNSC passed Resolution 2217, which renewed MINUSCA's mandate for one year and emphasized the primary responsibility of the CAR authorities to protect populations from mass atrocity crimes.

On 28 September the UNSC condemned violence in Bangui and reaffirmed MINUSCA's role in assisting the Transitional Authorities to uphold their primary responsibility to protect.

On 11 December the UN High Commissioner for Human Rights condemned ongoing inter-communal violence in CAR and warned of the risk of another wave of targeted attacks during the electoral period.

On 22 December the UNSC imposed sanctions on two additional individuals for undermining peace and security in CAR.

On 29 December the UN Secretary-General called on all political actors in CAR to ensure that the elections were conducted in a peaceful and credible manner.

## NECESSARY ACTION

UN and French forces must use all necessary means to protect civilians and forcibly disarm groups that threaten populations. MINUSCA and the Transitional Authorities should ensure that all citizens, including IDPs, besieged populations and refugees in neighboring countries, can exercise their vote in safety.

MINUSCA must ensure it deploys in adequate numbers to all areas where vulnerable populations lack sufficient protection. The UN should facilitate the evacuation and relocation of all civilians who wish to leave besieged areas.

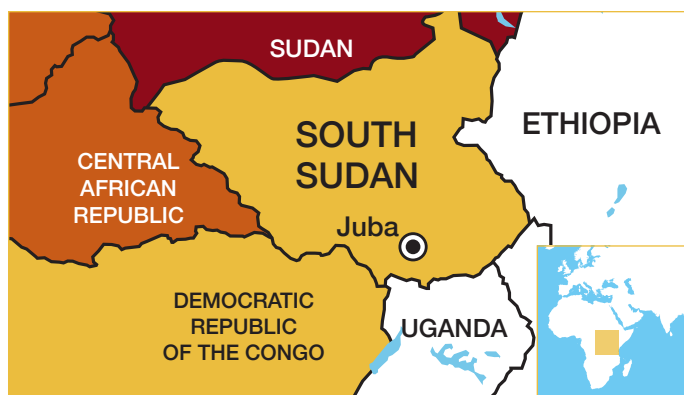
Urgent financial and logistical resources are needed to establish the Special Criminal Court for CAR and ensure accountability for mass atrocity crimes. The UNSC should sanction individuals responsible for atrocities and other serious human rights abuses.

## MORE INFORMATION

- » [MINUSCA Website](#)
- » [UNSC Resolution 2217, S/RES/2217](#), 28 April 2015
- » [UNSC Presidential Statement, S/PRST/2015/17](#), 20 October 2015
- » [GCR2P Populations at Risk: Central African Republic](#)

## SERIOUS CONCERN

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



193,000 civilians  
still sheltering in 6  
UN bases

1.6 million IDPs and 744,000  
refugees since December  
2013

## SOUTH SUDAN

*Despite the August 2015 peace deal, civilians in South Sudan remain at risk of mass atrocity crimes.*

### BACKGROUND

There has been a general decrease in fighting between the Sudan People's Liberation Army (SPLA) and armed opposition forces in South Sudan. Despite an overall improvement in the security situation, both sides have routinely violated a peace agreement signed in August, with heavy fighting reported in Unity and Upper Nile states, including major clashes near Kaka, Upper Nile, on 9 December.

President Salva Kiir and Riek Machar, leader of the main rebel group, agreed in August to end the country's two-year civil war by signing the "Agreement on the Resolution of the Conflict in the Republic of South Sudan." The power-sharing agreement calls for a permanent ceasefire as well as the establishment of an independent judicial body, the Hybrid Court for South Sudan (HCSS), to investigate mass atrocities committed during the conflict.

The former President of Botswana, Gontebanya Mogae, was appointed on 19 October to chair the Joint Monitoring and Evaluation Commission (JMEC), which will track implementation of the peace agreement. Following further negotiations, both parties agreed on security arrangements during the transitional period. On 24 December President Kiir divided the country's existing 10 states into 28 new states, thereby complicating the agreed upon power-sharing formula. On 7 January the parties reached an agreement on the division of ministries in the Transitional Government of National Unity, which is supposed to be formed on 22 January. On 17 January Machar withdrew

opposition politicians from Juba in protest over President Kiir's controversial re-division of states, further endangering the peace process.

The civil war was the result of a conflict that started on 15 December 2013 between soldiers from rival SPLA factions. Fighting began after President Kiir accused Machar, the former Vice President, of an attempted coup. The worst fighting has been between ethnic Dinka and Nuer soldiers loyal to Kiir and Machar, respectively. At least two-dozen armed militias loosely aligned with either side have also been operating in South Sudan, including the powerful Nuer White Army. Since August some rebel commanders have split from Machar and are not part of the peace agreement.

Parties to the civil war engaged in widespread extrajudicial killings, torture, child abductions and sexual violence and have, according to the UN, targeted civilians as part of their military tactics. UNMISS has reported that some children were subjected to castration, throat-slitting and being burned alive while UNICEF estimates that more than 16,000 children have been forcibly recruited since the start of the conflict. On 27 October the AU released its Commission of Inquiry report covering December 2013 to September 2014, concluding that widespread and systematic atrocities were committed against civilians. It also noted that "indiscriminate killings of civilians" were committed by both sides in Juba, Bor, Bentiu and Malakal.

Tens of thousands of people were killed during the civil war and over 193,000 people are still taking refuge in six UN Mission in South Sudan (UNMISS) bases across the country. According to UNHCR, the conflict has resulted in 1.6 million IDPs and 744,000 refugees in neighboring countries. In addition, fighting in Western Equatoria state between local armed groups and the SPLA has led to the displacement of 23,000 people since December.

### ANALYSIS

Ongoing fighting in some parts of South Sudan and the failure to uphold past ceasefires, reveals the difficulty in achieving a sustainable peace process. While violence has not reached the same levels as before the August agreement, civilians remain at serious risk of attack from both government and rebel forces. The defection of several rebel commanders, some of whom have previously perpetrated mass atrocities, also increases the risk to vulnerable civilians.

Although both sides have committed human rights violations that amount to war crimes and crimes against humanity, neither the government nor armed opposition have consistently held

perpetrators within their ranks accountable. A culture of impunity has fueled recurring cycles of violence in South Sudan.

Due to the breakdown of fighting along ethnic lines during the civil war, there is an ongoing risk of inter-communal violence and revenge killings during the transition period.

With ongoing resource deficits and a hostile operating environment, including more than 60 violations of the status-of-forces agreement since August 2015, UNMISS is struggling to uphold its protective mandate.

South Sudan requires ongoing international assistance to uphold its Responsibility to Protect and ensure accountability for mass atrocity crimes.

### INTERNATIONAL RESPONSE

In order to support UNMISS' efforts to implement its protection of civilians mandate, the UNSC adopted Resolution 2132 on 24 December 2013, expeditiously enlarging UNMISS by an additional 5,500 troops and 440 police. [For responses prior to May 2015, see [GCR2P's Timeline of International Response to the Situation in South Sudan](#).]

On 3 March 2015 the UNSC adopted Resolution 2206, establishing a sanctions regime for South Sudan. On 1 July the Sanctions Committee approved the designation of six senior military figures, three from each side, for sanctions.

On 23 September the UN Human Rights Council requested the High Commissioner for Human Rights report on the human rights situation in South Sudan. An assessment team began deploying on 26 October.

On 15 December the UNSC adopted Resolution 2252, which extended UNMISS' mandate until 31 July 2016 and increased the force ceiling to 13,000 troops and 2,000 police. The resolution emphasized that "the Government of South Sudan bears the primary responsibility to protect its populations from crimes against humanity, war crimes, ethnic cleansing, and genocide."

### NECESSARY ACTION

After almost two years of civil war, the government and rebels must end armed hostilities and fully implement all provisions of the peace agreement. The UNSC and Intergovernmental Authority on Development should immediately impose targeted sanctions against any political and military leaders deemed responsible for violating the agreement.

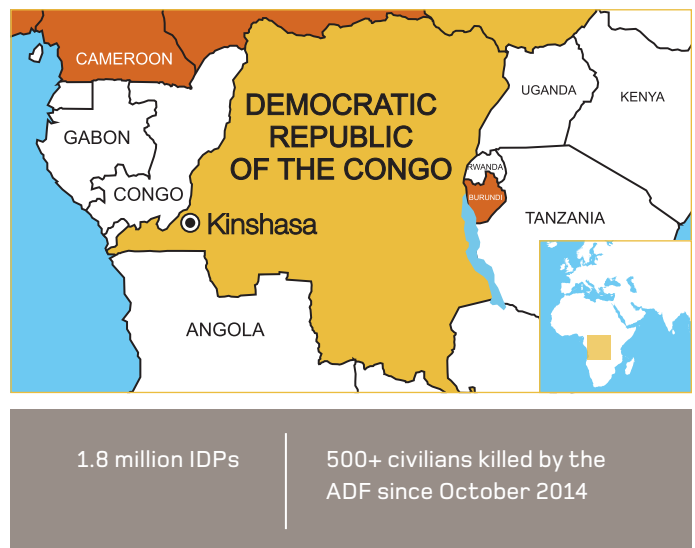
UNMISS must robustly implement its civilian protection mandate. The international community should continue to enhance UNMISS' capabilities through the provision of additional aviation assets, including tactical military helicopters and unarmed unmanned aerial systems. The government must ensure that UNMISS has the ability to move freely to all parts of the country without threats to its personnel.

The AU should expeditiously establish the HCSS and ensure it has the resources necessary to investigate and prosecute individuals responsible for mass atrocities committed since December 2013. UNMISS' Human Rights Division must continue to investigate violations of IHL and publish its findings.

The government must hold all perpetrators of atrocities accountable, regardless of affiliation or position, and initiate a comprehensive strategy aimed at strengthening the peace process.

### MORE INFORMATION:

- » [UNMISS Website](#)
- » [UN Secretary-General's Report on South Sudan S/2015/902](#), 23 November 2015
- » [UNSC Resolution 2252 S/RES/2252](#), 15 December 2015
- » [GCR2P Populations at Risk: South Sudan](#)



## DEMOCRATIC REPUBLIC OF THE CONGO

*Populations in the Democratic Republic of the Congo remain at serious risk of possible mass atrocity crimes perpetrated by armed groups.*

### BACKGROUND

Pervasive insecurity in the eastern Democratic Republic of the Congo (DRC) has allowed armed groups to perpetrate mass atrocity crimes against civilians. Armed groups – such as the Democratic Forces for the Liberation of Rwanda (FDLR), Allied Democratic Forces (ADF) and various Mayi-Mayi militias – have been operating in the DRC for more than 20 years and continue to sporadically attack vulnerable populations in a region that is home to 1.8 million IDPs.

Despite offensives conducted by the government's armed forces (FARDC) with assistance from the UN's stabilization mission in the DRC (MONUSCO) and its force intervention

brigade, violence committed by the more than 30 armed groups operating in the DRC continues throughout the eastern regions of the country. Populations in Maniema, Katanga and North Kivu have been particularly affected by recent fighting between various Mayi-Mayi groups and the FARDC.

The ADF attacked several villages in North Kivu between October and December 2014, massacring hundreds of civilians and perpetrating possible crimes against humanity. Despite MONUSCO and FARDC offensives against them, the ADF has continued its assaults on villages, killing more than 500 people since October 2014 and attacking MONUSCO helicopters and convoys. On 28 and 29 November the ADF perpetrated a series of attacks on villages north of Beni, killing 30 people, including a UN peacekeeper, and destroying a hospital.

Following the FDLR's refusal to meet multiple disarmament deadlines, the FARDC launched offensive operations against the group in February 2015. Although the FARDC has reportedly liberated localities previously occupied by the group, the FDLR continues to threaten civilians. On 6 January 14 civilians, including family members of local traditional chiefs, were killed by suspected FDLR members in the village of Miriki. Mayi-Mayi militias, particularly the Raia Mutomboki, have also clashed with the FDLR as the group flees from the FARDC.

## ANALYSIS

While military measures are taken against the FDLR, ADF and other armed groups, civilians remain at risk of reprisal violence. The FARDC has also previously been implicated in attacks on civilians, including widespread sexual violence, and has often failed to hold its members accountable for atrocities.

The weakness of government structures undermines attempts to prevent atrocities. This is particularly evident in the eastern DRC, where the government has previously lost control of areas to various rebel groups. While the government has undertaken important reforms, impunity for crimes committed against civilians remains rampant.

Despite the government and MONUSCO encouraging militias to participate in Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) programs prior to launching offensives against them, rebel groups continue to perpetrate abuses against populations in eastern DRC. Competition for control of minerals, as well as underlying conflict between communities that consider themselves indigenous and those with alleged Rwandan ancestry, has enabled the proliferation of armed groups, which will continue to emerge and threaten populations even after the eradication of the ADF and FDLR if these issues are not resolved.

The government of the DRC has struggled to uphold its Responsibility to Protect and its own forces have been complicit in some previous mass atrocity crimes. The DRC needs ongoing international support to prevent recurring violence and mass atrocities.

## INTERNATIONAL RESPONSE

The international community has responded to violence in the eastern DRC by taking measures to confront various armed groups. [For responses prior to January 2015, see [GCR2P's Timeline of International Response to the Situation in the DRC](#).]

On 29 January 2015 the UNSC extended the mandate of the Panel of Experts until August 2016, stressing the importance of accountability for mass atrocities. The UNSC subjects 9 entities and 31 individuals in the DRC to sanctions.

On 26 March the UNSC extended MONUSCO's mandate for an additional year, emphasizing that the government of the DRC "bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

On 30 November the UNSC issued a Press Statement condemning "repeated attacks perpetrated against civilians by the ADF" and stressed the ongoing importance of neutralizing armed groups in eastern DRC.

## NECESSARY ACTION

The DRC government and MONUSCO must ensure that the protection of civilians remains their primary priority as they address the ongoing threat posed by armed groups. The FARDC and MONUSCO need to agree to conditions for resuming joint operations and increase their capacity to respond to early warning of attacks by these groups.

MONUSCO should also support the government in facilitating local peacebuilding initiatives and encourage civil society to help facilitate DDRRR. The government, with MONUSCO support, should enhance security and protection measures, particularly in eastern DRC, in advance of the 2016 general elections in order to prevent violence.

The FARDC must not permit individuals who have previously committed atrocities to join its forces and should train all recruits in the protection of civilians, respect for human rights and IHL. The government should adopt legislation establishing specialized mixed chambers in the national judicial system and remove all FARDC members accused of serious human rights violations from leadership positions.

Together with the UN Special Envoy for the Great Lakes Region, the AU, International Conference for the Great Lakes Region and Southern African Development Community should ensure that all signatories to the Peace, Security and Cooperation Framework continue to fulfill their commitments.

## MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Resolution 2211, S/RES/2211](#), 26 March 2015
- » [UNSC Press Statement, 12145](#), 30 November 2015
- » [GCR2P Populations at Risk: DRC](#)





Over 550,000 IDPs and 150,000 refugees displaced by ongoing violence

## LIBYA

*Civilians in Libya remain at risk of war crimes as a result of ongoing fighting between various armed groups.*

### BACKGROUND

Despite a UN-facilitated peace deal signed on 17 December, armed conflict continues in Libya. Groups affiliated to the former transitional governments (the House of Representatives in Tobruk and the General National Congress (GNC) in Tripoli) and various other armed groups continue to vie for control of the country. While the conflict has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances.

During May 2014 retired General Khalifa Haftar, who was later named commander of the Libyan National Army by the House of Representatives, initiated "Operation Dignity" against Islamist militias (including those associated with the GNC) in Benghazi and Tripoli. Fighting increased in the aftermath of June 2014 elections that replaced the GNC with the House of Representatives, with GNC-allied militias refusing to accept the new government. During July 2014 GNC-allied militias launched Operation "Libya Dawn" to counter Operation Dignity and secure political and military control of the country.

Various armed groups on both sides of the conflict have committed extrajudicial executions, torture, unlawful killings and abductions. The UN Support Mission in Libya (UNSMIL) and OHCHR have emphasized that such acts are war crimes and those responsible are criminally liable, including at the ICC. Furthermore, rival armed groups have indiscriminately shelled civilian areas. According to OCHA, 2.44 million people, almost half the population, are in need of humanitarian assistance.

Since September 2014 UNSMIL has facilitated dialogue between major parties to the conflict. Delegates signed the UN-facilitated Libyan Political Agreement (LPA) on 17 December

2015, allowing for the appointment of a nine-member Presidency Council headed by Fayeze al-Sarraj. On 19 January 2016 the Presidency Council announced the formation of a Government of National Accord with the naming of 32 ministers. Neither the House of Representatives nor the GNC have endorsed the new government.

ISIL currently controls the cities of Sirte, Nofilia and Ajdabiyah. Libya Dawn forces have attacked ISIL in Sirte and Nofilia while ongoing clashes continue between ISIL and various armed groups in Benghazi.

### ANALYSIS

Civilians remain at risk of war crimes due to indiscriminate shelling of population centers. Armed groups on all sides have violated IHL and international human rights law. Civilians continue to face possible persecution, detention and extrajudicial killing on the basis of tribal affiliation and presumed political loyalties.

The lack of governmental control over the country has allowed arms and foreign fighters to flow freely across borders, further destabilizing Libya and the surrounding region. There is also evidence that competing regional powers have provided arms and air support to either Operation Dignity or Libya Dawn, despite a UN-mandated arms embargo. ISIL's growing presence poses a direct threat to vulnerable civilians, especially those from minority cultures and faiths.

The UN-facilitated political process in Libya faces many obstacles, including forces on both sides of the conflict that oppose signing the LPA. The Government of National Accord has not yet met in Tripoli, an essential step towards establishing its legitimacy. The UNSC has stated that it is prepared to impose sanctions on spoilers of the peace process but has not added names to the sanctions list since 2011.

Both rival governments have failed to adequately uphold their Responsibility to Protect. A Government of National Accord will need urgent international assistance in order to end violations of IHL and reestablish the rule of law.

### INTERNATIONAL RESPONSE

On 26 February 2011 the UNSC passed Resolution 1970, calling upon the former Libyan government to cease attacks on civilians and uphold its Responsibility to Protect. Resolution 1973 of 17 March 2011 called upon UN member states to take "all necessary measures" to protect civilians and led to an international military intervention. Following the end of Libya's 2011 civil war, international engagement to assist in rebuilding government institutions waned.

UNSMIL was established in September 2011, but has significantly reduced personnel inside Libya due to pervasive insecurity. On 10 September the UNSC extended UNSMIL's mandate until 15 March 2016, stating the mission should undertake human rights monitoring, support key Libyan institutions, enforce arms control and provide humanitarian assistance.

On 23 December the UNSC passed Resolution 2259, welcoming the signing of the LPA and calling upon member states to assist with the establishment of the Government of National Accord. The UNSC also emphasized the need to promote human rights and ensure that those responsible for violations of IHL and human rights abuses are held accountable.

### NECESSARY ACTION

All armed groups need to immediately cease carrying out military operations in population centers. Regional powers need to act in accordance with the arms embargo reaffirmed under UNSC Resolution 2213 of March 2015. The UNSC should impose sanctions against all individuals and political forces who actively seek to subvert the peace process and prevent the formation of a Government of National Accord.

All those responsible for mass atrocities during the 2011 civil war, as well as those responsible for violations of IHL committed during the current conflict, should be held accountable for their actions.

Breaking the culture of impunity, demobilizing and disarming armed groups, as well as establishing an accepted national government and strengthening the rule of law, remain essential. UNSMIL and the international community should continue supporting all efforts aimed at securing a negotiated solution to the conflict and meeting these objectives.

### MORE INFORMATION

- » [UNSMIL Website](#)
- » [UNSC Resolution 2238, S/RES/2238](#), 10 September 2015
- » [UNSC Resolution 2259, S/RES/2259](#), 23 December 2015
- » [GCR2P Populations at Risk: Libya](#)



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