

R2P MONITOR

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A bimonthly bulletin by
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.

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



240,000+
people killed

7.6 million IDPs

12.2 million
in need of
assistance

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

After more than four years of conflict in Syria over 240,000 people have been killed. The UN High Commissioner for Refugees (UNHCR) reported that as of 6 September there were over 4 million Syrian refugees in neighboring countries, with at least 7.6 million internally displaced persons (IDPs) – the largest number of people displaced by any conflict in the world. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), the crisis has left 12.2 million Syrians in urgent need of humanitarian assistance, 4.8 million of whom remain in inaccessible areas.

On 20 February the UN Human Rights Council-mandated Commission of Inquiry (CoI) said the Syrian government has "manifestly failed to protect its citizens from mass atrocities," with war crimes and crimes against humanity being "committed on a massive scale." On 17 March the CoI reiterated the need for the UN Security Council (UNSC) to refer the Syria situation to the ICC. All parties to the conflict have impeded humanitarian access to vulnerable civilians, with an estimated 422,000 Syrians living under siege.

The government continues to conduct airstrikes in densely populated residential areas, contravening UNSC Resolution 2139 of 22 February 2014, which demanded all parties cease attacks on civilians and the use of indiscriminate weapons. The Violations Documentation Center in Syria reported to the UNSC on 26 June that 3,831 people had been killed by barrel bombs since

Resolution 2139 was passed. The Syrian Observatory for Human Rights (SOHR) reported on 25 August that Syrian government airstrikes on several areas near Damascus killed 247 people during the previous ten days. The government also continues to obstruct the delivery of cross-border humanitarian aid, contravening UNSC Resolutions 2165 and 2191.

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 following an August 2013 sarin attack on areas of Ghouta, Damascus, that killed an estimated 1,400 people. 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 international humanitarian law (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. On 16 June a rebel bombardment of Aleppo killed 34 people, including 12 children, according to the SOHR. OCHA also reported that indiscriminate attacks on government-controlled areas of Aleppo killed at least 116 people during April and May, nearly half of whom were women and children.

The Islamic State of Iraq and the Levant (ISIL), an extremist armed group operating on both sides of the Syria-Iraq border, 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 August 2015 ISIL executed 3,156 people, including 1,841 civilians. Between January and July this year ISIL also recruited an estimated 1,100 children as combatants.

On 20 May ISIL began an assault on the historic city of Palmyra, overrunning government forces and causing an estimated 11,000 people to flee. By 25 May ISIL had reportedly summarily executed more than 217 soldiers and residents. On 23 and 30 August ISIL demolished two of Palmyra's ancient structures, including the Temple of Bel, which the UN Educational, Scientific and Cultural Organization (UNESCO) called "one of the most important 1st century CE religious monuments in the Middle East." UNESCO declared these acts to be war crimes.

Bahrain, Canada, Jordan, Saudi Arabia, United Arab Emirates and United States are currently conducting airstrikes against ISIL in Syria. The SOHR reported that at least 1,920 ISIL fighters and 66 civilians were killed during the coalition's military operations between September 2014 and April. Following a 20 July suicide attack that killed at least 30 people in Suruc, Turkey, on 24 July the Turkish government launched attacks on ISIL targets in Syria for the first time.

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, Russia and Iran continue 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 and is now essential to the government's military survival. Lebanon, which hosts over 1.1 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 diplomatic negotiations. On 29 July he outlined a plan to invite all warring parties to participate in working groups that address key aspects of the 2012 Geneva Communiqué.

ANALYSIS

With all sides in Syria committed to an outright military victory, the lives of countless civilians are imperiled by the ongoing civil war. Nearly half of Syria's population has either been displaced or fled to neighboring countries.

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 and Hezbollah to fight the civil war. The Syrian government continues to wage war on 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 and several other armed extremist groups 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 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 May 2015 see [GCR2P's Timeline of International Response to the Situation in Syria](#).]

Since March 2011 the UNSC has failed to adequately respond to the conflict in Syria with four draft resolutions vetoed by Russia and China. On 7 August, in response to continued allegations of chemical weapons use, the UNSC adopted Resolution 2235, establishing an OPCW-UN Joint Investigation Mechanism (JIM) "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 27 August the UN Secretary-General submitted to the UNSC the Terms of Reference on the JIM, which were approved by the UNSC President on 10 September.

On 17 August the UNSC issued a Presidential Statement expressing support for the efforts of de Mistura to work towards implementation of the Geneva Communiqué. The UNSC demanded an end to attacks on civilians and reaffirmed the primary responsibility of the Syrian authorities to protect its population. In a 28 August Press Statement the UNSC condemned the use of sexual violence in Syria and Iraq, recalling that such acts constitute war crimes.

The UN Human Rights Council has adopted 15 resolutions condemning atrocities in Syria. The latest, passed on 29 June, emphasized the need for accountability for ongoing crimes, noting an important potential role for the ICC.

NECESSARY ACTION

Syrian government forces and armed opposition groups must facilitate immediate and unimpeded humanitarian access to civilian populations trapped or displaced by fighting, in keeping with UNSC Resolutions 2139 and 2165. The international community must intensify efforts towards finding a potential political solution to the conflict and increasing humanitarian assistance to populations 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 in Syria and hold all perpetrators accountable, regardless of position or affiliation.

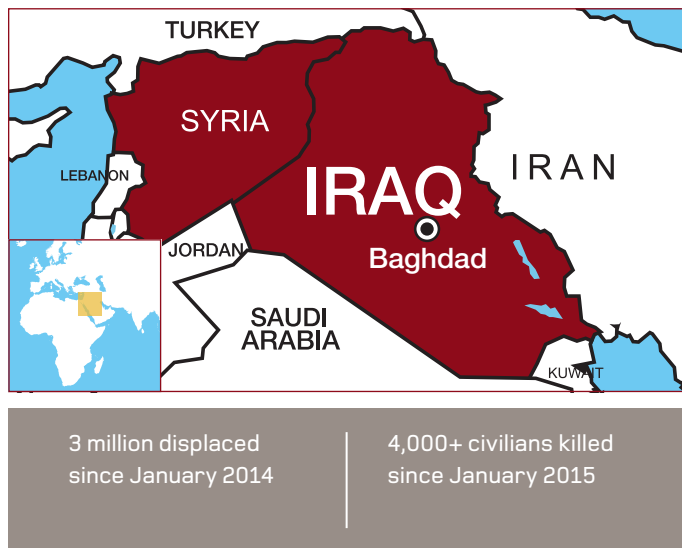
Russia, Iran and Hezbollah must cease enabling the crimes of the Syrian government. Countries opposed to the rule of President Bashar Al-Assad must withhold support to armed groups who commit war crimes or target minority communities for reprisals.

States participating in airstrikes against ISIL must ensure all necessary precautions are taken to avoid civilian casualties and uphold IHL.

In keeping with the UN Convention on Refugees, the international community should provide assistance to Syrian asylum seekers.

MORE INFORMATION

- » [UNSC Resolution 2235 S/RES/2235](#), 7 August 2015
- » [UNSC Presidential Statement S/PRST/2015/15](#), 17 August 2015
- » [UNSC Press Statement SC/12030](#), 28 August 2015
- » [GCR2P Populations at Risk: Syria](#)



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 operates on both sides of the Iraq-Syria border and has declared a caliphate spanning both countries. 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 585 civilians were killed in acts of terrorism, violence and armed conflict during August.

ISIL continues to systematically attack ethnic and religious minority communities, including Christians, Shabak, Yazidis and Turkmen, causing the mass displacement of vulnerable civilians. ISIL also routinely perpetrates bombings targeting Shia neighborhoods, most recently killing over 90 people in Baghdad in attacks on 13 and 15 August. Recent ISIL car bombings in Diyala

province on 18 July and 10 August also killed an estimated 190 people. On 7 August Iraq's Defense Minister claimed that ISIL had killed an estimated 2,000 residents of Nineveh province so far this year.

According to a 23 February report by UNAMI and the Office of the High Commissioner for Human Rights (OHCHR), ISIL's violations, which include targeted killings, forced conversions, slavery and sexual abuse, "may amount to war crimes, crimes against humanity and possibly genocide." UNAMI reported that 2014 was the deadliest year in Iraq since 2008, with at least 12,280 civilians killed. Nearly 4,000 civilians were killed during the first six months of 2015. The UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Stephen O'Brien, reported on 9 June that since January 2014 more than 3 million Iraqis have been displaced and over 8 million people are currently in need of humanitarian assistance.

Following several months of fighting, on 15 May ISIL declared that it had captured the strategic city of Ramadi, Anbar Province. By 18 May almost 25,000 people had fled Ramadi, according to the UN Humanitarian Coordinator in Iraq. Prime Minister Haider al-Abadi deployed Shia militias to assist the ISF counter-offensive, heightening concern for the civilian population. The United States announced it would send an additional 500 troops to join the approximately 3,000 trainers, advisers and other personnel supporting Iraqi forces against ISIL. Efforts to recapture Ramadi from ISIL are ongoing.

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 United States-led military coalition against ISIL in Iraq, with some also participating in airstrikes against ISIL in Syria. By 25 August the coalition had conducted a total of 3,991 airstrikes in Iraq.

On 2 April the ISF, with support from Shia militias and coalition airstrikes, retook Tikrit from ISIL after a month-long battle. When ISIL seized Tikrit during June 2014 its forces executed at least 1,700 captured Shia members of the ISF. On 7 April the Iraqi government began exhuming 12 suspected mass graves presumed to contain the bodies of these murdered captives.

Responding to sectarian terrorist attacks and the rise of ISIL, Shia militias have carried out violent reprisals against Sunni civilians. On 10 June Amnesty International reported that a Yazidi militia killed 21 Sunni civilians and abducted another 40 in Jiri and Sibaya villages, Sinjar.

The ISF has also been accused of extrajudicial killings, illegal detention, torture and other violations of IHL and human rights law. After expelling ISIL from Tikrit on 2 April, it was reported

that the ISF and allied Shia militias summarily executed captured ISIL fighters and looted Sunni-owned property.

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.

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 transnational loyalties continue to be manipulated by various political forces in Iraq.

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 are routinely perpetrated by the ISF, who often commit abuses in the name of counterterrorism. Some Shia militias, mobilized by the government to fight ISIL, also pose a direct threat to Sunni civilians. Meanwhile 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.

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

INTERNATIONAL RESPONSE

On 15 August 2014 the UNSC adopted Resolution 2170, condemning "gross, systematic and widespread abuses" by ISIL and al-Qaeda-affiliated groups operating in Iraq and Syria. In addition to United States support to the Iraqi government, several European Union (EU) member states, as well as Albania and Canada, have provided assistance to Kurdish fighters battling ISIL. On 31 July NATO agreed to assist the Iraqi government in its efforts to reform and strengthen its security forces through a "defense capacity building package."

On 2 August, one year after ISIL captured Sinjar, the Special Representative of the Secretary-General for Iraq, Ján Kubiš, 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, recalling that such 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

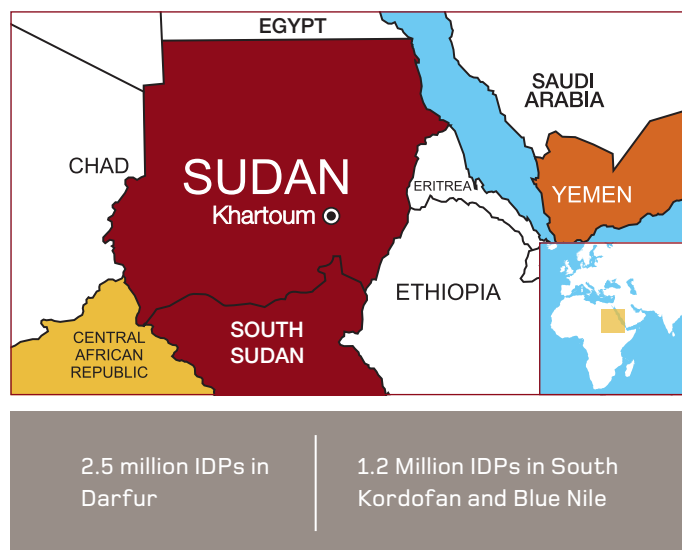
government must protect civilians and address the underlying sources of conflict between Sunnis, Shias and Kurds in Iraq. The government must actively prevent reprisals against Sunni civilians by the ISF and Shia militias. Displaced populations also require urgent humanitarian assistance.

Iraq's international supporters, especially the United States, must ensure that the ISF complies with its 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 United States-led anti-ISIL coalition must abide by IHL and avoid civilian casualties.

MORE INFORMATION

- » [UNAMI Website](#)
- » [Casualty Figures, UNAMI](#), 1 September 2015
- » [GCR2P Populations at Risk: Iraq](#)



SUDAN

Populations in South Kordofan, Blue Nile and Darfur continue to face mass atrocity crimes perpetrated by the Sudanese Armed Forces and affiliated armed 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. Since June 2011 the conflict has led to the internal displacement of over 1.2 million people, while more than 246,500 have fled to South Sudan and Ethiopia.

The SAF has committed war crimes, including extrajudicial killing, forced displacement and widespread sexual violence, against civilians in South Kordofan and Blue Nile and has engaged in "scorched earth" tactics, systematically targeting food sources and deliberately destroying civilian structures, 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.

Ahead of the onset of the rainy season in June, the SAF intensified its offensive against the SPLM-N in both South Kordofan and Blue Nile. This included the reported shelling and aerial bombardment of civilian areas at least 56 times during May. The SAF has also reportedly dropped illegal cluster munitions on civilian areas in Kauda, South Kordofan. Clashes between the SAF and SPLM-N were also reported near Torda, Blue Nile, during August.

Sudan has consistently failed to honor African Union (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 most recent talks between the government and the SPLM-N were held during November 2014 under the auspices of the AU High Level Implementation Panel (AUHIP) for Sudan. Despite both parties endorsing an AUHIP-proposed draft framework agreement to resolve the conflict, fighting continues.

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. Between 26 February and 15 May the AU-UN hybrid peacekeeping force in Darfur (UNAMID) recorded 11 episodes of inter-communal violence, mainly between ethnic Rezeigat and Habaniya, resulting in 278 people killed. Meanwhile fighting between the SAF and rebel groups contributed to the displacement of more than 450,000 people during 2014 and an additional 100,000 so far this year. A total of 2.5 million people are now displaced in Darfur.

On 21 August OHCHR issued a report on the situation in Darfur, which revealed that 411 human rights violations affecting 980 individuals took place during 2014. It also noted that the ability of UNAMID to carry out human rights monitoring had been hindered due to a "lack of information sharing from the Government authorities, 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 personnel 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.

Both the government and SPLM-N have continued attacks against populated areas despite negotiations. 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. Acting on behalf of the AUHIP, former South African President Thabo Mbeki has facilitated regular talks between the government of Sudan and the SPLM-N since 2011. [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 his alleged role in an attack on AU peacekeepers during September 2007 in northern Darfur.

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. In her briefing to the UNSC on 29 June 2015, the Chief Prosecutor noted that investigations in Darfur were continuing but were hindered by a lack of resources. She also stated that "innocent civilians continue to bear the brunt of insecurity and instability, in particular as a result of what appears to be an ongoing government campaign to target them." She called upon the UNSC to ensure that Sudan cooperates with the ICC.

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 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 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](#)



200,000 civilians still sheltering in 6 UN bases	1.6 million IDPs and 615,000 refugees since December 2015
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SOUTH SUDAN

Despite a recent peace deal, fighting in South Sudan leaves civilians at risk of ongoing mass atrocity crimes.

BACKGROUND

Following months of peace talks, President Salva Kiir and Riek Machar, leader of the main rebel group in South Sudan, agreed to end the civil war by signing the "Agreement on the Resolution of the Conflict in the Republic of South Sudan." Machar signed the deal on 17 August and Kiir signed on 26 August. The power-sharing agreement calls for a permanent ceasefire as well as the establishment of an independent judicial body, to be known as the Hybrid Court for South Sudan (HCSS), to investigate mass atrocities committed during the conflict.

Since 29 August, both sides have accused the other of breaking the ceasefire, with credible sources reporting ongoing clashes involving SPLA and opposition forces in Unity and Upper Nile states, including around Malakal.

The civil war is the result of a conflict that started on 15 December 2013 between soldiers from rival SPLA factions. Fighting began after Kiir accused Machar, the former Vice President who was removed from office during July 2013, of an attempted coup. The worst fighting has been between ethnic Dinka and Nuer soldiers loyal to President 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. On 11 August two senior rebel commanders accused of mass atrocities split from Machar's rebel alliance. Neither commander is part of the peace agreement, and their forces continue to pose a threat to civilians in Upper Nile and Unity states.

Prior to signing of the recent peace deal the civil war was characterized by repeated failed agreements, including the 23 January 2014 Cessation of Hostilities (COH) agreement, which both sides violated almost immediately after it was signed.

The current peace agreement was proposed on 24 July by the Intergovernmental Authority on Development (IGAD)-PLUS, an expanded mediation group which includes the AU, UN, EU, China, United States, United Kingdom, Norway and the IGAD Partners Forum. The plan calls upon all foreign forces, including Uganda, which is a member of IGAD and has militarily intervened in support of the government, to withdraw their troops from South Sudan.

Over 200,000 people are still taking refuge in six UN Mission in South Sudan (UNMISS) bases across the country, the highest number since the start of the conflict. According to UNHCR the conflict has resulted in 1.6 million IDPs and 615,000 refugees in neighboring countries.

On 29 June the UNMISS Human Rights Division reported widespread extrajudicial killings, torture, child abductions and sexual violence associated with the civil war. On 21 August the UN Panel of Experts on South Sudan published a report noting that all parties to the conflict had targeted civilians "as part of their military tactics."

After an estimated 130 children were killed in Unity state, the UN International Children's Emergency Fund (UNICEF) issued a statement on 17 June noting that "violence against children in South Sudan has reached a new level of brutality." UNMISS' 29 June report included evidence of children being subjected to castration, throat-slitting and being burned alive. UNICEF also estimates that 13,000 children have been forcibly recruited since the start of the conflict. Following a visit to South Sudan from 22 to 25 July, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator called upon the leaders of the warring parties to take responsibility and stop the "senseless cycle of violence."

UNMISS reported 39 violations of the status-of-forces agreement between February and August, including harassment, assault and detention of UN personnel, mostly by government security forces. On 1 July rebel forces attacked an UNMISS base in Malakal.

ANALYSIS

Despite the signing of the peace agreement, the failure to uphold multiple ceasefires in the past reveals a lack of commitment to a political solution. The defection of major rebel commanders enhances the current risk to civilians and endangers the possibility of a comprehensive resolution of the conflict.

Although both sides have committed human rights violations that amount to war crimes and crimes against humanity since December 2013, neither the government nor opposition have consistently held perpetrators within their own ranks accountable for atrocities.

South Sudan requires ongoing international assistance to end the civil war and ensure accountability for mass atrocity crimes.

With resource deficits and a hostile operating environment, UNMISS is struggling to uphold its protective mandate.

INTERNATIONAL RESPONSE

In order to support UNMISS' efforts to implement its protection of civilians mandate, the UNSC adopted Resolution 2132 on 24 December 2013, temporarily enlarging UNMISS by an additional 5,500 troops and 440 police.

During March 2014 the AU established a Commission of Inquiry (AU-CoI) to investigate human rights violations committed since December 2013 and make recommendations on appropriate accountability and reconciliation measures. The AU-CoI has still not released its report. [For responses prior to May 2015, see [GCR2P's Timeline of International Response to the Situation in South Sudan](#).]

On 3 March 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 28 May the UNSC unanimously adopted Resolution 2223, which extended the mandate of UNMISS until 30 November 2015 and emphasized that the "Government of South Sudan bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including from potential crimes against humanity and war crimes."

On 26 August the UN Secretary-General issued a statement welcoming the signing of the peace agreement. He called upon all parties: "to work in good faith to implement its provisions, beginning with a permanent cease-fire and the granting of unhindered freedom of movement to UNMISS and to humanitarian actors working to reach people in need of urgent assistance."

The UNSC adopted a Presidential Statement on 27 August that welcomed the signing of the peace agreement. It also called upon all parties to adhere to the ceasefire and expressed the UNSC's willingness to address violations of the agreement by imposing an arms embargo and additional sanctions.

NECESSARY ACTION

After 21 months of war, the government and rebels must permanently end armed hostilities and fully implement all provisions of the peace agreement. The UNSC and IGAD should immediately impose an arms embargo and targeted sanctions on all political and military leaders, regardless of rank or affiliation, deemed responsible for violating the agreement.

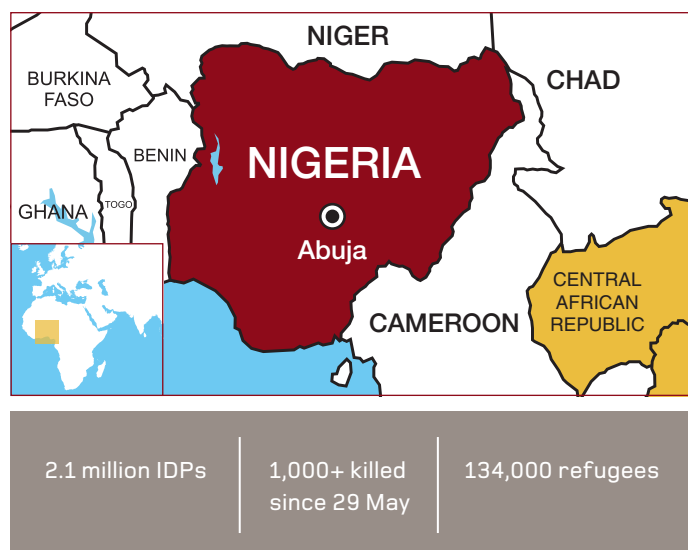
UNMISS must robustly implement its civilian protection mandate. The international community should continue to enhance UNMISS' capabilities through the provision of additional troops and aviation assets. The government must ensure that UNMISS has the ability to move freely to all parts of the country without hindrance or threats to its personnel.

The AU should expeditiously establish the HCSS, which should investigate and prosecute individuals responsible for mass atrocities committed since December 2013. UNMISS' Human Rights Division must continue its investigations into violations of international humanitarian and human rights law and publish its findings. The AU should also publish the findings of the 2014 AU-Col.

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

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UNSC Resolution 2223 S/RES/2223](#), 28 May 2015
- » [UNSC Presidential Statement S/PRST/2015/16](#), 27 August 2015
- » [GCR2P Populations at Risk: South Sudan](#)



NIGERIA

The extremist Islamist group Boko Haram poses an ongoing threat to populations in northeast Nigeria, where it continues to commit mass atrocity crimes.

BACKGROUND

Attacks by Boko Haram against civilians have intensified in Nigeria since President Muhammadu Buhari's inauguration on 29 May, resulting in the death of over 1,000 people. Boko Haram has also increased its attacks in neighboring countries, killing civilians in Chad, Cameroon and Niger.

A military offensive against Boko Haram initiated in early 2015 by a coalition of troops from Nigeria, Chad, Cameroon and Niger followed significant territorial seizures by Boko Haram beginning in July 2014. By January 2015 Boko Haram had expanded its control to include most of Borno state, as well as significant territories in Adamawa and Yobe states,

and had begun perpetrating cross-border raids. According to the Nigerian military, most of this territory has now been recaptured. However, many areas previously held by the group across northeast Nigeria still remain unsafe for the return of refugees and IDPs. Recent attacks by Boko Haram members on horseback have resulted in dozens of civilians killed in remote villages in the northeast.

President Buhari pledged to eradicate Boko Haram and traveled to Niger and Chad on 3 and 4 June and to Cameroon and Benin on 29 July and 1 August to discuss a regional strategy to defeat the group. Boko Haram killed at least 42 people in attacks on N'Djamena, Chad on 15 June and 11 July. During June and July the group was suspected of killing an estimated 45 people in Niger. On 4 August suspected Boko Haram militants killed 8 people and kidnapped more than 100 from the villages of Tchakarmari and Kangaleri in northern Cameroon. At least 30 people were killed in two Boko Haram bombings in northern Cameroon on 3 September.

Over 10,000 people were reportedly killed in Boko Haram-related violence during 2014. There are now over 2.1 million IDPs in northern Nigeria, according to the International Organization for Migration (IOM). Niger, Cameroon and Chad host an estimated 134,000 Nigerian refugees and thousands of people in their own countries have also been displaced by Boko Haram. According to OCHA, 4.6 million people are food insecure in Nigeria's northeast.

It has been reported that at least 2,000 women and girls were kidnapped by Boko Haram between 2014 and early 2015. The UN Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Bangura, called upon the Nigerian government, as well as civil society organizations, to provide necessary support to those rescued from what she called a "war on women's physical, sexual and reproductive autonomy and rights."

Nigerian security forces have previously failed to provide sufficient protection from Boko Haram and there have been extensive reports of soldiers deserting during attacks. Security forces have also been accused of committing extrajudicial killings of suspected Boko Haram members. Civilian vigilante groups formed in response to Boko Haram have also been implicated in human rights abuses. On 3 June Amnesty International reported that more than 7,000 men and boys suspected of affiliation with Boko Haram died in military detention and that 1,200 had been extrajudicially executed since 2011. On 19 June the Nigerian military announced that it will investigate these allegations.

ANALYSIS

Although Boko Haram has been significantly weakened by joint military operations, it remains a regional security threat, imperiling the lives of civilians in Nigeria, Cameroon, Chad and Niger. While regional offensives earlier this year have reportedly driven Boko Haram out of previously occupied territories, ongoing 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 refugees and IDPs dangerous and severely limits humanitarian organizations' access to populations in need.

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

INTERNATIONAL RESPONSE

Nigeria is currently an elected member of the UNSC. On 19 January the UNSC issued a Presidential Statement condemning the escalation in Boko Haram attacks and reiterating "the primary responsibility of Member States to protect civilian populations on their territories." On 28 July the UNSC issued a Presidential Statement commending the efforts of Nigeria, Niger, Chad, Cameroon and Benin to operationalize the Multinational Joint Task Force (MNJTF) and calling on member states to comply with international law as they combat Boko Haram.

On 29 January the AU Peace and Security Council (PSC) authorized deployment of the MNJTF, comprised of troops from Nigeria, Niger, Chad, Cameroon and Benin, for an initial period of 12 months. The mandate of the force includes "the protection of civilians under immediate threat" of attack from Boko Haram. The MNJTF headquarters in N'Djamena were inaugurated on 25 May. Military commanders from Nigeria, Chad, Niger, Cameroon and Benin met on 20-21 August in N'Djamena designating three command posts in Nigeria and Cameroon and agreeing to accelerate the deployment of troops to the MNJTF, which is yet to be fully operationalized.

On 16 February members of Economic Community of Central African States (ECCAS) pledged to create an \$87 million emergency fund to fight Boko Haram.

On 1 April the UN Human Rights Council adopted a consensus resolution requesting that OHCHR "document human rights violations and atrocities committed by Boko Haram, with a view towards accountability." On 1 July the UN High Commissioner for Human Rights urged Nigeria to ease abortion restrictions for women and girls sexually abused by Boko Haram.

On 20 to 22 July President Buhari visited the United States, where he met with President Barack Obama and discussed ways to defeat Boko Haram.

On 23 to 24 August UN Secretary-General Ban Ki-moon visited Nigeria to mark the fourth anniversary of a deadly Boko Haram attack on the UN building in Abuja.

NECESSARY ACTION

Regional and international cooperation is crucial to defeating Boko Haram and holding perpetrators of mass atrocities accountable. Governments involved in military operations

against Boko Haram need to ensure they mitigate the risk to civilians and strictly adhere to international humanitarian and 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 Nigerian society. There is an urgent need to assist IDPs living in host communities. The return of refugees and IDPs should be conducted strictly on a 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, ECCAS and states with significant bilateral ties to Nigeria, should assist the government in meeting humanitarian needs of affected communities and provide technical and military expertise.

With international support, the 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 alleged extrajudicial killings committed by the military.

MORE INFORMATION

- » [Press Statement of the 518th meeting of the AU PSC on the issue of the Boko Haram terrorist group](#), 5 July 2015
- » ["Stars on their Shoulders. Blood on their Hands: War Crimes Committed by the Nigerian Military,"](#) Amnesty International, 3 June 2015
- » [GCR2P Populations at Risk: Nigeria](#)

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.



21 million people in need of humanitarian assistance

4,600 people killed since 26 March

YEMEN

Civilians in Yemen are at risk of mass atrocity crimes as a regional military coalition and pro-government forces fight against Houthi rebels, who have taken control of most of the country.

BACKGROUND

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

Ongoing violence between Houthis and various pro-government forces, as well as months of sustained coalition airstrikes, have resulted in over 4,600 people killed, half of whom are civilians. There are more than 1.3 million IDPs in Yemen and an estimated 21 million people, over 80 percent of the population, are now in urgent need of humanitarian assistance as a result of violence and a blockade of the Gulf of Aden. On 11 August the UN Special Rapporteur on the right to food, Hilal Elver, said the deliberate starvation of civilians "may constitute a war crime." Coalition airstrikes on the Red Sea port of Hodeida on 18 August have adversely affected distribution of aid supplies to central and northern Yemen.

Saudi-led coalition airstrikes have reportedly included banned cluster munitions. The Houthis, meanwhile, have been accused of

indiscriminately shelling civilian areas. Houthi and government-allied forces have both targeted civilian infrastructure and international humanitarian workers, contributing to the closure of more than 50 health facilities across the country.

The UN, Gulf Cooperation Council (GCC) and United States have attempted to broker talks between the parties since mid-May. Despite three attempted "humanitarian pauses," airstrikes and armed conflict continue. On 1 August Prime Minister Khaled Bahah returned to Aden in an attempt to reestablish the exiled government after pro-government forces retook the city from Houthi rebels.

Other armed groups are taking advantage of the current instability to perpetrate violence against civilians. Since 17 June ISIL has claimed responsibility for a series of attacks on Shia mosques and detonated car bombs throughout Sana'a, including a 2 September attack that killed more than 20 civilians.

ANALYSIS

The escalation of armed conflict leaves civilians in Yemen at imminent risk of mass atrocity crimes. Both sides of the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, acts which may amount to war crimes and crimes against humanity.

The country also risks becoming another proxy battlefield between Saudi Arabia and Iran. While Saudi Arabia remains the main force behind the regional military coalition, Iran has allegedly provided military assistance to the Houthis. Additionally, the role of Sudan and Egypt in the regional military coalition is disturbing given their past history of committing possible war crimes and/or crimes against humanity in their own countries.

Fighting between Houthi rebels and pro-government forces backed by the coalition threatens to further fracture Yemeni society along tribal and sectarian lines. Terrorist groups such as Al-Qaida in the Arabian Peninsula and ISIL are trying to exploit tensions between Shia and Sunni populations to increase their presence and influence.

Ongoing fighting and attempts to subvert the political transition are in violation of UNSC resolutions and the UN-brokered peace process. 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 Ali Abdullah Saleh and Houthi leaders in November 2014 and has since 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, demanding an end to the violence and full implementation of previous resolutions.

The EU imposed sanctions against parties to the conflict on 7 June, including the former President's son, Ahmed Ali Abdullah Saleh, and Houthi leader Abdulmalik Al-Houthi.

On 24 July representatives of former President Saleh met with diplomats from the United States, United Arab Emirates and United Kingdom to discuss a possible resolution of the conflict.

The UNSC issued a Press Statement condemning the 2 September mosque attack in Sana'a and urged all parties to facilitate the delivery of humanitarian aid to all parts of Yemen.

NECESSARY ACTION

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

All parties to the conflict must respect agreed "humanitarian pauses" in order to ensure 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. All perpetrators of sectarian attacks and potential war crimes in Yemen should be held accountable for their actions. The UN Human Rights Council should establish an international commission of inquiry to investigate serious violations of IHL and international human rights law.

MORE INFORMATION

- » [UNSC Resolution S/RES/2201](#), 15 February 2015
- » [UNSC Resolution S/RES/2216](#), 14 April 2015
- » [UNSC Press Statement SC/12036](#) 4 September 2015
- » [GCR2P Populations at Risk Page: Yemen](#)

ACCOUNTABILITY WATCH

Chad:

The trial of former Chadian president Hissène Habré resumed on 7 September in Senegal at the ad hoc Extraordinary African Chambers. He is accused of committing war crimes, crimes against humanity and torture during his eight-year rule from 1982 to 1990. Habré's trial is the first time that the court of one African country has prosecuted the former leader of another.

Serbia:

On 18 March Serbia arrested eight former members of the Bosnian Serb special police suspected of killing approximately 1,300 Bosniaks in the village of Kravica during the 1995 Srebrenica genocide. On 10 September Serbian war crimes prosecutors brought charges against the eight men.

Ukraine:

Ukraine granted wider jurisdiction to the ICC on 8 September to enable prosecutors to investigate possible war crimes committed during Russia's annexation of Crimea in March 2014 and in relation to the ongoing armed conflict in eastern Ukraine.

Kenya:

On 10 September the ICC made public arrest warrants against two men accused of "corruptly influencing witnesses" in relation to the case against Kenya's current Deputy Prime Minister, William Ruto. Ruto is charged with crimes against humanity for orchestrating violence following the contested 2007 presidential election. The ICC withdrew charges against Kenya's President Uhuru Kenyatta in December 2014, citing an inability to build a case due to alleged witness tampering and obstruction of justice.

Democratic Republic of the Congo:

The trial of former Congolese militia commander Bosco Ntaganda opened at the ICC on 2 September. Ntaganda faces 13 counts of war crimes and 5 counts of crimes against humanity – including rape, murder, attacking civilians, sexual slavery, and the use of child soldiers – allegedly committed during 2002-2003 in Ituri.

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 refugees
since 13 April

350,000 people killed in
1993–2005 civil war

BURUNDI

Civilians in Burundi face a risk of mass atrocity crimes as a political crisis has led to targeted violence that threatens to further destabilize the country.

BACKGROUND

Civil unrest erupted in Burundi following the 26 April 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. The Arusha Peace Agreement brought an end to a civil war that was mainly fought on an ethnic basis, claimed the lives of over 350,000 people and led to the displacement of more than 1 million civilians between 1993 and 2005.

Legislative and presidential elections proceeded on 29 June and 21 July despite civil protests, a general boycott by the opposition and mediation under the auspices of the East African Community (EAC), AU and UN that sought additional delays to the electoral calendar.

President Nkurunziza won the presidential election with 69.4 percent of the vote. On 27 July the UN electoral monitoring mission in Burundi (MENUMB) concluded that the elections were not conducted in a free, credible and inclusive manner. On 20 August Nkurunziza was sworn in as President and on 25 August appointed a new cabinet.

At least 100 people have been killed in protests and related violence since 26 April, according to OHCHR. UNHCR reports that over 193,000 Burundians, including a number of high-ranking government officials, have fled the country since April. Refugees have reported harassment, enforced disappearances and murder, including by the Imbonerakure, the CNDD-FDD's paramilitary youth movement.

There have been a growing number of political assassinations in Burundi following the presidential elections. On 2 August General Adolphe Nshimirimana, a close aide of President Nkurunziza, was assassinated. On 3 August armed gunmen attempted to murder Pierre Claver Mbonimpa, a leading human rights activist. On 15 August Colonel Jean Bikomagu, the head of the Burundian army during the civil war, was assassinated in Bujumbura. On 11 September seven people were killed in a failed assassination attempt against General Prime Niyongabo, the chief of staff of the Burundian army.

A 24 August report by Amnesty International alleges that since April 2015 Burundi security forces have carried out torture against individuals suspected of opposing President Nkurunziza's third term. Opposition politicians, human rights defenders and journalists have been targeted for arrest and independent media outlets have been destroyed or shut down. Reports of hate speech and incitement to violence by the government and some opposition protesters remain ongoing.

ANALYSIS

There is a serious concern that mass atrocity crimes may be committed as politically-motivated violence, including assassinations of public figures, risks plunging the country into a wider conflict.

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 of it reigniting 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 in the past.

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

INTERNATIONAL RESPONSE

Following a two-day visit to the country, on 31 May the UN Special Adviser on the Prevention of Genocide emphasized the Burundian government's primary Responsibility to Protect populations from mass atrocity crimes.

The EAC has convened three emergency summits since 31 May. On 6 July the EAC appointed Ugandan President Yoweri Museveni to facilitate dialogue. The UNSC has held seven briefings on Burundi since 1 May, with the most recent taking place on 10 August following a spate of assassinations in the country.

On 23 July the AU deployed ten human rights monitors and ten military observers to Burundi. On 12 August a group of International Envoys from the UN, AU, EU, United States and Belgium called for an immediate end to violence and for the resumption of inclusive political dialogue.

On 28 August, the fifteenth anniversary of the Arusha Peace Agreement, the UN Secretary-General called for all leaders to resume constructive dialogue.

NECESSARY ACTION

Immediate steps must be taken by the government and opposition to de-escalate tensions and avoid any further militarization of the current political conflict. The government must thoroughly investigate all recent assassinations and ensure perpetrators are brought to justice.

All political organizations must refrain from using inflammatory language or inciting violence. All paramilitary groups and militias, including the Imbonerakure, should be immediately demobilized, disarmed and disbanded.

The AU PSC, UNSC and individual states should consider imposing sanctions on any individuals deemed responsible for inciting violence or breaching the Arusha Peace Agreement.

The EAC, AU and UN should coordinate mediation efforts between the Burundian government and the political opposition in order to resolve the current crisis and consolidate the last decade of peacebuilding.

MORE INFORMATION

- » [MENUMB Website](#)
- » [GCR2P Populations at Risk: Burundi](#)



3,000+ killed
since December
2013

30,000 besieged
Muslim civilians

462,000
refugees

CENTRAL AFRICAN REPUBLIC

Civilians in the Central African Republic remain at risk of mass atrocity crimes committed by "anti-balaka" militias, ex-Séléka rebels and other armed groups.

BACKGROUND

Sporadic violence against civilians continues throughout the Central African Republic (CAR) despite the deployment of French military forces, a UN peacekeeping operation (MINUSCA) 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-CoI) both groups have committed war crimes and crimes against humanity.

The situation in the interior of the country continues to be marked by widespread insecurity and ongoing human rights violations despite the holding of the Bangui National Forum from 4 to 11 May, during which ten armed groups agreed to disarm.

On 25 August at least 42 people were killed by fighters of the Union pour la paix en Centrafrique, a Séléka faction, in Bambari. As many as 15 people were killed in communal violence in Bambari between 19 and 24 August, displacing approximately 3,000 civilians. Attacks against civilians, humanitarian workers and peacekeepers are also on the rise in western prefectures, including along the Main Supply Route, which links CAR to Cameroon.

Despite some improvement of the security situation in Bangui, sporadic violence continues. On 2 and 3 August MINUSCA attempted to arrest an armed group leader in the PK5 market area, resulting in the deaths of at least two civilians and one peacekeeper. Between 9 and 10 September unidentified armed groups perpetrated grenade attacks in Bangui.

The Muslim population of CAR has been systematically targeted by the "anti-balaka" militias. According to the UN there are still approximately 30,000 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 food and medical supplies.

A 19 December 2014 report of the CAR-Col estimated at least 80 percent of CAR's Muslim population has been driven out of the country. The CAR-Col concluded that crimes committed by the anti-balaka constitute a "policy of ethnic cleansing" against CAR's Muslims.

There are currently more than 369,000 IDPs in CAR and over 462,000 refugees in neighboring countries. An estimated 2.7 million people remain in urgent need of humanitarian assistance. Only 31 percent of the humanitarian appeal has been funded for 2015, and the UN Humanitarian Coordinator has warned that essential activities risk being shut down. The transitional government, led by interim President Catherine Samba-Panza, is struggling to manage the ongoing crisis.

ANALYSIS

After March 2013 the state effectively collapsed. More than two years later, national security forces remain unable to prevent attacks by various armed groups without the assistance of international forces. MINUSCA continues to face critical capacity gaps that impede its ability to uphold its mandate to protect civilians throughout all of CAR. The scaling down of French military forces poses additional operational challenges for MINUSCA.

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, continues to pose a risk 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.

Representatives of various armed groups and political parties have contested the outcome of the Bangui National Forum. The fragmentation of the Séléka and anti-balaka will prove challenging for disarmament, demobilization and reintegration programs. Sporadic attacks on civilians continue to be conducted without fear of sanction despite the establishment of the Special Criminal Court (SCC) on 22 April.

Preparing to hold elections without significant improvements in security, accountability and political dialogue will only increase the risk of further mass atrocity crimes.

CAR's transitional government is unable to uphold its Responsibility to Protect and requires 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 five UNSC resolutions between October 2013 and January 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 15 March the EU ended the mandate of its peacekeeping force and withdrew from Bangui. A smaller EU-led Military Advisory Mission (EUMAM-RCA) became operational on 16 March and is assisting with security sector reform.

The UNSC passed Resolution 2212 on 26 March, authorizing an increase of 1,030 personnel for MINUSCA. On 28 April the UNSC passed Resolution 2217, which renewed MINUSCA's mandate for one year and recalled the primary responsibility of the CAR authorities to protect populations from mass atrocity crimes.

On 22 June the UN Secretary-General appointed an independent panel to review how the UN handled allegations of sexual abuse of children in CAR by French and African peacekeepers. On 12 August the Secretary-General requested that the head of MINUSCA, Babacar Gaye, tender his resignation over ongoing allegations against UN peacekeepers. On 14 August Parfait Onanga-Anyanga was appointed by the Secretary-General as Acting Special Representative and head of MINUSCA.

On 20 August the UNSC imposed sanctions against three individuals and one entity for violating the provisions of the sanctions regime established by Resolution 2127 of 5 December 2013.

NECESSARY ACTION

UN and French forces must forcibly disarm all armed groups that continue to threaten civilians. MINUSCA must ensure it deploys in adequate numbers to all areas where vulnerable populations lack sufficient protection. The UN must facilitate the evacuation and relocation of all civilians who wish to leave besieged areas.

Urgent financial and logistical resources are needed to establish the SCC and ensure accountability for mass atrocity crimes.

MINUSCA should prioritize the arrest of individuals responsible for atrocities and other serious human rights violations. MINUSCA should publicly report on the ongoing situation of human rights protection in CAR.

MORE INFORMATION

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



2.9 million IDPs

400+ civilians killed by the ADF since October 2014

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 various armed groups to perpetrate mass atrocity crimes against civilians. Armed groups – such as the Democratic Forces for the Liberation of Rwanda (FDLR), the 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.

Since defeating the March 23 (M23) militia in November 2013, the government's armed forces (FARDC) have conducted offensives against other armed groups with assistance from the UN mission in the DRC (MONUSCO) and its force intervention brigade.

Since February 2015, following the FDLR's refusal to meet multiple International Conference of the Great Lakes Region (ICGLR) and Southern African Development Community (SADC) deadlines to disband, the FARDC launched offensive operations against the group. Although the FARDC has reportedly liberated more than 35 localities previously occupied by the group, the FDLR continues to threaten civilians. Mayi-Mayi militias, particularly the Raia Mutomboki, have also reportedly clashed with the FDLR as the group flees from the FARDC.

Violence committed by the more than 30 armed groups operating in the DRC, including sporadic killings and abductions, continue 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. Inter-communal fighting between ethnic Twa and Luba in Katanga during early May also resulted in dozens of

civilian deaths. The FARDC and MONUSCO engaged in military operations directed at the Ituri Patriotic Resistance Force (FRPI) following attacks on villages, including reported mass rapes committed during May, and failed peace talks with the group in early June.

The ADF attacked several villages in North Kivu between October and December, 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 100 people since January and reportedly attacking MONUSCO helicopters and convoys. After several months of relative calm the ADF attacked two villages in Beni in the first week of September, killing nine civilians.

ANALYSIS

While military measures are taken against the FDLR, ADF, FRPI and other armed groups, civilians remain at risk of reprisal violence. A country that is already home to 2.9 million IDPs may endure further displacement. During earlier offensives against rebel groups the FARDC and MONUSCO have struggled to adequately protect civilians. The FARDC has also previously been implicated in attacks on civilians, including widespread sexual violence.

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. The FARDC has often failed to hold its own members accountable for atrocities.

Competition for control of minerals, as well as underlying conflict between communities that consider themselves indigenous and those with alleged Rwandan ancestry, contribute to the pervasiveness of violence. 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. The failure to adequately address the root causes of conflict 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 armed conflict and 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 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 "bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

During a 14 July UNSC briefing, the Head of MONUSCO, Martin Kobler, announced that MONUSCO was negotiating terms for the resumption of joint-operations with the FARDC against the FDLR.

On 2 September the ICC opened the trial of Bosco Ntaganda for war crimes and crimes against humanity perpetrated by the Patriotic Forces for the Liberation of Congo between 2002 and 2003 in Ituri. Ntaganda was also a former FARDC deputy commander and a senior leader within M23.

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 must 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 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, ICGLR and SADC should ensure that all signatories to the Peace, Security and Cooperation Framework continue to fulfill their commitments. Perpetrators of mass atrocities, including leaders of M23, ADF and FDLR, must be held accountable.

MORE INFORMATION

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



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

BURMA/MYANMAR

Ethnic and religious minorities in Burma/Myanmar, especially stateless Rohingyas, continue to face the threat of mass atrocity crimes.

BACKGROUND

Sporadic inter-communal violence in Burma/Myanmar, combined with discriminatory state policies, puts the Rohingyas, a Muslim ethnic minority group, at ongoing risk of mass atrocity crimes. Rohingyas continue to be denied citizenship and other fundamental human rights by the government.

On 29 September 2014 at the UN General Assembly, the government announced the "Rakhine Action Plan," which would require Rohingyas to accept ethnic reclassification as "Bengali" in order to obtain citizenship or be forced into detention camps. On 31 March 2015 the government invalidated the identification cards held by many Rohingyas, forcing them to apply for citizenship as "Bengalis." 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 President Thein Sein signed into law the last of four "Race and Religion Protection Laws." These laws place restrictions on women and non-Buddhists, including on fundamental religious, 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 Rohingyas could amount to crimes against humanity and warned on 30 May 2014 that the government's failure to address the human rights situation in Arakan/Rakhine state "will ultimately mean the extermination of the Rohingyas."

Ongoing persecution has led tens of thousands of Rohingyas to flee to neighboring countries, where they are often subject to further abuse, human trafficking and refoulement. During May the governments of Thailand, Malaysia and Indonesia denied entry to thousands of Rohingyas, pushing their boats back to sea after Burma/Myanmar refused to take responsibility

for them. Meanwhile, throughout May, mass graves containing the bodies of Rohingyas were discovered at human trafficking camps in Thailand and Malaysia.

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 block the IDPs' access to healthcare and other vital humanitarian assistance.

The country's military forces (Tatmadaw), which have previously perpetrated atrocities against several ethnic minority groups, also pose an ongoing threat to civilians.

ANALYSIS

The government's refusal to grant the Rohingya access to citizenship or lift 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.

As a result of the government curtailing the voting rights of Rohingyas, after the upcoming general elections in November Rohingyas may lose all political representation in Arakan/Rakhine state.

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 voted against a bill that would abolish the military's veto power on constitutional amendments.

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

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 April 2015, see [GCR2P's Timeline of International Response to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar](#).]

On 22 April the Association of Southeast Asian Nations (ASEAN) Parliamentarians for Human Rights warned of the "growing risk of atrocity crimes in Myanmar" and urged ASEAN leaders to respond to the "escalating crisis" involving Rohingyas and other vulnerable minorities.

On 19 May UNHCR, OHCHR and IOM as well as the UN Special Representative for International Migration and Development released a joint statement calling upon regional governments

to protect and assist Rohingya asylum seekers stranded at sea. The following day Indonesia and Malaysia agreed to accommodate 7,000 asylum seekers until they can be resettled.

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

Concluding a visit to Burma/Myanmar, on 7 August the UN Special Rapporteur, Yanghee Lee, reported being denied access to Arakan/Rakhine state. She called for the government to address the legal status of the Rohingya and to end discrimination against them.

NECESSARY ACTION

The government of Burma/Myanmar must uphold its Responsibility to Protect all populations, regardless of their ethnicity or religion. The government should abolish the Rakhine Action Plan and end institutionalized discrimination against the Rohingya, including the denial of citizenship. It must hold accountable all those who commit 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 government to develop a comprehensive reconciliation plan. Remaining sanctions should only be lifted following a demonstrable improvement in the welfare of ethnic and religious minorities.

A central component of the 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 mass atrocity crimes.

MORE INFORMATION

- » [Secretary-General's remarks to Partnership Group on Myanmar](#), 24 April 2015
- » [Joint Statement](#), UN Agencies and IOM, 19 May 2015
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



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

LIBYA

Civilians in Libya are at risk of war crimes as a result of fighting between various armed groups, including those allied to the country's two rival governments.

BACKGROUND

Armed conflict continues in Libya between groups affiliated with the internationally-recognized House of Representatives in Tobruk, the former transitional government based in Tripoli, the General National Congress (GNC), and extremist groups. 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 has since been named commander of the Libyan National Army by the House of Representatives, initiated a military campaign known as "Operation Dignity" against Islamist militias 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 formed 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 civilian abductions, torture, unlawful killings and executions. The UN Support Mission in Libya (UNSMIL) has emphasized that such acts are war crimes and those responsible are criminally liable, including at the ICC.

Since September 2014 UNSMIL has facilitated dialogue between major parties to the conflict. Despite this, rival armed groups continue to fight one another and indiscriminately shell civilian areas. According to the Libyan Red Crescent, there are

currently more than 550,000 IDPs in Libya, with over 150,000 refugees in neighboring countries.

In addition, ISIL currently controls the cities of Sirte, Nofilia and Ajdabiyah. Since 9 June clashes between ISIL and armed groups in Derna have taken place within civilian populated areas. An uprising in Sirte against ISIL began in August resulting in reprisal killings by the group. Libya Dawn forces have also attacked ISIL positions in Sirte and Nofilia while ongoing clashes continue between ISIL and various armed groups in Benghazi.

On 11 July UNSMIL facilitated the initialing of a preliminary Libyan Political Agreement. Officials from the GNC did not attend the signing and significant armed groups affiliated with both rival governments have rejected the agreement. On 13 September the UN Special Representative to Libya, Bernardino Leon, said that all parties to the conflict had now reached a "consensus on the main elements" of a peace deal during negotiations in Morocco.

During July 40 people were killed in fighting between rival groups of ethnic Tuareg and Toubou, near the southwestern city of Sabha.

ANALYSIS

Civilians remain at risk of war crimes due to indiscriminate shelling of population centers and a failure to distinguish between combatants and civilians. Armed groups on all sides continue to violate international human rights and humanitarian law. Civilians continue to face persecution, detention and extrajudicial killing on the basis of tribal affiliation and presumed political loyalties.

The government's lack of control over the country has allowed arms and foreign fighters to freely cross borders, further destabilizing Libya and the surrounding region. There is also evidence of competing regional powers providing arms and air support to either Operation Dignity or Libya Dawn, despite a UN-mandated arms embargo.

ISIL's growing presence adds a new dynamic to the conflict and poses a direct threat to vulnerable civilians.

Both rival governments are failing to uphold their Responsibility to Protect.

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.

During June 2011 the ICC issued arrest warrants for Saif al-Islam al-Qaddafi and Abdullah al-Senussi, former head of military

intelligence, for the alleged commission of crimes against humanity, but a disagreement over jurisdiction between Libya and the ICC ensued. On 28 July 2015 GNC-affiliated courts sentenced both men to death. UNSMIL and various human rights groups have criticized the trials as lacking legal credibility.

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, reinforce arms control and provide humanitarian assistance.

NECESSARY ACTION

All armed groups need to immediately cease targeting civilians and carrying out military operations in population centers. Regional powers need to act in accordance with the arms embargo reaffirmed under UNSC Resolution 2213. The UNSC should impose sanctions against those who subvert the peace negotiations.

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 a national unity 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
- » [GCR2P Populations at Risk: Libya](#)



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