

# 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.

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\*Access constraints have prohibited updated monitoring of DPRK and Eritrea.

**CURRENT  
CRISIS**

Mass atrocity crimes are occurring and urgent action is needed.



2,800+ civilians killed  
during 2018

2,100+ children killed  
or maimed during 2018

## AFGHANISTAN

*Populations in Afghanistan are at ongoing risk of mass atrocity crimes as the Taliban intensifies its armed conflict with the government. Other armed extremist groups are also increasing attacks on civilians.*

### BACKGROUND

Since the Taliban was overthrown in 2001 by a North Atlantic Treaty Organization (NATO) coalition of military forces, it has conducted an insurgency against the internationally recognized Afghan government. Following the 2014 withdrawal of most foreign forces from Afghanistan, the Taliban has made substantial military gains, currently controlling or influencing more than half of the country. According to the UN Assistance Mission in Afghanistan (UNAMA), civilians living in Taliban-controlled areas suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings.

UNAMA documented the deaths of 2,798 civilians from 1 January to 30 September 2018. Attacks by the Taliban and other anti-government forces using improvised explosive devices (IEDs) are the leading cause of civilian casualties, with over 1,065 civilian deaths due to IEDs during 2018. Such attacks often target individuals from minority ethnic and religious groups. Civilians have also been killed during anti-Taliban operations, including a 27 November airstrike conducted by the United States military in Helmand Province that killed up to 23 civilians.

UNAMA recorded that 2,136 children were killed or maimed between January and September 2018. According to the UN Secretary-General's 2018 report on children and armed conflict, the situation in Afghanistan was also responsible for the highest overall number of child deaths and injuries due to armed conflict during 2017. During 2016 Afghanistan recorded the highest

number of verified child casualties in any conflict since the UN started globally documenting such casualties in 2009.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has also established a significant presence in Afghanistan. ISIL-K attacks have often been directed at the Shia minority, including a 20 November suicide-bombing in Kabul targeting a gathering of religious leaders that killed at least 50 people.

Violence escalated ahead of the 20 October parliamentary elections, with UNAMA documenting an "organized campaign of numerous attacks by anti-government elements, mainly Taliban, directed at civilian objects and in civilian-populated areas ... including attacks against schools used as polling centres." In advance of the elections at least ten candidates were killed in attacks claimed by ISIL-K and the Taliban. During the election period UNAMA recorded the highest level of civilian harm compared to the four previous elections held in Afghanistan, with 56 civilians killed. UNAMA also documented widespread threats and intimidation, depriving civilians of their right to freely participate in the election. On 6 December the Independent Electoral Complaints Commission announced that all votes cast in Kabul would be rendered invalid due to fraud and mismanagement.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 6.3 million people in Afghanistan are in need of humanitarian assistance and 2.5 million Afghans are refugees - the second largest refugee population in the world.

### ANALYSIS

As the Taliban regains territory the number of civilians at risk of possible war crimes and crimes against humanity continues to increase. Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees. During their 17-year war, government forces and the Taliban have both shown disregard for International Humanitarian Law (IHL).

In addition to fighting to expand their territorial control, the Taliban has escalated attacks on civilians in urban areas in an effort to undermine the government's ability to function. The rise of ISIL-K across Afghanistan has also put civilians - in particular members of the Shia religious minority - at elevated risk of mass atrocities. Although government forces implemented successful measures to decrease civilian casualties during 2017, the use of IEDs by the Taliban and ISIL-K in populated areas continues to endanger civilians.

Unless sustained action is taken to address corruption, marginalization and political tensions within the Afghan government, conflict and insecurity will continue to increase. The upcoming presidential election scheduled for April 2019 provides a potential trigger for further violence.

The Afghan government needs ongoing international support to uphold its Responsibility to Protect.

## INTERNATIONAL RESPONSE

At the July 2016 NATO Summit member states pledged to sustain their assistance to Afghan security forces until 2020. The United States currently has approximately 14,000 troops in Afghanistan, although in December 2018 President Donald Trump announced his intention to withdraw approximately half of them.

Since 2011 the UN Security Council (UNSC) has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates. UNAMA was established under UNSC Resolution 1401 of 2002 and its mandate includes monitoring human rights violations and the protection of civilians. UNAMA's current mandate expires on 17 March 2019.

During November 2017 the Chief Prosecutor of the ICC requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. According to the ICC, the Taliban has potentially committed crimes against humanity and war crimes. Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees. During February 2018 Afghanistan's new penal code came into force, incorporating the Rome Statute of the ICC.

On 9 November Russia hosted peace talks with representatives from the Afghan government, the Taliban, the United States and eleven other governments. On 17 December the government of Pakistan convened talks in the United Arab Emirates (UAE) with representatives of the Afghan government, the Taliban and the United States.

On 27-28 November the UN hosted a conference that led to the adoption of the "Geneva Mutual Accountability Framework," which is designed to monitor reforms that support peace and development, reduce poverty, and improve the welfare of the people of Afghanistan.

## NECESSARY ACTION

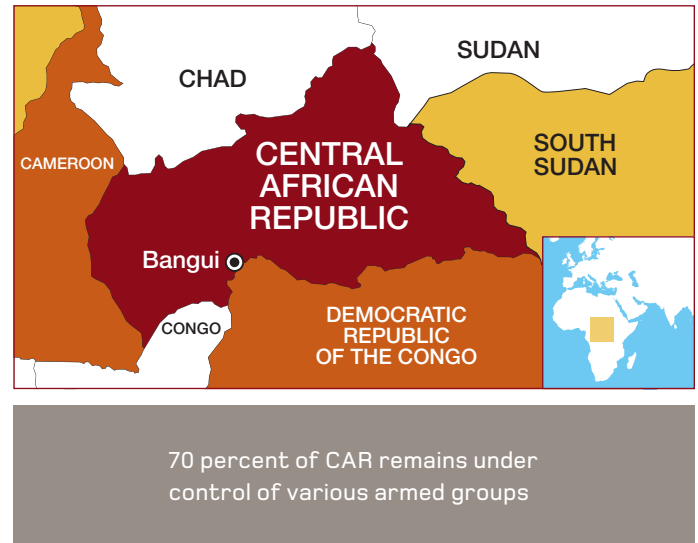
The international community should continue to support the Afghan government as it combats the Taliban, ISIL-K and other armed extremist groups. Increased efforts should be undertaken to ensure the safety and security of vulnerable minorities. Countering violent extremism while promoting good governance and the rule of law remains essential.

The Afghan security forces and all international military forces operating within Afghanistan must prioritize the protection of civilians and strictly adhere to IHL and International Human Rights Law (IHRL).

The government and its international partners should fully cooperate with the ICC's investigation of alleged war crimes and crimes against humanity in Afghanistan.

## MORE INFORMATION

- » [UNAMA Website](#)
- » [UNAMA Special Report: Increasing Harm to Afghan Civilians from the Deliberate and Indiscriminate Use of Improvised Explosive Devices, 7 October 2018](#)
- » [Geneva Mutual Accountability Framework, 28 November 2018](#)
- » [Populations at Risk: Afghanistan](#)



## CENTRAL AFRICAN REPUBLIC

*Populations in the Central African Republic are at risk of mass atrocity crimes due to ongoing violence committed by various armed groups.*

## BACKGROUND

Fighting amongst armed groups continues in almost every region of Central African Republic (CAR), leaving civilian populations at risk of attack and causing widespread displacement. Ongoing violence is fueled by shifting alliances between various predatory armed groups, including factions of the ex-Séléka rebel alliance and anti-balaka militias. The conflict has also sharpened divisions between the Muslim and Christian communities. The UNSC-mandated Panel of Experts on CAR reported in 2018 that hate speech and incitement to ethnic and religious-based violence had reached unprecedented levels and warned that some anti-balaka affiliated groups were carrying out targeted attacks against the Muslim population.

Armed clashes and violence have escalated across CAR. The violence is primarily driven by anti-balaka militias and three former members of the Séléka rebel alliance – the Front Populaire pour la Renaissance de la Centrafrique (FPRC), the Union pour la Paix en Centrafrique (UPC) and the Mouvement Patriotique pour la Centrafrique (MPC). Armed groups have intentionally targeted civilians and humanitarian workers, committed sexual violence, and perpetrated attacks on medical facilities and places of worship. As a result, several humanitarian agencies have suspended relief operations.

Between 25 August and 16 September violence in Bria between anti-balaka militias and ex-Séléka elements, especially the FPRC, left at least 24 civilians dead. Since 31 October conflict has also intensified in the northern city of Batangafo where three internally displaced persons (IDP) camps were burnt down during violent clashes between the anti-balaka and the FPRC and MPC.

On 15 November clashes also erupted in the northern town of Alindao between anti-balaka members and the UPC. Despite the presence of peacekeepers from the UN Mission in CAR (MINUSCA), at least 70 civilians were killed as the UPC attacked a camp for IDPs. During the attack a church was burnt down and a priest was killed. On 31 December more than 12,000 people were also forcibly displaced when alleged FPRC fighters attempted to take over the southeastern town of Bakouma.

The crisis in CAR has its origins in the overthrow of President François Bozizé on 24 March 2013 by the mainly Muslim Séléka rebel alliance. Abuses by the Séléka led to the formation of predominately Christian anti-balaka militias and the collapse of state institutions.

A report published by the Office of the UN High Commissioner for Human Rights (OHCHR) during May 2017 found that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. More than a quarter of the country's population has fled their homes since 2013, with an estimated 636,000 Central Africans still internally displaced and almost 575,000 refugees.

The African Union (AU) has led recent efforts to initiate a possible peace process, acting as a mediator between the government and various armed groups. In parallel, Russia organized a meeting with four major armed groups in Khartoum during August 2018, where the groups pledged support for peace talks under the framework of the AU-led African Initiative for Peace and Reconciliation. During December 2018 the UNSC emphasized that the African Initiative "constitutes the only framework for a comprehensive political solution."

A hybrid judicial mechanism – the Special Criminal Court (SCC) for CAR – was created during 2015 and opened its first session on 22 October 2018.

## ANALYSIS

Governmental control remains extremely limited. According to the UN, an estimated 70 percent of the country is still in the hands of armed groups competing for territory, power and resources. Illegal trafficking allows for arms proliferation and armed groups benefit from revenues generated through the control of roads and natural resource extraction sites. Civilians remain the primary targets of ongoing violence.

In many parts of the country MINUSCA remains the only force capable of maintaining security, but it continues to face critical capacity gaps that impede its ability to consistently uphold its civilian protection mandate.

The October 2018 inauguration of the SCC opens the way for accountability for mass atrocity crimes, but the court continues to face many logistical challenges.

The CAR government requires sustained international assistance to uphold its Responsibility to Protect.

## INTERNATIONAL RESPONSE

The UNSC has passed 12 resolutions since October 2013 that emphasize the government's responsibility to protect all populations in CAR, including Resolution 2399 of 30 January 2018, which extended the sanctions regime that has been in place since 2013. The resolution authorized the imposition of travel bans and asset freezes on those who incite ethnic or religious violence. On 15 December 2018 the UNSC extended MINUSCA's mandate until 15 November 2019.

During May 2014 the government referred the situation in CAR to the ICC, which opened an investigation into alleged war crimes and crimes against humanity by both Séléka and anti-balaka forces. On 17 November 2018 Alfred Yekatom, former commander of an anti-balaka group and a Member of Parliament, was transferred to the ICC and will face charges of war crimes and crimes against humanity. On 12 December French authorities arrested Patrice-Edouard Ngaïssona, an anti-balaka leader, for alleged war crimes and crimes against humanity, and authorized his transfer to the ICC.

## NECESSARY ACTION

MINUSCA must improve its ability to rapidly respond to emerging threats against the civilian population and strengthen its preventive capacity by bolstering local disarmament and reintegration efforts.

Notwithstanding its numerous reconstruction, reconciliation and security challenges, the government should prioritize accountability for mass atrocity crimes by carrying out domestic criminal prosecutions as well as by continuing its cooperation with the ICC. National authorities should ensure the SCC can fulfill its mandate.

Through MINUSCA the international community should continue to assist the government in upholding its protective responsibilities and help restore state authority throughout the country.

## MORE INFORMATION

- » [MINUSCA Website](#)
- » [Report of the UN Secretary-General, S/2018/922](#), 15 October 2018
- » [UNSC Resolution 2448, S/RES/2448](#), 13 December 2018
- » [GCR2P Populations at Risk: Central African Republic](#)



Over 720,000 ethnic Rohingya fled atrocities and crossed into Bangladesh between August-December 2017

## MYANMAR (BURMA)

*Populations in Myanmar (Burma) continue to face mass atrocity crimes. Atrocities committed against the Rohingya minority may constitute genocide under international law.*

### BACKGROUND

Populations in Myanmar remain at risk of mass atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies. According to a Human Rights Council (HRC)-mandated international Fact Finding Mission (FFM), the treatment of the minority Rohingya population by Myanmar's security forces amounts to four of the five prohibited acts defined in the Genocide Convention. Namely, "perpetrators have killed Rohingya, caused serious bodily and mental harm to Rohingya, deliberately inflicted conditions of life calculated to bring about the physical destruction of Rohingya, and imposed measures intended to prevent births of Rohingya."

The FFM found evidence of "genocidal intent," including government policies designed to alter the demographic composition of Rakhine State, and a premeditated plan for the destruction of Rohingya communities. The FFM also concluded that crimes against humanity and war crimes have been committed in Kachin, Rakhine and Shan states, principally by Myanmar's military.

According to the FFM, Myanmar's civilian authorities, including State Counsellor Aung San Suu Kyi, have not met their "responsibility to protect the civilian population" and have enabled the commission of atrocity crimes. The report listed alleged perpetrators of these atrocities, including military Commander-in-Chief, General Min Aung Hlaing, and called for Myanmar's top military officials to be prosecuted for genocide, crimes against humanity and war crimes. The FFM also called upon the UNSC to refer the situation in Myanmar to the ICC or to create an ad hoc international criminal tribunal.

The UN Secretary-General released a report during November 2018 on "children and armed conflict in Myanmar," which covered the period between 1 July 2017 and 31 August 2018. The report documented 1,166 grave violations against children across three northern townships of Rakhine State and highlighted displacement of approximately 48,000 children in Kachin and Shan states. Due to access restrictions, the actual numbers are likely much higher.

Since the start of so-called "clearance operations" on 25 August 2017, over 723,000 people – mostly ethnic Rohingya – have fled Rakhine State, with the majority of refugees arriving in Bangladesh during the first three months of the crisis. This brought the number of the Rohingya refugees in Bangladesh to an estimated 900,000 people. Satellite images and other evidence reveal that over 300 Rohingya villages have been destroyed in Rakhine State.

Access to Rakhine State remains severely restricted for UN agencies and investigators, humanitarian organizations and the media. On 3 September 2018 a Myanmar court sentenced two Reuters journalists who were investigating a massacre of Rohingya villagers to seven years in prison for allegedly breaking the Official Secrets Act.

Since early December 2018 conflict has also flared in Rakhine State between Myanmar's military and the Arakan Army, an armed group that claims to represent the Buddhist Rakhine ethnic population. According to OCHA, an estimated 5,000 people have been displaced.

Myanmar's military has been at war with a number of non-state ethnic armed groups since the late 1940s. In particular, populations in Kachin and Shan states remain at ongoing risk of mass atrocity crimes. Following the 2011 breakdown of a ceasefire between the military and the Kachin Independence Army, fighting has displaced more than 107,000 people in Kachin and Shan states, according to OCHA. On 21 December the military declared a unilateral four-month ceasefire in Kachin and Shan states aimed at reviving the peace process. However, clashes continue between rival armed groups in Shan State.

### ANALYSIS

The Rohingya, a distinct Muslim ethnic minority group of over 1 million people, have been systematically persecuted for generations. Myanmar's 1982 Citizenship Law rendered most of the population stateless. The Rohingya are also subject to severe restrictions on their freedom of movement, with more than 120,000 Rohingya confined to camps since 2012. The rights of the Rohingya are further limited by the so-called "Protection of Race and Religion" laws that place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights.

Despite Myanmar's partial transition to democracy, until discriminatory laws and policies are repealed or amended and



perpetrators of atrocities are held accountable, the threat of further atrocities endures. The failure of the UNSC to hold accountable those responsible for atrocities committed against the Rohingya has enabled the military to continue its campaign against other populations, posing an ongoing threat to vulnerable civilians.

Restricting the access of UN agencies and humanitarian organizations to Rakhine State undermines efforts to provide humanitarian assistance and assess local conditions. Without independent assessment, the proposed repatriation of refugees cannot be carried out in a safe and sustainable manner.

The government of Myanmar has manifestly failed to uphold its Responsibility to Protect the Rohingya and other minority groups, and bears responsibility for the commission of war crimes, crimes against humanity and genocide.

### INTERNATIONAL RESPONSE

The only formal response of the UNSC to the situation in Rakhine State since 25 August 2017 has been the adoption of a Presidential Statement on 6 November 2017. That statement called for the implementation of the recommendations of the Advisory Commission on Rakhine State and stressed the “primary responsibility of the Myanmar government to protect its population.”

Since August 2017 the European Union (EU), Canada, United States, Australia and others have responded to atrocities in Rakhine State, including by suspending cooperation with Myanmar’s military and imposing targeted sanctions on senior officers. On 20 September 2018 Canada’s House of Commons recognized the crimes committed against the Rohingya in Myanmar as genocide and called for senior military officers to be prosecuted.

On 18 September the Chief Prosecutor of the ICC, Fatou Bensouda, announced that her office was proceeding with a preliminary investigation into the alleged deportation of more than 700,000 Rohingya civilians from Myanmar to Bangladesh.

On 27 September the HRC adopted a resolution creating an “independent mechanism to collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law committed in Myanmar.” The resolution extended the mandate of the FFM until the new mechanism is operational. During December the UN General Assembly approved the funding for the new mechanism.

On 13 December the United States House of Representatives adopted a resolution declaring the campaign against the Rohingya to constitute genocide.

On 22 December the UN General Assembly adopted a resolution on the “Situation of Human Rights in Myanmar,” requesting the

Secretary-General to extend the appointment of the Special Envoy on Myanmar.

### NECESSARY ACTION

The international community should support the FFM’s recommendations and ensure that those responsible for genocide, crimes against humanity and war crimes do not evade justice.

The UNSC should refer the situation in Myanmar to the ICC and impose an arms embargo on the country, as well as targeted sanctions on all senior military officers with command responsibility for atrocities. The UNSC should also demand immediate and unfettered access for humanitarian organizations, UN agencies and independent investigators to Rakhine, Kachin and Shan states.

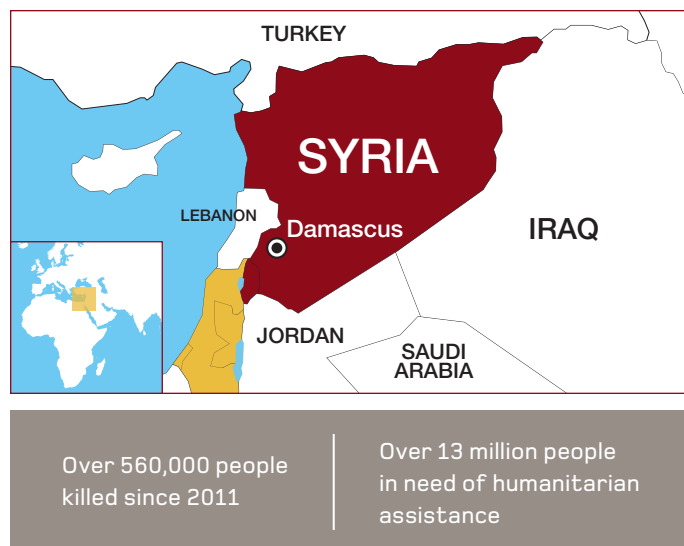
Individual governments and regional organizations should impose targeted sanctions on those responsible for atrocities. All international trade and development programs in Rakhine State should be scrupulously reviewed to ensure that they do not reinforce discriminatory structures.

Myanmar’s government must repeal or amend all laws that systematically discriminate against the Rohingya, including the Protection of Race and Religion laws and the 1982 Citizenship Law. The government should take proximate steps towards building a more inclusive society in which the human rights of all of Myanmar’s diverse populations are protected, regardless of religion, citizenship status or ethnicity.

It is essential that any repatriation of Rohingya refugees is conducted on a strictly voluntary basis, in accordance with the principle of non-refoulement, and in consultation with the UN Refugee Agency (UNHCR).

### MORE INFORMATION

- » [UNSC Presidential Statement, S/PRST/2017/22](#), 6 November 2017
- » [Report of the detailed findings of the Independent International Fact-Finding Mission on Myanmar](#), 18 September 2018
- » [GCR2P Populations at Risk: Myanmar \(Burma\)](#)



## SYRIA

*Populations continue to face war crimes and crimes against humanity committed by government forces and their allies in Syria's ongoing civil war. Various non-state armed groups are also committing war crimes.*

### BACKGROUND

Since the Syrian crisis began in 2011 the conflict between the government and opposition groups has escalated into a civil war in which at least 560,000 people have been killed. As of October there were 5.6 million Syrian refugees and at least 6.6 million IDPs - the largest number of people displaced by any conflict in the world. Over 13 million Syrians are in dire need of humanitarian assistance.

Idlib and adjoining portions of Aleppo and Hama governorates constitute the last remaining major opposition strongholds within Syria. Idlib was designated a "de-escalation zone" in 2017 and of the 3 million civilians living within the governorate, at least 1.5 million are internally displaced. On 17 September 2018 the governments of Turkey and Russia agreed to the establishment of a 15 kilometer-wide "demilitarized zone" within Idlib Governorate. By 10 October opposition fighters had removed all heavy weaponry from the designated area, but did not withdraw their forces from the zone entirely.

On 24 November an alleged chemical weapons attack took place in Aleppo, leaving 100 people with respiratory problems. It is unclear who was responsible, but in response the Syrian and Russian governments carried out airstrikes in Aleppo and Idlib governorates for the first time since September. On 1 January hostilities erupted between two major armed groups within the governorate - Hayat Tahrir al-Sham (HTS) and Nour el-Din el-Zinki. During the clashes HTS gained control of a number of towns in western Aleppo and Idlib, and on 6 January the Turkish government deployed its forces along the front lines in northwestern Syria.

Violence has also continued in Deir-Ezzour Governorate, where ISIL remains active. On 14 December ISIL forces retreated from their last urban stronghold in Syria, the town of Hajin, following sustained clashes with the Kurdish-led Syrian Democratic Forces, supported by United States airstrikes. OCHA has reported that an estimated 6,000 civilians remain trapped in ISIL-controlled territory within the governorate. The SOHR reported that at least 196 civilians were killed during the recent clashes.

Since 2012 the HRC-mandated Commission of Inquiry (CoI) has reported that government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. The UN Secretary-General's report on "children and armed conflict in Syria" documented the killing of at least 3,891 children and attacks on over 350 schools and 340 hospitals by all parties to the conflict between November 2013 and June 2018.

The Organization for the Prohibition of Chemical Weapons-Joint Investigative Mechanism has also determined that Syrian government forces used chlorine gas between 2014 and 2015 while ISIL used sulfur-mustard in attacks during 2015 and 2016. On 15 October the British Broadcasting Corporation (BBC) published an investigation alleging that at least 106 chemical weapons attacks have taken place in Syria since the government acceded to the Chemical Weapons Convention in September 2013.

Russia, Iran and Hezbollah continue to provide essential military support to the Syrian government. Since September 2015 Russian airstrikes have largely targeted opposition forces and civilian areas outside government control, despite the Russian government claiming their operations are only targeting terrorist groups. The CoI reported on 6 March 2018 that some airstrikes by the Russian air force may amount to war crimes. According to the SOHR, Russian airstrikes have killed 5,233 ISIL fighters and over 7,988 civilians, including 1,936 children, as of 30 November 2018.

The SOHR reported that ISIL has killed approximately 5,500 civilians in Syria since June 2014. The SOHR has also reported that airstrikes by the United States-led anti-ISIL coalition have killed 3,538 civilians since September 2014, including 768 children.

### ANALYSIS

The government of Syria, its allies and opposition groups have all committed indiscriminate attacks on civilian populations. Attacks on medical facilities and civilian infrastructure demonstrate a complete disregard for international law and directly contravene UNSC Resolutions 2286 and 2139. Ongoing fighting between opposition groups and a potential military offensive on Idlib could imperil the lives of millions of civilians.

The Syrian government, with support from its international allies, continues to utilize its military resources to retain power

at all costs. The fracturing and radicalization of the opposition compounds the difficulty of negotiating a political settlement.

The direct participation of Russian and Iranian forces in numerous attacks on civilian-populated areas makes them complicit in alleged war crimes. The United States also has several thousand troops working with armed opposition groups in former ISIL-occupied territories, while the Turkish military is present in the north of the country.

The UNSC has been unable to enforce compliance with its resolutions, with bitter divisions evident amongst the permanent members. Russia has systematically shielded Syria from accountability measures.

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

## INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syrian government for its widespread violations of human rights. The CoI, UN Secretary-General and former UN High Commissioner for Human Rights have all called for the situation in Syria to be referred to the ICC.

Despite this, the UNSC has failed to adequately respond. Since 2013 the UNSC has passed 24 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several of these refer to the government's responsibility to protect populations, but none have been fully implemented. Meanwhile, Russia and China have jointly vetoed six draft resolutions and Russia has independently vetoed a further six resolutions. On 13 December the UNSC adopted Resolution 2449, renewing authorization of the delivery of humanitarian supplies across borders and lines of conflict until 10 January 2020.

On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria. The HRC has adopted 27 resolutions condemning atrocities in Syria, the majority of which reiterate the demand that the Syrian authorities uphold their responsibility to protect the population.

On 8 January Geir Pedersen of Norway started in his role as the new UN Special Envoy for Syria.

## NECESSARY ACTION

In keeping with various UNSC resolutions, Syrian government forces, armed opposition groups and all international parties to the conflict must facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting. All parties to the conflict should respect the Idlib "demilitarized zone." The governments of Syria, Turkey and Russia should immediately allow for the establishment of an OHCHR field presence in Idlib.

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 all support from armed groups that commit war crimes and target civilians.

UN member states should fully cooperate with the IIIM and facilitate its work. The IIIM should be incorporated into the UN's regular budget.

## MORE INFORMATION

- » [UN Secretary-General's report on children and armed conflict in Syria](#), 30 October 2018
- » [UNSC Resolution S/RES/2449](#), 13 December 2018
- » [GCR2P Populations at Risk: Syria](#)



16,000 civilians killed  
since March 2015

570,000+ people displaced  
by fighting in Hodeidah

## YEMEN

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

## BACKGROUND

Despite diplomatic efforts to end Yemen's four-year war, populations remain at risk of war crimes and are experiencing the largest humanitarian crisis in the world. Fighting between Houthi rebels, members of the General People's Congress and various pro-government forces, as well as airstrikes by a Saudi Arabia and UAE-led international coalition, has resulted in the deaths of at least 16,000 civilians in Yemen since March 2015, although the actual death toll is considered to be much higher.

Between 6-13 December the UN Special Envoy for Yemen, Martin Griffiths, hosted the first consultations between the government of Yemen and Houthi representatives since previous talks were suspended in 2016. During the consultations in Sweden parties to the conflict agreed to establish a ceasefire in Hodeidah Governorate and the withdrawal of all forces from the city of Hodeidah; an exchange of prisoners; and a statement of



understanding on the besieged city of Taiz. Although both Houthi and government forces have already accused one another of violating the "Stockholm Agreement," the preliminary withdrawal of Houthi forces from the Hodeidah began on 29 December. Participants agreed to reconvene in January.

On 28 August the HRC-mandated Group of Independent Eminent Experts on Yemen reported that grave human rights violations have been perpetrated by all parties to the conflict, possibly amounting to war crimes. Throughout the conflict Houthi and government-allied forces have targeted civilian infrastructure, including schools, hospitals, and water and sanitation facilities. On 11 October the UN Committee on the Rights of the Child reported that at least 1,248 children have been killed since March 2015. The UN Children's Fund has also reported more than 2,400 child soldiers have been recruited by both Houthi and government forces. The UN, media and human rights organizations have also documented the widespread use of torture and sexual violence within both Houthi and government-allied detention centers.

Prior to the December consultations, Yemeni government forces, supported by the Saudi/UAE-led coalition, were conducting a military offensive on Hodeidah. OCHA reported 1,460 civilian casualties due to fighting during November and UNHCR has reported that over 570,000 people have been displaced since the start of the offensive in June 2018. Since the ceasefire went into effect on 18 December hostilities have significantly decreased. Yemen imports 90 percent of its staple food supplies and Hodeidah serves as the entry point for 80 percent of the country's food and fuel imports.

The conflict has been characterized by the obstruction of humanitarian aid by all parties to the conflict, including the temporary closure of all air and sea ports in November 2017 by the Saudi/UAE-led coalition. On 31 December the World Food Programme demanded that Houthi forces immediately halt the practice of seizing food aid in territories under their control. At least 24 million people are in need of humanitarian assistance, and according to the Integrated Phase Classification (IPC) system, as of December an estimated 15.9 million people – over half the population – are severely food insecure. For the first time since the start of the conflict, 65,000 Yemenis are in IPC Phase 5, or "catastrophe" level. That number will increase to 240,000 during January if humanitarian assistance is not sustained. On 21 November Save the Children reported that 85,000 children under five may have died of starvation since April 2015.

Other armed groups continue to take advantage of the conflict to perpetrate violence against civilians, including Al-Qaeda in the Arabian Peninsula (AQAP) and ISIL. The conflict has also resulted in increased religious persecution of the country's Bahá'í population.

## ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to

possible war crimes and crimes against humanity. The dire humanitarian situation in Yemen is a direct result of the ongoing armed conflict and requires a political solution. If the ceasefire in Hodeidah Governorate is not maintained, resumed hostilities would threaten vital civilian infrastructure and leave millions of Yemenis at increased risk of famine.

While Saudi Arabia and the UAE remain the main forces behind the regional military coalition, Iran has provided some military assistance to the Houthis. Civilian casualties caused by international coalition airstrikes have resulted in public pressure for the United States, United Kingdom and other governments to cease selling arms to Saudi Arabia and the UAE.

Political disputes amongst pro-government forces and coalition members threaten to further fracture Yemeni society. The exclusion of some parties to the conflict from political consultations could increase the difficulty of establishing a lasting peace.

All sides of the conflict appear manifestly unable or unwilling to uphold their Responsibility to Protect.

## INTERNATIONAL RESPONSE

During 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. On 14 April 2015 the UNSC passed Resolution 2216, establishing an arms embargo against Houthi leaders and some supporters of Saleh, and demanding the Houthis withdraw from all areas they had militarily seized. On 26 February 2018 the UNSC renewed sanctions for an additional year.

On 30 September 2018 the HRC voted to extend the mandate of the Group of Eminent International and Regional Experts authorized to monitor and report on the human rights situation in Yemen, but the government has refused entry to the Group.

On 25 October the European Parliament passed a resolution calling upon EU member states to halt weapons exports to Saudi Arabia. On 9 November the United States announced it would stop refueling Saudi/UAE-led coalition aircraft. The United States Senate adopted a resolution on 13 December calling for an end to United States military support for the Saudi/UAE-led coalition in Yemen.

On 21 December the UNSC adopted Resolution 2451, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team to oversee its implementation.

## NECESSARY ACTION

All parties to the conflict must uphold the ceasefire in Hodeidah governorate and immediately implement the terms of the Stockholm Agreement, including the withdrawal of troops from Hodeidah city by 21 January. The UNSC should facilitate the immediate operationalization of a monitoring force, as stipulated

in Resolution 2451. The Council should also adopt targeted sanctions against all those responsible for potential atrocities, including the deliberate obstruction of vital humanitarian assistance to vulnerable civilians.

The government of Yemen should allow access to the Group of Eminent Experts and facilitate their work. The UNSC should request to be formally briefed on the Group's findings.

The distinction between military and civilian targets is central to IHL and must be adhered to at all times. In keeping with the Arms

Trade Treaty, all UN member states should immediately halt the sale of weapons to parties to the conflict who routinely violate IHL, including Saudi Arabia and the UAE.

### MORE INFORMATION

- » [Stockholm Agreement](#), 13 December 2018
- » [UNSC Resolution 2451, S/RES/2451](#), 21 December 2018
- » [GCR2P Populations at Risk: Yemen](#)

## 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.



437,000 people internally displaced by conflict in the North-West and South-West regions

intensified, there has been growing evidence of government security forces perpetrating extrajudicial killings and torture, as well as burning property in Anglophone villages.

Armed separatist forces have also perpetrated abuses, including killings and kidnappings. At least 40 schools in the Anglophone region have been destroyed since October 2017. Some armed separatist groups have also attacked and killed state officials and members of the security forces as part of an effort to render the Anglophone areas ungovernable.

On 12-13 November 2018 at least 30 people were killed and hundreds displaced as result of military raids on separatist strongholds. On 25 December hundreds of people fled the villages of Menkefou and Choupat in western Cameroon after suspected Anglophone separatists abducted 15 people and torched 80 houses.

## CAMEROON

*There is an imminent risk of mass atrocity crimes due to violence between government security forces and armed separatists in Cameroon's Anglophone regions.*

### BACKGROUND

Political tensions over cultural rights and identity have been growing in Cameroon's Anglophone regions since 2016 when English-speaking lawyers, students and teachers began protesting against their under-representation and cultural marginalization by the Francophone-dominated government. Violent repression by the security forces resulted in arbitrary arrests, sexual violence and the killing of protesters in the largely Anglophone North-West and South-West regions.

The crisis deepened after October 2017 when Anglophone separatists symbolically proclaimed independence from Cameroon, declaring a new state of "Ambazonia." As the conflict

The Anglophone and Francophone areas of Cameroon were unified in 1961, but there have been long-term disputes over the extent to which government resources and access to employment are controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the overall population of Cameroon, they are a majority in the North-West and South-West regions.

OCHA estimates that 437,000 people have been internally displaced in the North-West and South-West regions since December 2017. As of 10 November 2018 UNHCR estimates that more than 30,000 people have also sought refuge across the border in Nigeria.

In addition to the Anglophone conflict, military operations against the armed extremist group Boko Haram also continue in the north of Cameroon, where there have been widespread allegations of security forces perpetrating extrajudicial killings.

## ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. Any further escalation of violence could result in greater internal displacement and further refugee flows. The government has failed to address the root causes of the Anglophone conflict and provide a political means for peacefully resolving it.

Cameroonian security forces appear to be committing systematic or widespread attacks on civilians, potentially amounting to crimes against humanity, particularly in the North-West and South-West regions as well as in their response to Boko Haram in the far north. Widespread allegations of extrajudicial killings have been bolstered by leaked video evidence of security forces summarily executing groups of unarmed civilians.

The government of Cameroon is failing to uphold its Responsibility to Protect the Anglophone minority and requires international assistance to mediate and end the developing armed conflict in the North-West and South-West regions.

## INTERNATIONAL RESPONSE

During 2017 the UN High Commissioner for Human Rights called for the government of Cameroon to conduct impartial investigations into violence in the Anglophone regions. On 17 November 2017 six UN Special Rapporteurs issued a joint statement urging the government to engage in meaningful dialogue and halt violence in the North-West and South-West.

On 10 August the UNSC adopted a Presidential Statement on the situation in the Central African region. The statement highlighted the “worrying increase in violence in the North-West and South-West regions of Cameroon.”

Despite the government's failure to protect populations from violations and abuses of human rights or to hold security forces accountable, on 12 October 2018 Cameroon was elected to the HRC for the 2019–2021 term.

On 21 November the UN Resident Coordinator for Cameroon called for dialogue between the government and armed Anglophone separatists.

## NECESSARY ACTION

The security forces must cease the use of disproportionate and deadly force against unarmed civilians and ensure that the human rights of all Cameroonians are protected, regardless of language or cultural identity.

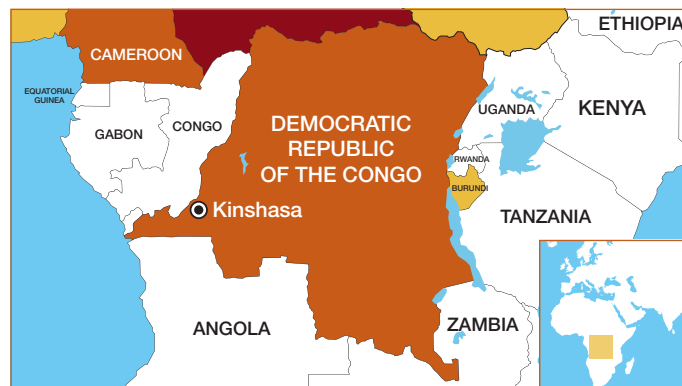
All persons responsible for extrajudicial killings must be held accountable. The government of Cameroon should grant OHCHR access to the North-West and South-West regions to investigate potential human rights violations and abuses.

The government of Cameroon should immediately initiate a dialogue with Anglophone community leaders and constructively

address the historic grievances of the English-speaking minority. The AU and Economic Community of Central African States should engage with Cameroon's government in order to end any further deterioration of the conflict in the Anglophone regions.

## MORE INFORMATION

- » [UNSC Presidential Statement, S/PRST/2018/17](#), 10 August 2018
- » [GCR2P Populations at Risk: Cameroon](#)



Presidential elections were held on 30 December 2018

4.5 million IDPs and 780,000 refugees in neighboring countries

## DEMOCRATIC REPUBLIC OF THE CONGO

*Post-election instability leaves populations in the Democratic Republic of the Congo at imminent risk of political violence and mass atrocity crimes committed by security forces and various militias.*

## BACKGROUND

After two years of unconstitutional delays and the widespread repression of opposition protests, the Democratic Republic of the Congo (DRC) held elections on 30 December. The national election commission (CENI) announced on 10 January that preliminary results indicated that opposition candidate Felix Tshisekedi had won the election, defeating another opposition candidate, Martin Fayulu, and ruling coalition candidate Emmanuel Ramazani Shadary.

During the election there were widespread allegations of irregularities, including vote tampering and voter suppression. In eastern DRC there were reports of armed groups attacking polling stations and coercing civilians to vote for particular candidates. An estimated 3 million people were also unable to vote after the CENI announced that the election would be delayed until March 2019 in Beni and Butembo, North Kivu province, due to an Ebola outbreak, and in Yumbi, Mai-Ndombe province, due to ethnic violence and threats of terrorist attacks.

The elections took place amidst increasing violence and instability as various armed groups have exploited the weakness of state authority in various parts of the country. Despite military offensives conducted by the government's armed forces (FARDC) with assistance from the UN Peacekeeping Mission in the DRC (MONUSCO) and its Force Intervention Brigade, attacks by armed groups and inter-communal violence continue. According to UNHCR, over 4.5 million Congolese are currently internally displaced while more than 780,000 refugees have fled to neighboring countries.

Deadly inter-communal clashes erupted in Yumbi during December 2018, forcing more than 16,000 people to flee to Congo-Brazzaville. According to UNHCR, more than 450 homes were destroyed in clashes between the Banunus and Batende communities.

Several provinces in eastern DRC – notably North Kivu, South Kivu, Ituri and Tanganyika – have been plagued by a rise in inter-communal violence and attacks by armed groups. Suspected attacks by the Allied Democratic Forces (ADF) and other militias near Beni, North Kivu, have hampered efforts to confront an Ebola outbreak. During 2018 attacks by the ADF and other militias killed at least 235 civilians around Beni, while more than 165 people were abducted by armed groups. Clashes over access to land and water between the Banyamulenge and Bafuliro ethnic groups and affiliated militias near Uvira, South Kivu, also displaced more than 76,000 people during 2018.

## ANALYSIS

Government repression of the opposition over the past two years has exacerbated political tensions throughout the DRC. Widespread allegations of falsified election results could result in widespread protests and further violent repression by the security forces, further destabilizing the country.

Widespread violence in the east is indicative of the enduring challenge of building effective governance and political stability in the DRC. Competition for control of profitable minerals, as well as unresolved inter-communal conflicts, have enabled the proliferation of militias and armed groups.

The government of the DRC has struggled to uphold its Responsibility to Protect and government forces have at times been complicit in the perpetration of mass atrocity crimes.

## INTERNATIONAL RESPONSE

The UNSC currently subjects 13 entities and 31 individuals in the DRC to sanctions. Several governments and regional organizations, including the United States and EU, have also imposed sanctions on government officials who have impeded the election process or are deemed responsible for deadly attacks on peaceful demonstrators.

On 31 March the UNSC extended MONUSCO's mandate until March 2019. On 30 October the UNSC adopted Resolution 2439 condemning attacks by armed groups that have hampered the response to the Ebola outbreak. Both resolutions emphasized that the government “bears the primary responsibility to protect civilians within its territory and subject to its jurisdictions including protection from crimes against humanity and war crimes.”

On 11 January the Southern African Development Community (SADC) released a statement welcoming the release of provisional results, and urging all parties and their supporters to refrain from acts of violence. SADC and the International Conference on the Great Lakes Region have both encouraged the government of DRC to recount the votes.

## NECESSARY ACTION

The government must take urgent steps to ensure a timely and peaceful transition of power. Any candidates contesting the provisional results should do so through appropriate legal channels and refrain from inciting violence.

The security forces must refrain from using disproportionate force against civilians and respect the universal human rights of all Congolese, including freedom of expression and peaceful assembly. The new government should undertake measures to hold all those who used lethal force against unarmed protesters prior to the 2018 election accountable.

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The government and MONUSCO should implement measures to mediate inter-communal tensions in eastern DRC, the Kasai region and Mai-Ndombe province.

## MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Resolution, S/RES/2439](#), 30 October 2018
- » [GCR2P Populations at Risk: DRC](#)

## 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.



More than 1,200 people killed and 10,000 arbitrarily detained since April 2015

370,000 refugees in neighboring countries

## BURUNDI

*Populations in Burundi face a risk of potential mass atrocity crimes as systematic human rights violations and abuses continue.*

### BACKGROUND

Ongoing violations and abuses of human rights perpetrated by state forces in Burundi leave populations at risk of mass atrocity crimes. The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed since April 2015, including rape and sexual violence, extrajudicial killings, enforced disappearances and torture. More than 1,200 people have been killed in politically inspired violence since April 2015 and more than 10,000 Burundians have been arbitrarily detained. More than 370,000 refugees remain in neighboring countries.

Violations and abuses of human rights have primarily been carried out by the National Intelligence Service and police. The Col's August 2018 report highlighted the personal role of President Pierre Nkurunziza in fomenting serious human rights violations amidst a pervasive climate of impunity. The Col also raised concern regarding the role played by the Imbonerakure, the youth wing of the ruling party, in human rights abuses. In his November 2018 report on Burundi the UN Secretary-General warned that ongoing systematic human rights violations contribute to a "climate of intimidation in the country."

During December 2018 the BBC published a special investigation regarding the existence of at least 22 secret government detention facilities across the country where alleged dissidents are tortured as part of what witnesses call an "orchestrated program to eliminate opposition." According to former national

intelligence officers, the disappearance and death of alleged opponents has been approved by the highest state authorities.

The crisis in Burundi developed following the April 2015 announcement that President Nkurunziza would seek a third presidential term. This was regarded by many as violating the 2000 Arusha Peace Agreement, which ended a civil war that claimed over 350,000 lives between 1993-2005. Following a failed coup and protest violence, President Nkurunziza was re-elected during July 2015. The East African Community (EAC) has attempted to mediate between the government and opposition parties, but with little success.

### ANALYSIS

The government has banned most independent non-governmental organizations, curtailed independent media and repressed the political opposition. The National Intelligence Service, police and Imbonerakure have committed extrajudicial executions, enforced disappearances, arbitrary detention and torture of individuals suspected of belonging to the political opposition, possibly amounting to crimes against humanity.

The government has refused to cooperate with OHCHR, the HRC and the ICC. In addition to public threats directed at members of the Col, in April 2018 the government also expelled a team of UN experts. During December 2018 the government ordered the closure of the UN human rights office in Bujumbura. The ongoing hostility directed towards UN mechanisms, institutions and experts is a disturbing indication of the government's unwillingness to engage with the international community and adhere to its obligations under IHRL.

While international attention on the crisis has decreased since the May 2018 constitutional referendum, the government continues to commit widespread human rights abuses and violations.

The government is failing to uphold its Responsibility to Protect all Burundians, regardless of ethnicity or political affiliation.

### INTERNATIONAL RESPONSE

On 18 October 2016 President Nkurunziza initiated Burundi's withdrawal from the Rome Statute, which came into effect during October 2017. Prior to withdrawal, the ICC opened an investigation into crimes committed in Burundi from April 2015 until 26 October 2017.

On 29 July 2016 the UNSC passed Resolution 2303, authorizing UN police to monitor the security and human rights situation. The government of Burundi refused to accept the monitors. One year later the UNSC adopted a Presidential Statement



expressing the Council's intention to pursue targeted measures against those who threaten the peace and security of Burundi. There has been no subsequent action by the UNSC.

On 30 September 2016 the HRC created the Col to investigate human rights violations and abuses in Burundi. During 2018 the Col compiled a list of alleged perpetrators of crimes against humanity and called upon the government to ensure accountability. On 27 September 2018 the HRC extended the mandate of the Col despite the refusal of the government to allow the Commissioners to enter Burundi.

On 25 October 2018 the EU renewed travel bans and asset freezes on four Burundians for serious human rights violations, obstruction of democracy and incitement to violence.

### NECESSARY ACTION

It remains essential that Burundi's government ends the violent targeting of political opponents, civil society organizations and independent media. The HRC-mandated Col on Burundi should be granted immediate access to investigate alleged violations and abuses of human rights. The government should refrain from any further threats directed at the Commissioners.

The government should also engage constructively with the mediation efforts led by the EAC and collaborate with OHCHR and HRC mechanisms. The UNSC should impose targeted sanctions against all those who continue to threaten peace and security in Burundi, including the list of suspected perpetrators of crimes against humanity supplied by the Col.

### MORE INFORMATION

- » [Report of the Commission of Inquiry, A/HRC/39/63](#), 8 August 2018
- » [Report of the UN Secretary-General on the situation in Burundi, S/2018/1028](#), 20 November 2018
- » [GCR2P Populations at Risk: Burundi](#)



Israel and Hamas have fought three wars since 2008. The 2014 war led to the death of 1,500 civilians.

## ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

*Recurring armed conflict between Israel, Hamas and other Palestinian armed groups poses an ongoing threat to civilians in Israel and the Occupied Palestinian Territories (OPT).*

### BACKGROUND

Impunity for violations of international law and the failure to reach a comprehensive peace agreement has contributed to recurring armed conflict between Israel and the Hamas de-facto administration in Gaza.

Between 30 March and 28 December 2018 at least 183 Palestinians were killed and over 23,491 wounded by the Israeli Defense Forces (IDF) along the border between Gaza and Israel during a series of mass demonstrations. The demonstrations were initially organized in the lead up to the 70th anniversary of the founding of Israel and the Palestinian "Nakba" (Catastrophe) on 14 and 15 May, respectively. One Israeli was killed and 40 injured during the demonstrations.

Between August and November Hamas and other Palestinian armed groups fired hundreds of rockets and mortar rounds towards Israel, including over 400 rockets and mortars on 12 November. In retaliation Israel carried out airstrikes on targets within Gaza, killing several Palestinians. Hamas security forces in Gaza have also committed grave human rights abuses against Palestinian civilians, including arbitrary arrests, summary executions and torture.

Israel and Hamas have fought three wars since 2008. The last conflict escalated during July 2014 when the IDF launched an offensive to halt indiscriminate rocket fire from Gaza by Hamas and other Palestinian armed groups. The 50-day conflict led to the death of over 1,500 civilians and the displacement of approximately 500,000 Palestinians.

Since 2014 the dire humanitarian situation in Gaza has been exacerbated by an ongoing air, sea and land blockade by Israel. According to the UN's 2019 humanitarian needs overview, 1.7 million people in the OPT are food insecure, including 68 percent of households in Gaza. Negotiations between Israel and Palestinian representatives regarding a lasting peace agreement have been suspended since April 2014, although the UN and Egypt are currently mediating discussions between Israel and Hamas.

Illegal Israeli settlements, prohibited under international law, also continue to expand in the West Bank, including East Jerusalem. According to OCHA, over 460 Palestinian-owned structures were demolished or seized by Israeli government authorities during 2018. Violence between Palestinians and Israeli settlers also escalated during December, with three Israelis and five Palestinians killed in clashes across the West Bank.

## ANALYSIS

In the absence of a meaningful peace process, conflict between Israel and Palestinian armed groups is likely to result in recurring armed hostilities. Frequent exchanges of fire between Israel and Hamas in recent months threatens to escalate into another war in Gaza. Previous attacks on civilians in Gaza and Israel violate IHL and may constitute war crimes. No Israeli or Hamas officials have been held accountable for unlawful attacks committed during the 2014 war.

The systematic nature of human rights violations in the OPT may amount to possible crimes against humanity. Israel's military blockade of Gaza, in force since 2007, is also a potentially illegal form of collective punishment of Gaza's 1.8 million inhabitants. Recent shortages in funding for UN humanitarian operations and tightened restrictions on movement of goods into Gaza have exacerbated an already dire humanitarian situation.

Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory. Illegal Israeli settlements have contributed to the volatile situation in the West Bank. Increased anti-Semitic and anti-Arab rhetoric has heightened tensions between communities across Israel and the OPT.

Despite ongoing political conflict over sovereignty and the OPT's future, Israel, the Hamas de-facto administration and the Palestinian Authority are obligated to uphold their Responsibility to Protect.

## INTERNATIONAL RESPONSE

Following Palestine's accession to the Rome Statute in January 2015, the Chief Prosecutor of the ICC announced the opening of a preliminary examination into the situation in Palestine. On 22 May 2018 the Palestinian Authority referred the situation in Gaza to the ICC.

On 24 June 2015 the HRC-mandated Col on the Gaza conflict reported on violations of IHL and violations and abuses of IHRL

that may amount to war crimes. On 18 May 2018 the HRC decided to establish an independent, international Col to investigate all such violations in the context of large-scale civilian protests on the Gaza border.

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

On 13 June 2018 the UN General Assembly adopted a resolution condemning the use of excessive, disproportionate and indiscriminate force by the IDF against Palestinian civilians, by a vote of 120 in favor to 8 against. On 6 December the General Assembly failed to adopt a resolution condemning attacks by Hamas on Israel, with 87 votes in favor and 57 against, falling short of the necessary two-thirds majority.

## NECESSARY ACTION

All parties to the Israeli-Palestinian conflict must work towards a sustainable political solution.

Israel must lift the blockade on Gaza, cease illegal settlement-related activity and end the use of disproportionate and deadly force against Palestinian protesters. The Palestinian Authority must help end indiscriminate attacks on Israeli civilians and rigorously prosecute those responsible. The Hamas de-facto administration in Gaza must permanently halt indiscriminate rocket attacks on Israel. All parties should condemn anti-Semitic and anti-Arab hate speech and incitement to violence and cooperate fully with the preliminary examination of the ICC.

States with strong political and economic ties with Israel, the Palestinian Authority or Hamas should push for a lasting political solution to the Israeli-Palestinian conflict, strict adherence to IHL, and the protection of human rights for all civilians in Israel and the OPT, regardless of ethnicity or religion.

## MORE INFORMATION

- » [UNGA Resolution, A/RES/ES-10/20](#), 13 June 2018
- » [Report of the UN Secretary-General on the protection of the Palestinian civilian population](#), 14 August 2018
- » [GCR2P Populations at Risk: Israel and the OPT](#)



322 people killed and 2,000 injured during mass protests between April and September 2018

## NICARAGUA

*The ongoing human rights crisis in Nicaragua leaves populations at risk of potential crimes against humanity.*

### BACKGROUND

Severe repression by the government of President Daniel Ortega has triggered a human rights crisis in Nicaragua. During April 2018 tens of thousands of people took to the streets to protest severe pension cuts imposed by the government. Demonstrations then escalated across the country in response to the disproportionate use of force by police.

Between April and September 2018 at least 320 people were killed and 2,000 injured. Police regularly used disproportionate and lethal force against protesters, while also perpetrating enforced disappearances, arbitrary detention and torture. State security forces and pro-government paramilitaries also persecuted opposition activists and their families, causing over 23,000 people to flee to neighboring countries. The introduction of an "anti-terrorism" law on 16 August effectively criminalized further anti-government protests. At least 565 individuals remain in detention following their involvement in demonstrations.

On 29 August the UN High Commissioner for Human Rights published a report detailing human rights abuses in Nicaragua. The report described widespread and systematic violations and abuses that may amount to crimes against humanity, including extrajudicial killings committed by the police and sexual violence perpetrated in detention centers. Following the publication of the report, the government expelled the UN investigative team.

Although mass protests have subsided, government repression continues. On 22 November eleven UN human rights experts, including five UN Special Rapporteurs, warned about threats and physical violence targeting human rights defenders, peaceful protesters, journalists and individuals cooperating with the UN and the Organization of American States (OAS). During December 2018 the government shut down numerous non-

governmental organizations, forced independent media outlets to close and arrested journalists on charges of "terrorism."

On 20 December the Interdisciplinary Group of Independent Experts, mandated by the Inter-American Commission on Human Rights (IACHR), affirmed that crimes against humanity were committed by the government between April and May 2018. The experts' report was released one day after the government expelled both the group and the IACHR's Special Monitoring Mechanism for Nicaragua.

### ANALYSIS

The situation in Nicaragua continues to be characterized by widespread and systematic human rights violations by state authorities that may amount to crimes against humanity.

In the absence of an independent national judicial system, perpetrators of serious violations of international law have not been held accountable. The expulsion of the IACHR, together with the banning of many civil society organizations, leaves the country without independent human rights institutions.

The government of Nicaragua is failing to uphold universal human rights and its primary Responsibility to Protect all its population, regardless of political belief or affiliation.

### INTERNATIONAL RESPONSE

The OAS established the Special Monitoring Mechanism for Nicaragua during May 2018. On 18 July the Permanent Council of the OAS adopted a Resolution condemning ongoing human rights violations and abuses in Nicaragua.

On 5 September the UNSC held its first briefing on the situation in Nicaragua. During the meeting the government of Costa Rica highlighted the international community's responsibility to protect populations facing human rights abuses and violations in Nicaragua.

### NECESSARY ACTION

The government of Nicaragua must immediately halt the persecution and arbitrary detention of alleged opponents, and cooperate with the UN and OAS. The government should immediately demobilize and disarm pro-government paramilitaries and must ensure that its treatment of political detainees complies with international law. Civil society organizations should be allowed to operate safely and freely.

All deaths and human rights violations resulting from political violence should be independently investigated and those responsible must be held accountable, regardless of their position or political affiliation. The government should allow the Inter-American Court of Human Rights to conduct an independent investigation of the situation in the country.

### MORE INFORMATION

- » [Report by the Office of the UN High Commissioner for Human Rights, August 2018](#)
- » [GCR2P Populations at Risk: Nicaragua](#)



Over 3,600 people killed in inter-communal clashes since January 2016

## NIGERIA

*Inter-communal violence in Nigeria's "Middle Belt" region, sporadic attacks by Boko Haram, and human rights abuses committed by the Nigerian security forces all constitute an ongoing threat to civilians.*

### BACKGROUND

The Nigerian government is currently dealing with multiple security threats that place civilians at risk of mass atrocity crimes, including inter-communal violence in the "Middle Belt" region and ongoing attacks by the armed extremist group Boko Haram.

Clashes between semi-nomadic herdsman and settled farming communities continue to plague Nigeria's "Middle Belt." According to the UN Office for West Africa and the Sahel, during the first six months of 2018 the conflict increased "in frequency, intensity, complexity and geographic scope" across the Sahel region, but especially in Nigeria. According to Amnesty International 3,641 people were killed in clashes between nomadic herders and farmers between January 2016 and October 2018, with 57 percent of deaths occurring during 2018.

Recurring conflict in Nigeria's Middle Belt region is often rooted in historical grievances over land use and resource allocation. Growing desertification in the north of Nigeria has driven many ethnic Fulani herdsman, who are mainly Muslim, southward into areas traditionally farmed by settled communities that are predominately Christian. The competition for resources has resulted in herder-farmer violence and has also exacerbated religious and ethnic divisions.

Although Boko Haram and the so-called Islamic State in West Africa (ISWA) have been seriously weakened by the government's counter-insurgency campaign, attacks on security personnel and civilians continue in the northeast. During December Boko Haram took over several towns, a naval base, and the military headquarters of the regional Multinational Joint Task Force

(MNJTF). According to OCHA, 1.8 million people remain internally displaced in Adamawa, Borno and Yobe states as a result of ongoing insecurity caused by Boko Haram.

Nigerian security forces have previously been implicated in human rights abuses during their operations against Boko Haram. Between 27-30 October at least 40 members of the Islamic Movement in Nigeria (IMN), a Shia political group, were also shot and killed by the security forces during a protest march. Shias make up approximately three percent of Nigeria's population and the IMN has a long history of conflict with the secular federal state.

### ANALYSIS

Displacement and insecurity have increased unemployment and poverty, affecting millions of people, particularly in northeast Nigeria. The effects of climate change, including drought and desertification, will likely increase the competition for resources between nomadic and settled communities, leaving civilians at ongoing risk of inter-communal violence.

The latest deadly crackdown on the IMN and ongoing human rights abuses by Nigeria's security forces demonstrate the need for security sector reform and human rights training for the security forces. Meanwhile, the ongoing threat posed by Boko Haram and ISWA leaves civilians at continued risk of terrorist attacks and identity-based violence.

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

### INTERNATIONAL RESPONSE

The regional MNJTF has been leading efforts to combat Boko Haram since 2015. On 19 August the UN Secretary-General condemned Boko Haram attacks in Borno State and called for "the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin." States involved with the MNJTF met on 28 November to discuss ways to end the surge in attacks.

### NECESSARY ACTION

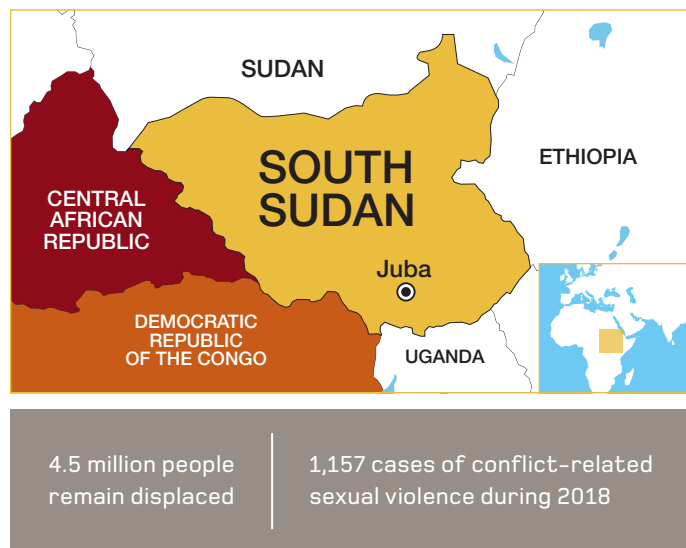
It is essential that the government of Nigeria address the root causes of inter-communal violence in the "Middle Belt" through socio-economic initiatives and political reforms that tackle land rights and poor governance. Utilizing the Early Warning System of the Economic Community of West African States, the Nigerian government should work with local civil society to ameliorate long-standing grievances between herding and settled communities. The government should also expand efforts to mitigate the effects of climate change, including by accelerating regional initiatives aimed at restoring environments affected by drought and desertification.

The Nigerian government should continue to support programs that strengthen local security and bolster the rule of law in areas where sporadic Boko Haram attacks continue. Such

efforts should address comprehensive security sector reform, including by incorporating IHL and IHRL into all military and police training. The government should also investigate all alleged human rights abuses perpetrated by the security forces.

## MORE INFORMATION

» [GCR2P Populations at Risk: Nigeria](#)



## SOUTH SUDAN

*Despite a September 2018 peace agreement, the risk of recurring armed conflict between government forces and armed rebel groups in South Sudan continues to pose a threat to civilians.*

### BACKGROUND

On 12 September 2018 a Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) was signed by the parties to the conflict – including President Salva Kiir and former Vice President and rebel leader Riek Machar – formally ending the civil war that started in December 2013. Since then a ceasefire has largely been maintained and armed violence has reduced throughout South Sudan. Despite the failure of numerous past agreements, the R-ARCSS represents a significant diplomatic attempt to permanently end armed conflict and re-establish a power-sharing government.

Despite an overall decline in human rights violations and abuses following the signing of the R-ARCSS, conflict-related sexual violence remains rampant in South Sudan. Between 19 November and 1 December at least 157 women – including girls under the age of 10 and women over the age of 65 – were raped, sexually assaulted and brutally beaten as they traveled to a food distribution site in Bentiu. This follows reports that more than 505 women and 63 girls were abducted in Western Equatoria for the purpose of recruitment into armed groups and sexual slavery between April and August 2018. In total, the UN Mission in South Sudan (UNMISS) reported 1,157 cases of sexual violence during 2018 as compared to 196 in 2017.

Between December 2013 and August 2015 at least 50,000 people in South Sudan were killed as the Sudan People's Liberation Army (SPLA) and armed rebels (SPLA-IO) perpetrated war crimes and crimes against humanity, including widespread extrajudicial killings, torture, child abductions and sexual violence, with both sides targeting civilians as part of their military tactics. Despite the signing of a peace agreement in August 2015, the HRC-mandated Commission on Human Rights in South Sudan reported on 41 senior officials who were responsible for war crimes and crimes against humanity allegedly committed during 2016 and 2017.

Since December 2013 an estimated 4.5 million South Sudanese have been forced to flee their homes, with 2.5 million refugees spread across neighboring countries. According to OCHA, 6.1 million people remain severely food insecure, including nearly 1.7 million on the brink of famine.

### ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its seven years of independence. Despite numerous previous failed peace agreements, the considerable political investment by the entire region – most notably Uganda, Sudan and Kenya – is cause for cautious optimism with regard to the R-ARCSS.

According to the UN Special Representative on Sexual Violence in Conflict, Pramila Patten, sexual violence has been used as “a strategy to degrade, shame and humiliate victims and communities, often along ethnic or political lines.” While sexual violence has been used as a tactic of war by all parties to the conflict, over the past year there has been an alarming increase in the number of reported cases.

Despite an August 2015 agreement calling for the establishment of an independent Hybrid Court for South Sudan to investigate atrocities committed during the conflict, the government has repeatedly delayed its formation. While negotiating the R-ARCSS, President Salva Kiir granted amnesty to “those who waged war against the government.” There is a risk that this amnesty will include alleged perpetrators of past atrocities.

The government of South Sudan must uphold its Responsibility to Protect, including by fully implementing the R-ARCSS.

### INTERNATIONAL RESPONSE

On 18 December 2017 the Intergovernmental Authority on Development (IGAD) launched the High-Level Revitalization Forum aimed at reinvigorating the 2015 Peace Agreement. After several unsuccessful attempts, the presidents of Kenya, Sudan and Uganda brokered the R-ARCSS.

On 20 March 2018 the HRC extended the mandate of the Commission on Human Rights for South Sudan for another year, emphasizing that the government has “the responsibility to protect all of its population in the country from genocide, war crimes, ethnic cleansing and crimes against humanity.”



On 15 March 2018 the UNSC extended the mandate of UNMISS until March 2019. On 13 July the UNSC imposed an arms embargo, asserting that all UN member states are required to prevent the supply, sale or transfer of all arms and related material to South Sudan. The UNSC also subjected two additional senior officials to targeted sanctions, bringing the total number of rebel leaders or government officials on the sanctions list to eight. Resolution 2428 reiterated the government of South Sudan's responsibility to protect.

On 7 December the UNSC released a Press Statement emphasizing the government's responsibility to protect populations from mass atrocity crimes, and condemning ongoing sexual violence in South Sudan.

### NECESSARY ACTION

Pending the full implementation of the R-ARCSS, the AU, IGAD and neighboring countries should actively assist in imposing and monitoring the arms embargo.

The SPLA, SPLA-IO and all affiliated militias must ensure that UNMISS is able to move freely and without threats to its personnel.

The AU and the government should expeditiously establish the Hybrid Court and ensure that it has the resources to investigate and prosecute individuals responsible for mass atrocities, including sexual violence. All perpetrators of such crimes should be held accountable, regardless of their affiliation or position.

Comprehensive mental health and psychosocial support services should be provided to victims and witnesses of sexual violence. The signatories to the R-ARCSS must ensure that addressing sexual violence is a central aspect of the implementation of the agreement.

### MORE INFORMATION:

- » [UNMISS Website](#)
- » [UNSC Resolution S/RES/2428](#), 13 July 2018
- » [Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan](#), 12 September 2018
- » [GCR2P Populations at Risk: South Sudan](#)



8,292 extrajudicial killings  
and 12,000 people arbitrarily  
detained since 2014

3 million Venezuelans in  
neighboring countries

## VENEZUELA

*Ongoing political conflict and systematic human rights violations and abuses in Venezuela leave populations at risk of potential crimes against humanity.*

### BACKGROUND

Since President Nicolas Maduro took office during 2013, popular discontent with the government's policies has resulted in widespread protests in Venezuela. The government has routinely responded with disproportionate and deadly force. On 29 May 2018 a panel of independent experts mandated by the OAS accused the government of committing crimes against humanity, including 8,292 extrajudicial killings and the arbitrary detention of more than 12,000 individuals since 2014.

Government mismanagement and a catastrophic economic crisis has resulted in hyper-inflation, food shortages and the collapse of essential services. In response to mass demonstrations that began during April 2017, a violent crackdown resulted in more than 100 people being killed over a three-month period. According to the OAS, the security forces engaged in "widespread and systematic targeting of opponents of the regime or suspected 'enemies of the state.'"

During 2017 President Maduro established a Constituent Assembly to supersede the opposition-controlled National Assembly and rewrite Venezuela's constitution. The creation of the Constituent Assembly was seen by many as an overt attempt to undermine democracy and move towards dictatorship. President Maduro was re-elected for a second six-year term in May 2018, as major opposition parties boycotted the election.

According to the UN, more than 3 million Venezuelans have fled the country over the past three years due to severe shortages of food and medicine, as well as ongoing persecution. Responding to the migration crisis, the OAS has called for greater burden sharing amongst regional governments, while international non-governmental organizations have called for the application of the 1984 Cartagena Declaration, which enables governments

to grant refugee status to those fleeing "the massive violation of human rights" in their home country.

## ANALYSIS

In the midst of a catastrophic economic crisis and ongoing political repression, Venezuelans face an ongoing risk of potential mass atrocity crimes. Political opponents of the government continue to face systematic and widespread persecution, arbitrary detention, and torture.

The creation of the Constituent Assembly and political repression has consolidated President Maduro's increasingly authoritarian leadership. The government has taken steps to isolate itself from international scrutiny, including through announcing their withdrawal from the OAS.

The government is failing to uphold its Responsibility to Protect all Venezuelans, regardless of political belief or affiliation.

## INTERNATIONAL RESPONSE

Various governments and the Secretary General of the OAS have criticized the systematic violations of human rights in Venezuela.

Following allegations of fraudulent elections, during November 2017 the EU imposed an arms embargo and other sanctions on Venezuela. Since the beginning of 2018 the EU has also imposed travel bans and asset freezes on 18 senior government officials. The United States has also imposed extensive bilateral sanctions on President Maduro and his family.

On 26 September 2018 six regional states referred the situation in Venezuela to the ICC. In a letter requesting the Chief Prosecutor open a formal investigation into possible crimes against humanity, Argentina, Canada, Chile, Colombia, Paraguay and Peru became the first countries to refer a situation to the ICC for crimes that took place in the territory of another state party.

## NECESSARY ACTION

The government must immediately end systematic human rights violations and abuses, including extrajudicial killings, torture and the arbitrary detention of its political opponents. The government should demobilize the auxiliary militias – including civilian "colectivos" – and take meaningful steps to end the culture of political violence in Venezuela.

UN member states should implement targeted sanctions on those government officials responsible for systematic violations and abuses of human rights in Venezuela.

## MORE INFORMATION

- » [Report of the General Secretariat of the Organization of American States and the Panel of Independent International Experts](#), 29 May 2018
- » [Report by the Office of the UN High Commissioner for Human Rights](#), 22 June 2018
- » [HRC Resolution, A/HRC/39/L.1\\_Rev.1](#), 26 September 2018
- » [GCR2P Populations at Risk: Venezuela](#)



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