

R2P MONITOR

15 May 2018
ISSUE 39

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.



3,438 civilians killed during 2017

763 civilians killed between 1 January and 31 March 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 their 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. While making substantial military gains during 2017 the Taliban has perpetrated indiscriminate attacks on civilians. According to the UN Assistance Mission in Afghanistan (UNAMA), civilians living in Taliban-controlled territory suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings. The UN's 2017 strategic review reclassified Afghanistan from a post-conflict situation to an active conflict.

UNAMA's quarterly report documented the deaths of 763 civilians from 1 January to 31 March 2018. Attacks by the Taliban and other anti-government forces remain the leading cause of casualties, but other parties to the conflict also continue to use heavy weapons in civilian-populated areas. On 27 January 103 people were killed when the Taliban drove an ambulance full of explosives into a crowded street in Kabul. This was the largest terrorist attack in Kabul since more than 150 people were killed in a truck bomb attack during May 2017.

On 28 February Afghan President Ashraf Ghani proposed a framework for peace, including a ceasefire, prisoner release, the lifting of sanctions and recognition of the Taliban as a legitimate political party. In exchange, President Ghani called upon the Taliban to recognize the government of Afghanistan. The Taliban has not yet responded.

During 2016 Afghanistan recorded the highest number of verified child casualties since the UN started globally documenting civilian casualties in 2009. The UN Secretary-General's annual report on children and armed conflict documented 3,512 children killed or maimed in Afghanistan during 2016, marking an annual increase of 24 percent. According to the UN Children's Fund (UNICEF) approximately 700 children were killed during the first nine months of 2017.

During 2016 the ICC reported that the Taliban has potentially committed crimes against humanity and war crimes, particularly against civilians perceived to be supporting the Afghan government and foreign military forces. According to the ICC, Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees. During November 2017 the Chief Prosecutor of the ICC requested authorization to proceed with an investigation into alleged war crimes and crimes against humanity committed in Afghanistan since May 2003. On 22 February Afghanistan's new penal code came into force, incorporating the Rome Statute of the ICC regarding war crimes, crimes against humanity and genocide.

As the so-called Islamic State of Iraq and the Levant (ISIL) faces military defeat in Syria and Iraq, some supporters – designated ISIL Khorasan (ISIL-K) – have established a presence in Afghanistan. ISIL-K has claimed responsibility for several bombings, including a 22 April attack on a voting registration center in a largely Shia neighborhood within Kabul, resulting in the death of 57 civilians. In November 2017 a special report released by UNAMA documented a significant increase in attacks targeting places of worship and persons exercising their right to religious worship. Fifty-one attacks resulted in 850 civilian casualties, including 273 deaths, since January 2016. These attacks have been increasingly directed at Afghanistan's Shia minority.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 3.3 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

The Taliban, which ruled Afghanistan from 1996-2001, is an armed Sunni extremist movement. As the Taliban has regained territory, the number of civilians at risk of possible war crimes and crimes against humanity has increased. During their 16-year war, both government forces and the Taliban have shown disregard for International Humanitarian Law (IHL).

In addition to fighting to expand territorial control, the Taliban has escalated its attacks on civilians in urban areas in an effort to undermine the government's ability to govern and provide basic security. Although government forces undertook

successful measures to decrease civilian casualties during 2017, deliberate attacks by the Taliban and ISIL-K on densely populated areas and civilian infrastructure present an escalating threat.

Unless sustained action is taken to address corruption, marginalization and political tensions within the Afghan government, conflict and insecurity will continue to increase.

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 mission in Afghanistan beyond 2016 and to continue their assistance to Afghan security forces until 2020. The United States currently has approximately 14,000 troops in Afghanistan.

UNAMA was established under UN Security Council (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. Since 2011 the UNSC has imposed an arms embargo and sanctions on individuals or entities who support the Taliban and its affiliates.

Following a UNSC visit to Afghanistan from 13-15 January, the Council adopted a Presidential Statement reiterating its concern over continuing threats to the security and stability of Afghanistan from the Taliban and other armed groups.

NECESSARY ACTION

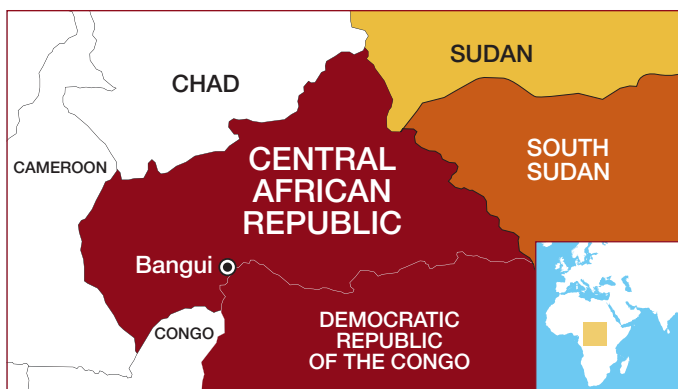
The international community should continue to provide support to the Afghan government to help combat the Taliban, ISIL-K and other armed extremist groups within the country. Increased efforts should be undertaken to ensure the safety and security of vulnerable minorities. Countering violent extremism 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](#)
- » [Special Report on Attacks Against Place of Worship, Religious Leaders and Worshippers](#), UNAMA, 7 November 2017
- » [UNAMA 2017 Annual Report on the Protection of Civilians in Armed Conflict in Afghanistan](#), February 2018
- » [UNAMA Quarterly Report on the Protection of Civilians in Armed Conflict](#), 12 April 2018
- » [Populations at Risk: Afghanistan](#)



70 percent of CAR still under control of armed groups	Over 25 percent of the population is displaced
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CENTRAL AFRICAN REPUBLIC

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

BACKGROUND

Civilians in the Central African Republic (CAR) are facing mass atrocity crimes as fighting amongst armed groups continues in almost every region of the country, causing large scale displacement.

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. The recent escalation of violence is not only rooted in divisions between the Muslim and Christian communities, but is fueled by shifting alliances between various predatory armed groups.

Most fighters currently belong to either the anti-balaka, including affiliated “self-defense groups,” or are members of armed groups loosely affiliated to the ex-Séléka rebel alliance. The intensification of violence has particularly affected the northwest, where fighting between the Révolution Justice armed group and the Mouvement de Libération du Peuple Centrafricain, an ex-Séléka group, has resulted in the displacement of more than 80,000 civilians in the Ouham-Pendé region since December 2017. Activities by the Front Populaire pour la Renaissance de Centrafrique also continue to fuel instability in northeast CAR.

The humanitarian and human rights situation has also worsened in the southeast, where clashes continue between so-called “self-defense groups” and the ex-Séléka Union pour la Paix en Centrafrique. The UNSC-mandated Panel of Experts on CAR has reported that hate speech and incitement to ethnic and religious-based violence has reached unprecedented levels and

warned that some anti-balaka affiliated groups are carrying out targeted attacks against the Muslim population.

On 3 April anti-balaka fighters attacked a base of the UN Peacekeeping Mission in CAR (MINUSCA) in the town of Tagbara, killing one peacekeeper. Twenty-two of the anti-balaka attackers were also killed. Later that day UN peacekeepers discovered the bodies of 21 civilians, including women and children, who had been killed near a church in Tagbara.

Violence has also surged in Bangui where MINUSCA troops battled with armed militias and criminal gangs in the PK5 area for several days. Beginning on 8 April, fighting between UN peacekeepers and armed men resulted in the death of one peacekeeper and more than twenty PK5 residents. On 11 April the dead bodies of a number of PK5 residents were left outside MINUSCA headquarters following a protest. On 2 May an armed attack against a church near the PK5 area killed at least 16 worshippers, including a priest.

A report published by the UN Office of the 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. Sexual violence against the civilian population has been used as a tactic by both the Séléka and anti-balaka. UNICEF has also warned that children have been targeted during attacks, with reports of rape, abduction and recruitment into armed groups.

Direct attacks by armed groups have also resulted in the death of 20 humanitarian workers since the beginning of 2017. As a result of increasing violence, several humanitarian agencies have suspended their work.

The number of internally displaced persons (IDPs) has increased by more than 70 percent since the beginning of 2017 and is now at the highest level in CAR. More than a quarter of the country's population have fled their homes, with more than 690,000 Central Africans internally displaced and almost 570,000 refugees in neighboring countries.

ANALYSIS

Governmental control remains extremely limited in most areas outside Bangui. 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.

Despite the establishment of the Special Criminal Court for CAR, a hybrid judicial mechanism that was created in 2015 to prosecute those responsible for mass atrocity crimes, the Court is not yet fully operational and perpetrators have not been held accountable.

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. Fifteen UN peacekeepers were killed during 2017, highlighting the highly insecure environment MINUSCA is operating in.

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

INTERNATIONAL RESPONSE

The UNSC has passed 11 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.

In 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 since 2012.

On 15 November 2017 the UNSC adopted Resolution 2387, authorizing the deployment of an additional 900 MINUSCA troops to protect civilians and prevent further deterioration of the security situation. The additional peacekeepers will bring the total number of authorized MINUSCA military personnel to more than 11,000.

NECESSARY ACTION

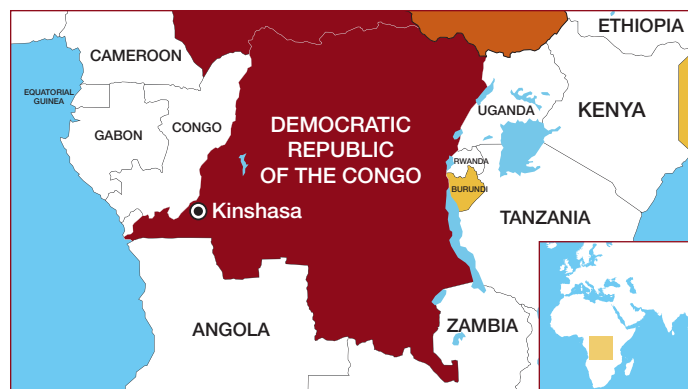
MINUSCA must improve its ability to rapidly respond to emerging threats and strengthen its civilian protection capability. The 900 additional peacekeepers should be deployed as soon as possible. MINUSCA should also continue to bolster local disarmament and reconciliation efforts.

Notwithstanding its numerous reconstruction, reconciliation and security challenges, the government should also prioritize accountability for mass atrocity crimes by carrying out national criminal prosecutions as well as by cooperating with the ICC. Significant financial and logistical resources are still needed to fully operationalize the Special Criminal Court.

The international community must enable the government to uphold its protective responsibilities and restore state authority throughout the entire country.

MORE INFORMATION

- » [MINUSCA Website](#)
- » [UNSC Resolution, S/RES/2399](#), 30 January 2018
- » [Report of the Secretary General on the Central African Republic, S/2018/125](#), 15 February 2018
- » [GCR2P Populations at Risk: Central African Republic](#)



4.5 million IDPs and
735,800 refugees

Delayed 2016 elections
are now scheduled for
December 2018

DEMOCRATIC REPUBLIC OF THE CONGO

Populations in the Democratic Republic of the Congo are facing mass atrocity crimes committed by the security forces and various militias, as well as the threat of inter-communal violence.

BACKGROUND

Armed groups in the Democratic Republic of the Congo (DRC) continue to utilize instability and the weakness of state authority in various parts of the country to attack security forces and perpetrate mass atrocity crimes. Despite military offensives conducted by the government's armed forces (FARDC) with assistance from the UN Peacekeeping Mission in DRC (MONUSCO) and its Force Intervention Brigade, attacks by armed groups and inter-communal violence continue.

According to the UN Refugee Agency (UNHCR), 4.5 million Congolese are currently internally displaced and more than 630,000 have fled to neighboring countries. Nearly half of all IDPs in the DRC were forced to flee during 2017. On 13 April the government boycotted a donor conference, accusing the UN of exaggerating the extent of the humanitarian crisis.

On 7 December suspected members of the Allied Democratic Forces (ADF) armed group attacked a UN base in Semuliki, within the Beni region, resulting in the deaths of 15 peacekeepers and five FARDC soldiers. On 28 March suspected members of the ADF killed 11 civilians in Beni city. The FARDC, in cooperation with the Ugandan military, launched an offensive against the ADF during January 2018.

Meanwhile, fighting between the Hema and Lendu ethnic groups erupted in Ituri province during December, leading to more than 260 people being killed and 120 villages and towns being pillaged or destroyed. In April MONUSCO discovered five mass graves in Ituri province. More than 60,000 people have fled from Ituri province into Uganda since January. On 20 February UNHCR warned that populations in Tanganyika province were

also facing mass displacement as a result of inter-communal violence between the Luba, Twa and other ethnic groups.

Tensions between the government and a local militia, Kamuina Nsapu, have resulted in atrocities perpetrated against populations in Kasai, Kasai Central and Kasai Oriental provinces since August 2016. The UN Joint Human Rights Office in the DRC has identified at least 80 mass graves in the Kasai region since January 2017, with responsibility for most of these attributed to the FARDC. On 4 August OHCHR released a report implicating the FARDC and local officials in fomenting ethnic violence in the Kasai region and supporting the formation of a pro-government militia, Bana Mura.

OHCHR has documented evidence of the FARDC, Kamuina Nsapu and Bana Mura all committing extrajudicial killings. The UN has also documented children being used as combatants or human shields by Kamuina Nsapu, as well as sexual violence perpetrated against young girls. Bana Mura has also targeted populations based upon ethnicity and destroyed villages of alleged supporters of Kamuina Nsapu.

As a result of a failure to hold elections during 2016, mediation between the government and opposition took place under the aegis of the Conference Episcopale du Congo (CENCO). On 31 December 2016 the negotiations resulted in an agreement for elections to be held during 2017 and for President Joseph Kabila to abstain from seeking a third term. The government is finally preparing to hold presidential elections on 23 December 2018.

Since 31 December 2017 Catholic organizations and opposition groups have held demonstrations to pressure the government to uphold the CENCO agreement. According to the UN 47 people have been killed by the security forces during protests.

ANALYSIS

Widespread violence in areas that have been relatively calm in recent years, including the Kasai region, 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 Mayi-Mayi militias and other armed groups in the DRC.

Growing government repression and the population's frustration with the unconstitutional delay in elections enhances the risk of further instability. Security forces have repeatedly used disproportionate and deadly force against peaceful demonstrators.

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

INTERNATIONAL RESPONSE

On 31 March the UNSC extended MONUSCO's mandate until March 2019, emphasizing that the DRC 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.”

On 22 June 2017 the Human Rights Council (HRC) established an international team of experts to collect evidence and investigate alleged human rights violations and abuses within the Kasaï region.

On 22 November the guarantors of the Peace, Security and Cooperation (PSC) Framework for the DRC – including the UN and African Union (AU) – welcomed the setting of elections for December and urged the government to fulfill its responsibilities under the CENCO agreement. On 8 December 2017 the UNSC adopted a resolution reaffirming its support for the PSC Framework and calling upon the government to vigorously pursue the “neutralization” of armed groups operating in the eastern DRC.

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

NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups in the Kasaï and eastern regions. The government must halt support for Bana Mura and end the ethnic targeting of civilians.

The government should fully cooperate with the HRC’s international team of experts and establish a credible domestic investigative mechanism regarding alleged extrajudicial killings in the Kasaïs. If the government fails to fulfill its promises in this regard, the UNSC should be prepared to refer the situation to the ICC.

The government must urgently address allegations of the security forces using disproportionate and deadly force against peaceful protesters and ensure accountability for the unlawful killing of civilians. The government must continue to take meaningful steps towards holding the December 2018 elections and ensuring a timely and peaceful transition of power.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Resolution, S/RES/2389](#), 8 December 2017
- » [UNSC Resolution, S/RES/2409](#), 27 March 2018
- » [GCR2P Populations at Risk: DRC](#)



Over 693,000 ethnic Rohingya civilians have fled atrocities and crossed into Bangladesh since 25 August 2017

MYANMAR (BURMA)

Atrocities committed against the Rohingya minority constitute crimes against humanity under international law. These crimes may also amount to genocide.

BACKGROUND

Security forces in Myanmar have committed mass atrocity crimes against the ethnic Rohingya community – including the unlawful killing of civilians, rape, and the burning of at least 362 villages – since so-called “clearance operations” began in Rakhine State on 25 August 2017. According to UNHCR more than 693,000 people have fled the violence, bringing the number of Rohingya refugees in Bangladesh to an estimated 900,000 people. Myanmar’s security forces launched the “clearance operations” after the so-called Arakan Rohingya Salvation Army armed group attacked police posts and an army base.

The UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, has stated that the systematic attacks on the Rohingya bear “the hallmarks of a genocide.” The UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, also stated that “acts of genocide” may have been committed. During March the UN Special Adviser on the Prevention of Genocide, Adama Dieng, said “the intent of the perpetrators” was to possibly “destroy the Rohingya as such, which, if proven, would constitute the crime of genocide.”

Myanmar’s authorities appear to have made a deliberate attempt to conceal evidence of these atrocities, including by bulldozing mass graves and systematically clearing the remains of some Rohingya villages. The Myanmar authorities also continue to restrict or deny access to northern Rakhine State, including for the HRC-mandated Fact-Finding Mission and Special Rapporteur Lee.

The Rohingya, a distinct Muslim ethnic minority group of approximately 1 million people, have been systematically persecuted through discriminatory policies. 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 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, which place harsh restrictions on fundamental religious freedoms, as well as reproductive and marital rights.

The Advisory Commission on Rakhine State submitted its final report to the Myanmar authorities on 24 August 2017. Led by former UN Secretary-General Kofi Annan, the Commission has offered practical recommendations to address the root causes of conflict in Rakhine State, including reforming the 1982 Citizenship Law.

During March the Commander in Chief of the Army, General Min Aung Hlaing, said that tensions in Rakhine State were “fueled because the Bengalis demanded citizenship.” In response, the UN Secretary-General urged “all leaders in Myanmar to take a unified stance against incitement to hatred.”

Renewed fighting in Kachin State between Myanmar’s military and an ethnic armed group, the Kachin Independence Army, has displaced more than 8,000 people since early April. The army has conducted aerial bombing and directed artillery fire on civilian populated areas in Kachin State. The army has also prevented humanitarian relief from reaching civilians.

ANALYSIS

Despite the transition to democracy, Myanmar’s security forces continue to pose a threat to the Rohingya population and other ethnic minorities. Unless discriminatory laws and policies are repealed or amended, the Rohingya will continue to face the threat of further atrocities. The 1982 Citizenship Law and the Protection of Race and Religion laws are intended to eradicate the legal right of the Rohingya to exist as a distinct ethnic group in Myanmar.

The denial of access to the Fact-Finding Mission and UN Special Rapporteur undermines efforts to independently investigate atrocities in Myanmar.

The government of Myanmar has not only manifestly failed to uphold its Responsibility to Protect the Rohingya, it bears responsibility for the ongoing commission of crimes against humanity and possibly genocide.

INTERNATIONAL RESPONSE

The only formal response of the UNSC since 25 August 2017 has been the adoption of a Presidential Statement on 6 November. The statement called for the implementation of the recommendations of the Rakhine Commission and stressed the “primary responsibility of the Myanmar government to protect its population.” From 28 April to 2 May the UNSC visited Bangladesh and Myanmar.

On 26 April the EU extended its arms embargo on Myanmar for a year, prohibited the export of equipment that “might be used for internal repression,” and banned military training and

cooperation with Myanmar’s army. Both the governments of Canada and the United States have sanctioned Major General Maung Maung Soe, the military commander of Rakhine State.

On 23 March the HRC renewed the mandate of the Special Rapporteur for a period of one year and extended support for the Fact-Finding Mission.

On 9 April the Chief Prosecutor of the ICC asked for a ruling on “whether the Court may exercise jurisdiction over the alleged deportation of the Rohingya people from Myanmar to Bangladesh.” While Myanmar is not a state party to the Rome Statute of the ICC, Bangladesh is.

A 23 March report by the UN Secretary-General on conflict-related sexual violence included Myanmar’s Armed Forces on an annual list of groups that are “credibly suspected of committing or being responsible for rape or other forms of sexual violence.”

NECESSARY ACTION

The UNSC should demand immediate access for independent investigators to Rakhine State, including Special Rapporteur Lee and members of the Fact-Finding Mission. The UNSC should immediately refer the situation in Rakhine State to the ICC. The UNSC should also impose an arms embargo and targeted sanctions on all senior military officers with command responsibility for atrocities committed in Rakhine State, including General Min Aung Hlaing.

Individual governments and regional organizations should suspend all cooperation and training programs with Myanmar’s Armed Forces. All international trade and development programs in Rakhine State should be scrupulously reviewed.

The government of Myanmar must demonstrate progress toward implementation of the recommendations of the Rakhine Commission. The 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 must also 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 their religion or ethnicity.

It is essential that any proposed repatriation of Rohingya refugees is conducted on a strictly voluntary basis, in accordance with the 1951 Refugee Convention and the principle of non-refoulement.

MORE INFORMATION

- » [UNSC Presidential Statement, S/PRST/2017/22](#), 6 November 2017
- » [UN HRC Resolution A/HRC/37/32](#), 23 March 2018
- » [GCR2P Populations at Risk: Myanmar \(Burma\)](#)



500,000+
people killed

12.3 million people
displaced

13.1 million in
need of aid

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 mass atrocity crimes.

BACKGROUND

Since the Syrian crisis began in 2011 the conflict between the government and opposition groups has escalated into a civil war where over 500,000 people have been killed. As of April there were over 5.7 million Syrian refugees and at least 6.6 million IDPs - the largest number of people displaced by any conflict in the world. Over 13.1 million Syrians remain in dire need of humanitarian assistance.

For over six years 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.

Despite UN-led political negotiations aimed at ending the civil war, as well as separate talks between the governments of Turkey, Russia and Iran, fighting between Syrian government forces and armed opposition groups has continued, most notably in Idlib governorate and in eastern Ghouta, outside Damascus.

Both Idlib and eastern Ghouta were formally designated "de-escalation zones" in May 2017. However, shelling and airstrikes resulted in the deaths of over 1,700 civilians across eastern Ghouta following the intensification of a government military offensive on 19 February and despite the UNSC's 24 February demand for a 30-day cessation of hostilities. The government's destruction of the enclave resulted in the displacement of at least 92,000 people.

Clashes also continued in the Afrin district, in northern Syria, where Turkish forces have militarily intervened to seize territory

from the Kurdish-led militia, the People's Protection Units. On 18 March Turkish-backed forces captured Afrin city, resulting in the displacement of over 137,000 people. The Syrian Observatory for Human Rights (SOHR) has reported at least 230 civilians killed since the invasion of Afrin began on 20 January.

Although ISIL no longer controls any cities within Syria, it continues to pose a threat to civilians, and its fighters have carried out crimes against humanity in areas under their control. According to the SOHR, ISIL has killed over 3,700 civilians in Syria since June 2014.

The Organization for the Prohibition of Chemical Weapons-Joint Investigative Mechanism determined that Syrian government forces used chlorine gas between 2014 and 2015 and that ISIL was responsible for two sulfur-mustard attacks during 2015 and 2016. The use of chemical weapons is a war crime. A suspected chemical weapons attack took place in Douma on 8 April in which at least 70 people were killed. On 14 April the United States, United Kingdom and France carried out airstrikes on a number of targets inside Syria linked to the production, storage and use of chemical weapons.

Russia, Iran and Hezbollah militias 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 that some airstrikes by the Russian air force may amount to war crimes.

The SOHR has reported that Russian airstrikes have killed 4,893 ISIL fighters and over 7,710 civilians, including 1,842 children, as of 30 April. According to the SOHR, airstrikes by the United States-led anti-ISIL coalition have also killed approximately 3,000 civilians since September 2014.

ANALYSIS

All parties to the conflict in Syria have committed indiscriminate attacks, and the lives of countless civilians remain imperiled by the ongoing civil war. Ongoing attacks on medical facilities and civilian infrastructure, as well as the use of illegal weapons, demonstrate a complete disregard for international law and directly contravene UNSC Resolutions 2286 and 2139.

The Syrian government, with support from its international allies, continues to utilize its military resources to retain power at all costs. The direct participation of Russian and Iranian forces in numerous attacks on civilian-populated areas, including eastern Ghouta, makes them complicit in alleged war crimes.

Saudi Arabia and Turkey continue to provide crucial assistance to some armed opposition groups. The United States also has several thousand troops working with armed opposition groups in former ISIL-occupied territories. However, the fracturing and radicalization of the opposition compounds the difficulty of achieving a negotiated political settlement.

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. Despite the current political impasse, Russia, United States, Iran, Turkey and Saudi Arabia remain essential to any potential negotiated settlement of the conflict.

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, former UN Secretary-General Ban Ki-moon and the 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 23 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 UNSC draft resolutions and Russia has independently vetoed a further six resolutions. On 10 April Russia vetoed a resolution that would have enabled an independent investigation of the chemical weapons attack in Douma.

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 25 resolutions condemning atrocities in Syria. The latest, adopted on 19 March, demands that the Syrian authorities uphold their responsibility to protect the population.

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 all civilians trapped or displaced by fighting. The UNSC should mandate the deployment of UN monitors to oversee voluntary civilian evacuations and aid deliveries. The UN should investigate and attribute responsibility for chemical weapons attacks in Syria via the existing "Secretary-General's mechanism for investigation of alleged use of chemical and biological weapons."

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

- » [UNSC Resolution, S/RES/2393](#), 19 December 2017
- » [UNSC Resolution, S/RES/2401](#), 24 February 2018
- » [UN HRC Resolution A/HRC/37/L.38](#), 19 March 2018
- » [GCR2P Populations at Risk: Syria](#)



8.4 million people at risk
of famine

Over 1 million cases of
cholera since May 2017

YEMEN

Mass atrocity 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

Violence between Houthi rebels, members of the General People's Congress (GPC) and various pro-government forces, as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition, have killed more than 10,000 people since March 2015. The ongoing conflict has also resulted in a humanitarian catastrophe in which at least 8.4 million people are at risk of famine.

Yemen is now the largest humanitarian crisis in the world. More than 2 million Yemenis have been forcibly displaced while an estimated 22.2 million people – over three quarters of the population – require humanitarian assistance. Since a cholera outbreak began in May 2017, over 1.1 million cases have been reported and at least 2,300 people have died.

During 2014, amidst a UN-facilitated political transition process, the Houthis – an armed movement originating amongst the Shia population in northeast Yemen – and military units loyal to deposed President Ali Abdullah Saleh and the GPC party, took control of the governorates of Sa'ada, Hodeida, Dhamar, Amran and Sana'a. On 26 March 2015 Saudi Arabia, the UAE and a coalition of eight other countries responded to a government request for regional military intervention.

After a breakdown of the alliance between troops loyal to former President Saleh and Houthi forces, on 2 December 2017

Saleh announced his willingness to cooperate with the Saudi/UAE-led coalition. Following intense fighting in Sana'a, Saleh was killed on 4 December. On 28 January fighting erupted in Aden between the Yemeni government's Southern Transitional Council and separatists aligned with the UAE, demonstrating the fracturing amongst all parties to the conflict.

Despite several temporary ceasefires during 2015 and 2016 and intermittent UN-brokered peace talks, the conflict in Yemen continues to leave civilians facing mass atrocity crimes. The last attempted ceasefire, on 19 November 2016, collapsed within 48 hours and political negotiations have been suspended for two years.

On 4 November Houthi forces fired a ballistic missile into Saudi Arabia that was shot down outside Riyadh. In retaliation Saudi Arabia closed all sea and air ports in Yemen, intensifying its blockade of the country. Yemen imports 90 percent of its staple food supplies. On 23 November the coalition lifted the blockade for humanitarian aid and on 20 December it announced that it would re-open the port of Hodeidah for commercial fuel imports. According to OCHA, in March food imports were still only 57 percent of the monthly national requirement.

Throughout the conflict Houthi and government-allied forces have targeted civilian infrastructure, including schools and hospitals, as well as humanitarian workers. The UN High Commissioner for Human Rights has said that respect for the distinction between civilian and military targets has been "woefully inadequate" by all sides. On 11 May the High Commissioner said April was the deadliest month since the war began, with 236 civilians killed.

The UN Secretary-General's annual report on children and armed conflict documented the deaths of 502 children in Yemen during 2016, noting that the Saudi/UAE-led coalition was responsible for killing or wounding at least 683 children, while the Houthis were responsible for 414 casualties. The Saudi/UAE-led coalition was also responsible for attacks on 28 schools and 10 hospitals during 2016. On 27 March UNICEF reported that at least 2,419 child soldiers have been recruited in Yemen since March 2015.

Other armed groups continue to take advantage of the conflict to perpetrate violence against civilians. Al-Qaeda in the Arabian Peninsula (AQAP) has gained influence, and since March 2015 ISIL has also claimed responsibility for a series of attacks on Shia mosques and car bombings in Sana'a and Aden. 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. Despite the magnitude of the crisis, the UNSC has failed to adequately respond to the conflict in Yemen. A substantive UNSC resolution has not been passed since April 2015.

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 resulting from airstrikes by the international coalition have resulted in public pressure for the United States and United Kingdom to cease selling arms to Saudi Arabia and the UAE.

The dissolution of the alliance between Houthi and pro-Saleh forces, as well as political disputes amongst pro-government forces, threatens to further fracture Yemeni society. Terrorist groups, such as AQAP and ISIL, are also trying to exploit the conflict to increase their influence.

All sides of the conflict appear manifestly unwilling or unable 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 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 former President 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 29 September 2017 the HRC adopted a resolution establishing a Group of Eminent International and Regional Experts to monitor and report on the human rights situation in Yemen.

On 14 February the UNSC approved Martin Griffiths as the new UN Special Envoy for Yemen. On 15 March the UNSC adopted a Presidential Statement calling for unhindered humanitarian and commercial access, and calling upon all parties to uphold their obligations under IHL.

NECESSARY ACTION

The dire humanitarian situation in Yemen is a direct result of the ongoing armed conflict and requires a political solution. The UNSC and regional powers need to facilitate a sustained ceasefire and ensure that parties to the conflict return to substantive peace negotiations. The UNSC should demand all parties cease attacks against civilians and ensure accountability for all atrocities committed during the conflict.

The distinction between military and civilian targets is central to IHL and must be adhered to at all times. 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.

All parties to the conflict must also ensure full and effective humanitarian access. The Saudi/UAE-led coalition must reopen all sea and air ports for crucial humanitarian and commercial supplies.

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.



4.2 million South Sudanese – over a quarter of the population – have fled their homes since December 2013

SOUTH SUDAN

Despite regional diplomatic efforts to revitalize the August 2015 peace agreement, ongoing armed conflict in South Sudan poses an imminent risk to populations who may be targeted on the basis of their ethnicity and presumed political loyalties.

BACKGROUND

Despite President Salva Kiir and opposition leader Riek Machar formally ending South Sudan's 2013-2015 civil war by signing the "Agreement on the Resolution of the Conflict in the Republic of South Sudan" (ARCSS), serious fighting between the Sudan People's Liberation Army (SPLA), SPLA in Opposition (SPLA-IO) and other armed groups has continued.

The ARCSS called for a permanent ceasefire, as well as the establishment of an independent Hybrid Court for South Sudan to investigate atrocities committed during the conflict. Between 2013 and 2015 at least 50,000 people were killed as parties to the civil war 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. The government has repeatedly delayed the formation of the Hybrid Court.

The Intergovernmental Authority on Development (IGAD) launched the High-Level Revitalization Forum (HLRF) during 2017 in an attempt to reinvigorate the ARCSS. The HLRF was

MORE INFORMATION

- » [UN HRC Resolution, A/HRC/36/L.4](#), 29 September 2017
- » [UNSC Presidential Statement S/PRST/2018/5](#), 15 March 2018
- » [GCR2P Populations at Risk: Yemen](#)

partially prompted by fighting between the SPLA, SPLA-IO and various other armed groups throughout 2017, with clashes in the Equatorias, as well as Unity and Jonglei states, resulting in widespread civilian displacement. Tensions between various ethnic groups also increased as a result of territorial disputes and cattle raids. In response, the government declared a state of emergency in Western and Northern Bahr El Ghazal and Warrap states during December.

The first round of the HLRF resulted in a new Cessation of Hostilities Agreement (COHA), but violations of the agreement occurred just hours after it went into effect on 24 December 2017. The second round of the HLRF, between 5 to 16 February, failed to produce the envisioned Declaration of Principles due to disagreements regarding security arrangements and accountability for violations of the ARCSS.

In early March fighting escalated in Greater Upper Nile and Central Equatoria states, with both the SPLA and SPLA-IO allegedly using heavy artillery. Throughout April fighting intensified in Unity and Jonglei states and the Equatorias. After being postponed twice, the HLRF is scheduled to reconvene from 17 to 21 May.

Since December 2013 an estimated 4.2 million South Sudanese have been forced to flee their homes due to conflict, with 2.5 million refugees spread across neighboring countries.

The UN Food and Agriculture Organization declared on 26 February that South Sudan is again at risk of famine. The government has been accused of intentionally denying aid to civilians in rebel-held areas. According to OCHA, 5.4 million people are severely food insecure and 1.1 million children are acutely malnourished. South Sudan is also the deadliest country in the world for humanitarian workers, with 100 killed since December 2013.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its almost seven years of independence. During the current dry season the potential for widespread fighting leaves civilians at imminent risk of further mass atrocity crimes, despite the best efforts of the HLRF.

The ARCSS has never been fully implemented and the root causes of the conflict have not been addressed. The Transitional Government of National Unity, established by the 2015 agreement, exists in name only. A pervasive culture of impunity has fueled recurring cycles of violence and mass atrocities in South Sudan.

With ongoing resource deficits and a hostile operating environment, the UN Peacekeeping Mission in South Sudan (UNMISS) is struggling to protect vulnerable populations.

The government of South Sudan is manifestly unwilling and unable to uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

In response to an escalation in violence in July 2016, on 12 August the UNSC adopted Resolution 2304, authorizing the deployment of a 4,000-strong Regional Protection Force to support UNMISS.

During May 2017 the UNSC adopted Resolution 2253 extending the sanctions regime until 31 May 2018. Six senior military figures, three from both the SPLA and SPLA-IO, are currently subject to targeted sanctions. On 15 March 2018 the UNSC extended the mandate of UNMISS until March 2019 and expressed its intention “to consider all measures, including an arms embargo, to deprive the parties of the means to continue fighting.”

On 20 March the HRC extended the mandate of the Commission on Human Rights in South Sudan for an additional year. The resolution emphasized that, “the Government of South Sudan has the responsibility to protect all of its population in the country from genocide, war crimes, ethnic cleansing and crimes against humanity.” On 23 February the Commission reported on 41 senior officials who bear individual responsibility for war crimes and crimes against humanity allegedly committed during 2016 and 2017.

On 14 December the UNSC issued a Presidential Statement in support of the HLRF and warned that there would be a “cost and consequence for those who violate the agreement.” On 28 January the Chair of the AU Commission said that “the time has

come” for sanctions against those who obstruct peace in South Sudan. The IGAD Council of Ministers issued a Communiqué on 26 March declaring that they would take measures, “including targeted sanctions against violators of the COHA as well as spoilers of the peace process.”

On 2 February the United States announced a unilateral arms embargo against South Sudan. On the same day, the EU added two current and one former government official to the EU sanctions list.

On 11 May the Special Representative of the UN Secretary-General on Sexual Violence in Conflict, the Special Representative for Children and Armed Conflict, and the Special Adviser on the Prevention of Genocide released a statement condemning the recent escalation of fighting and widespread sexual violence.

NECESSARY ACTION

The government must implement all provisions of the ARCSS and UNSC Resolution 2304 and fully cooperate with the 24 December 2017 agreement. The SPLA, SPLA-IO and all affiliated militias must ensure that UNMISS is able to move freely and without threats to its personnel.

In support of the HLRF, the UNSC and IGAD should immediately impose an arms embargo on South Sudan. The UNSC should also expand targeted sanctions against all senior military officers, politicians and leaders of non-state armed groups implicated in atrocities or of violating the agreed cessation of hostilities.

The AU and the government should expeditiously establish the Hybrid Court and ensure it has the resources to investigate and prosecute individuals responsible for mass atrocities committed since December 2013. Those responsible for atrocities in South Sudan must be held accountable, regardless of their affiliation or position.

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UNSC Resolution, S/RES/2406](#), 15 March 2018
- » [GCR2P Populations at Risk: South Sudan](#)

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 430,000 refugees since April 2015

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 leave populations in Burundi at risk of mass atrocity crimes. The HRC-mandated CoI on Burundi has found that potential crimes against humanity may have been committed in the country since April 2015, including sexual violence, extrajudicial killings, enforced disappearances and torture.

Violations and abuses of human rights have primarily been carried out by the National Intelligence Service and the police, sometimes in collaboration with the Imbonerakure, the youth wing of the ruling party, Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie (CNDD-FDD). Opposition elements have also been accused of assassinations and grenade attacks in Bujumbura.

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. Approximately 430,000 refugees remain in neighboring countries.

The crisis developed following the April 2015 announcement that President Pierre 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 and 2005. Following a failed coup and protest violence, President Nkurunziza was reelected during July 2015.

On 24 October 2017 the Burundian government approved draft changes to the constitution that would allow President Nkurunziza to run for office for another two seven-year terms and would provide an opportunity to abolish ethnic quotas within the government. A referendum on the draft constitution is scheduled for 17 May. Government security forces and CNDD-FDD supporters have been engaged in a campaign of violence and intimidation against those who oppose the changes.

On 11 May unidentified armed men attacked villagers in the northwest province of Cibitoke, killing 26 people.

The East African Community (EAC) has attempted to mediate between the government and opposition parties, but talks have stalled.

ANALYSIS

Systematic human rights violations have contributed to a climate of fear. The government has severely limited the space for political debate by banning independent non-governmental organizations, curtailing independent media and repressing the political opposition.

The government's refusal to cooperate with the UNSC, the HRC's CoI, OHCHR and the ICC is a disturbing indication of its unwillingness to engage with the international community and adhere to international law.

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 their 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 diplomatic action.

On 30 September 2016 the HRC created the CoI to investigate human rights violations and abuses in Burundi. On 29 September 2017 the HRC extended the mandate of the CoI for another year, despite the refusal of the government to allow the Commissioners to enter Burundi.

NECESSARY ACTION

Practical steps must be taken by the government and opposition to avoid any further militarization and ethnicization of the conflict. Allegations of systematic human rights violations and abuses, including violence linked to the 17 May referendum, must be credibly investigated and perpetrators held accountable.

The government should engage constructively with the mediation efforts led by the EAC and collaborate with the UNSC, OHCHR and HRC. 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/36/54](#), 4 September 2017
- » [Report of the Secretary General on the situation in Burundi, S/2018/89](#), 25 January 2018
- » [GCR2P Populations at Risk: Burundi](#)



IRAQ

The potential for recurring armed conflict in Iraq leaves civilians at risk of war crimes and crimes against humanity.

BACKGROUND

During July 2014 ISIL seized vast territory across northern Iraq. A military coalition comprised mainly of the Iraqi Security Forces and Kurdish Peshmerga, operating with United States air support, has successfully recaptured all major cities once occupied by ISIL. On 21 November the government announced the end of major anti-ISIL military operations. Nevertheless, sporadic clashes continue across parts of Nineveh governorate, where 641,400 people remain displaced.

The UN Assistance Mission for Iraq (UNAMI) and OHCHR have reported that ISIL's past violations, "may amount to war crimes,

crimes against humanity and possibly genocide." OHCHR and UNAMI have reported that 94 mass graves have been found in formerly ISIL-held territory since June 2014. The UN Col on Syria has also reported that ISIL "has committed the crime of genocide as well as multiple crimes against humanity and war crimes against the Yazidis" in Iraq.

Despite losing all their territory within Iraq during 2017, ISIL fighters continue to pose a threat to vulnerable ethnic and religious minorities, including Christians, Shabak, Yazidis and Turkmen. ISIL also continues to target civilians from the majority Shia population in terrorist attacks. Despite an increase in attacks on political figures, on 12 May Iraq successfully held national parliamentary elections.

OHCHR and human rights organizations have expressed concern at reports of forced evictions, killings, torture, sexual violence and denial of humanitarian aid to Sunni communities in parts of Iraq that have been reclaimed from ISIL. Iraqi courts have also reportedly sentenced 3,130 prisoners accused of links to ISIL to death. UNAMI has expressed concerns regarding the mass hanging of 42 ISIL prisoners on 25 September and 38 prisoners on 14 December. Kurdish Regional Government (KRG) security forces have also reportedly carried out extrajudicial executions of captured ISIL members.

OCHA estimates that as of March 8.7 million people in Iraq – one third of the population – were still in need of humanitarian assistance, with 2.2 million people still internally displaced.

ANALYSIS

Cultural identities and religious loyalties continue to be manipulated by some forces in Iraq, posing a threat to the country's long-term political stability and social cohesion. Following successful parliamentary elections on 12 May, the new Iraqi government must take active steps to facilitate reconciliation, counter violent extremism, and minimize the risk of recurring armed conflict.

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

INTERNATIONAL RESPONSE

On 14 July the UNSC adopted Resolution 2367, renewing the mandate of UNAMI until 31 July 2018.

On 21 September UNSC Resolution 2379 authorized the establishment of an Investigative Team to support domestic accountability efforts by collecting evidence regarding potential atrocities committed by ISIL in Iraq. The team has not yet been operationalized.

NECESSARY ACTION

While continuing to battle ISIL and other armed extremist groups, it is essential that the Iraqi government protects all civilians and addresses the underlying sources of conflict between Sunnis, Shias, Kurds and other minorities within Iraq.

All relevant authorities must actively prevent reprisals against Sunni civilians in areas recaptured from ISIL. The Iraqi government should demobilize and reintegrate members of the Popular Mobilization Forces, and accelerate security sector reform.

UN member states should support the Investigative Team established by Iraq and the UNSC by providing financial and technical assistance. The government of Iraq should adopt enabling legislation to incorporate genocide, war crimes and crimes against humanity into domestic law. All perpetrators of atrocities in Iraq, regardless of affiliation, should be held accountable for their crimes.

MORE INFORMATION

- » [UNAMI Website](#)
- » [UNSC Resolution, S/RES/2379](#), 21 September 2017
- » [UNAMI OHCHR Report on Human Rights in Iraq, January-June 2017](#), 14 December 2017
- » [GCR2P Populations at Risk: Iraq](#)



Between 30 March–14 May 97 Palestinians have been killed and 12,270 wounded during protests at the Gaza–Israel border

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

Violence on the Gaza border and 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 past 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. Israel and Hamas have fought three wars since 2008. The last conflict escalated on 7 July 2014

when the Israeli Defense Forces (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.

Following an announcement by President Donald Trump on 6 December 2017 that the United States would formally recognize Jerusalem as the capital of Israel, Hamas called for the launch of a third “Intifada,” or uprising, against Israel. Between 30 March and 14 May at least 97 Palestinians were killed and over 12,270 wounded by the IDF in a series of mass demonstrations along the border between Gaza and Israel leading up to the 70th anniversary of the founding of Israel and the Palestinian “Nakba” (Catastrophe), on 14 and 15 May, respectively. Fifty-seven Palestinian protestors were shot dead and 1,700 injured on 14 May alone.

Since 2014 the dire humanitarian situation in Gaza has been exacerbated by an ongoing air, sea and land blockade by Israel. Illegal Israeli settlements, prohibited under international law, also continue to expand in the West Bank, including East Jerusalem.

Hamas security forces in Gaza have also committed grave human rights abuses, including arbitrary arrests, summary executions and torture of Palestinian civilians. Hamas has indiscriminately fired rockets into Israel and has praised terrorist attacks in which Israeli civilians have been targeted and killed.

Negotiations between Israel and Palestinian representatives regarding a lasting peace agreement have been suspended since April 2014. On 12 October 2017 Hamas and Fatah signed a reconciliation deal which would see administrative control of the Gaza Strip handed to a Fatah-backed Palestinian unity government but negotiations have since stalled.

ANALYSIS

In the absence of a meaningful peace process, conflict between Israel and Palestinian armed groups is likely to result in recurring armed hostilities. Previous attacks on civilians and civilian infrastructure violate IHL and may constitute war crimes. No Israeli or Hamas officials have been held accountable for unlawful attacks committed during the 2014 war that resulted in civilian deaths.

The systematic nature of human rights violations in the OPT may amount to possible crimes against humanity. Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian population into occupied territory. 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. Illegal Israeli settlements have contributed to the volatile situation in the West Bank. Increased anti-Semitic and anti-Arab rhetoric is also exacerbating 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 on 7 January 2015, the Chief Prosecutor of the ICC announced the opening of a preliminary examination into the situation in Palestine.

On 24 June 2015 the HRC-mandated Col on the Gaza conflict reported on violations of IHL and IHRL that may amount to war crimes. The HRC adopted a resolution on 3 July 2015 emphasizing the need to ensure that perpetrators of these crimes are held accountable.

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

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 immediately 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.

It is essential for Israel and the Palestinian Authority to end the culture of impunity and ensure that all those responsible for violations of IHL and IHRL are held accountable. 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

- » [UNSC Press Statement, SC/12052-PAL/2196](#), 17 September 2015
- » [UNSC Resolution 2334](#), 23 December 2016
- » [GCR2P Populations at Risk: Israel and the OPT](#)

R2P MONITOR

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**R2P Monitor is a bimonthly publication of
the Global Centre for the Responsibility
to Protect (GCR2P).**

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