

# 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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## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



2,798 civilians killed  
since January 2018

2,136 children killed  
or maimed since  
January 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 vulnerable 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 – more territory than it has controlled at any time since 2001. 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's quarterly report documented the deaths of 2,798 civilians from 1 January to 30 September. Attacks by the Taliban and other anti-government forces using improvised explosive devices (IEDs) are the leading cause of civilian casualties. Since 1 January UNAMA has documented over 1,065 civilian deaths due to IEDs and noted that such attacks often target civilians from ethnic and religious groups.

On 19 August the government proposed a four-day ceasefire marking the Eid al-Adha celebration, but the Taliban rejected the ceasefire and fired rockets on Kabul the following day. On 18 October Kandahar Province's governor, police chief and intelligence chief were all assassinated in an attack claimed by the Taliban.

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 during the elections, including attacks against schools used as polling centres." In advance of the elections at least ten candidates were killed, two abducted and four wounded in attacks claimed by the so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) and the Taliban. On 13 October at least 22 people were killed in an attack on an election rally in Takhar Province. UNAMA reported that 56 people were killed and over 379 wounded during the voting period.

UNAMA's quarterly report recorded 2,136 children killed or maimed in Afghanistan as of 30 September. According to the UN Secretary-General's annual report on children and armed conflict, the situation in Afghanistan was 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.

ISIL-K has established a significant presence in Afghanistan. ISIL-K attacks have been increasingly directed at the Shia minority, including a 6 September attack at a Kabul sports center in the Shia neighborhood of Dashti-e-Barchi, which killed at least 22 civilians.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 5.5 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 regains territory, the number of civilians at risk of possible war crimes and crimes against humanity continues to increase. 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 govern. Although government forces implemented successful measures to decrease civilian casualties during 2017, the use of IEDs by the Taliban and ISIL-K in densely populated areas intensified.

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 assistance to Afghan security forces until 2020. The United States currently has approximately 14,000 troops in Afghanistan.

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, particularly against civilians perceived to be supporting the government and foreign military forces. Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees. 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.

On 9 November Russia hosted peace talks with representatives from the Afghan government, the Taliban, the United States and eleven other governments.

## 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 Quarterly Report on the Protection of Civilians](#), 10 October 2018
- » [UNAMA Special Report: Increasing Harm to Afghan Civilians from the Deliberate and Indiscriminate Use of Improvised Explosive Devices](#), 7 October 2018
- » [Populations at Risk: Afghanistan](#)



Over 720,000 ethnic Rohingya have fled atrocities and crossed into Bangladesh since 25 August 2017

## MYANMAR (BURMA)

*Atrocities committed against the Rohingya minority in Myanmar (Burma) may constitute genocide under international law.*

### 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 nearly 400 villages – during so-called “clearance operations” that began in Rakhine State on 25 August 2017. According to the UN Refugee Agency (UNHCR), over 723,000 people fled the violence, with the majority of refugees arriving in the first three months of the crisis. This has brought the number of Rohingya refugees in Bangladesh to more than 900,000 people.

On 27 August 2018 the Human Rights Council (HRC)-mandated Independent International Fact-Finding Mission (FFM) on Myanmar reported that the treatment of the Rohingya by Myanmar's security forces amounts to four of the five prohibited acts defined in the Genocide Convention. The FFM found evidence of “genocidal intent,” including discriminatory government policies designed to alter the demographic composition of Rakhine State, and a premeditated plan for the destruction of Rohingya communities.

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 played a role in 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, as well as for crimes against humanity and war crimes committed in Kachin and Shan states. 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 Myanmar authorities have consistently denied that atrocities have taken place, while systematically concealing

evidence of crimes. Access to Rakhine State remains severely restricted for UN agencies and investigators, humanitarian organizations and the media. On 3 September 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.

The Myanmar government have refused to recognize or cooperate with the FFM or other independent investigative mechanisms. In response to international pressure, the government established an “Independent Commission of Enquiry” on 30 July, but the commission has been widely criticized for lacking credibility. The FFM determined that “accountability at the domestic level is currently unattainable.”

On 30 October 2018 Bangladesh and Myanmar agreed to begin Rohingya repatriation during November. UNHCR has publicly stated that conditions in Rakhine State are not conducive for returns.

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.

Populations in other parts of Myanmar, particularly in Kachin and Shan states, also remain at continued risk of mass atrocity crimes. The Myanmar military has been at war with a number of non-state ethnic armed groups since the late 1940s. Following the 2011 breakdown of a ceasefire between the military and the Kachin Independence Army, clashes have been ongoing in Kachin State, with violence increasing during 2018. The FFM concluded that crimes against humanity and war crimes – including murder, torture, rape and enslavement – have been committed in Kachin and Shan states, principally by Myanmar’s military.

There are currently more than 107,000 people in internally displaced persons (IDP) camps in Kachin and Shan states, according to OCHA. For nearly three years, the government of Myanmar has blocked the UN from areas controlled by armed groups and severely restricted humanitarian access in government-controlled areas.

## ANALYSIS

Despite Myanmar’s recent transition to democracy, until discriminatory laws and policies are repealed or amended and perpetrators of atrocities are held accountable, the threat of further atrocities will continue.

Restricting the access of UN agencies and humanitarian organizations to Rakhine State undermines efforts to provide

humanitarian assistance and assess whether conditions are suitable for the return of refugees.

The failure of the UNSC to hold accountable those responsible for atrocities committed against the Rohingya has emboldened the military to intensify its campaign in Kachin and Shan states, posing an ongoing threat to vulnerable minority populations.

The government of Myanmar has not only manifestly failed to uphold its Responsibility to Protect the Rohingya and other minority groups, it 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 taken a number of measures to respond to atrocities in Rakhine State, including suspending cooperation with Myanmar’s army and imposing targeted sanctions on senior military 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 investigated and prosecuted. Canada’s Parliament has also formally stripped Aung San Suu Kyi of her honorary Canadian citizenship.

On 18 September the Chief Prosecutor of the ICC, Fatou Bensouda, announced that her office was proceeding with a preliminary examination into the alleged deportation of more than 700,000 Rohingya civilians from Myanmar to Bangladesh. The Prosecutor noted that the preliminary examination may take into account acts “having resulted in the forced displacement of the Rohingya people, including deprivation of fundamental rights, killing, sexual violence, enforced disappearance, destruction and looting.”

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” and extending the mandate of the FFM until the new mechanism is operational.

On 24 October 2018 Marzuki Darusman, the Chairperson of the FFM, briefed the UNSC, describing atrocities in Myanmar as “the most serious crimes of concern to the international community, threatening the peace, security and well-being of the world.”

## NECESSARY ACTION

The international community should fully implement the FFM’s recommendations and ensure that those responsible

for genocide, crimes against humanity and war crimes do not evade justice. All UN member states should provide adequate resources to the HRC's independent investigative mechanism.

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 committed in Rakhine State. 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 suspend all cooperation and training programs with Myanmar's armed forces and 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. The government should engage in meaningful dialogue to end the conflict in Kachin and Shan states.

It is essential that any repatriation of Rohingya refugees is conducted on a strictly voluntary basis, in accordance with the 1951 Refugee Convention and the principle of non-refoulement. Repatriation should only occur following consultation with UNHCR on whether appropriate measures have been taken to ensure the security of returnees.

## MORE INFORMATION

- » [UNSC Presidential Statement, S/PRST/2017/22](#), 6 November 2017
- » [Report of the Independent International Fact-Finding Mission on Myanmar](#), 24 August 2018
- » [GCR2P Populations at Risk: Myanmar \(Burma\)](#)



Over 500,000 people  
killed since 2011

Over 13.1 million people  
in need of humanitarian  
assistance

## 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 over 500,000 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 13.1 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 4 September the government of Syria escalated hostilities within the territory, targeting four health care facilities with airstrikes and leading to the displacement of over 36,000 people.

On 17 September the governments of Turkey and Russia agreed to the establishment of a 15 kilometer-wide "demilitarized zone" within Idlib Governorate. In accordance with the deal, by 10 October opposition fighters had removed all heavy weaponry from the designated area; however, fighters did not meet the 14 October deadline to withdraw their forces from the zone entirely. Although fighting in Idlib has ebbed since the agreement, the population faces an ongoing risk of attack.

Violence has continued in Deir-Ezzour Governorate, where ISIL remains active. As of 31 October increased violence in the Hajin area had displaced at least 27,000 people and dozens of civilians have been killed. The Syrian Observatory for Human Rights (SOHR) reported that 57 civilians have also recently been killed in airstrikes by the United States-led anti-ISIL coalition. According

to the SOHR, ISIL has killed approximately 5,500 civilians in Syria since June 2014.

Since 2012 the HRC-mandated Commission of Inquiry (Col) has reported that government forces have committed war crimes and crimes against humanity as a matter of state policy. The Organization for the Prohibition of Chemical Weapons (OPCW)-Joint Investigative Mechanism (JIM) has also determined that Syrian government forces used chlorine gas between 2014 and 2015. Numerous armed opposition groups have also committed war crimes, and the OPCW-JIM has found evidence of ISIL using sulfur-mustard in attacks during 2015 and 2016. On 15 October the British Broadcasting Corporation released an investigative report 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 SOHR has reported that Russian airstrikes have killed 5,233 ISIL fighters and over 7,988 civilians, including 1,885 children, as of 30 October. The Col reported on 6 March that some airstrikes by the Russian air force may amount to war crimes.

According to the SOHR, airstrikes by the United States-led anti-ISIL coalition have also killed 3,222 civilians since September 2014, including 768 children.

## ANALYSIS

The government of Syria, its allies and opposition groups have 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. Civilians across the country remain at risk of atrocities, and a potential military offensive on Idlib would directly 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 direct participation of Russian and Iranian forces in numerous attacks on civilian populated areas makes them complicit in alleged war crimes.

Saudi Arabia and Qatar continue to provide 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 and Turkey 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 Col, 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 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 draft resolutions and Russia has independently vetoed a further six resolutions.

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 6 September the UN Special Adviser on the Prevention of Genocide expressed grave concern regarding the potential impact of a military offensive on Idlib governorate.

On 31 October the UN Secretary-General announced the appointment of Geir Pedersen as the next Special Envoy for Syria following Staffan de Mistura's announcement that he would resign from his post during November.

## NECESSARY ACTION

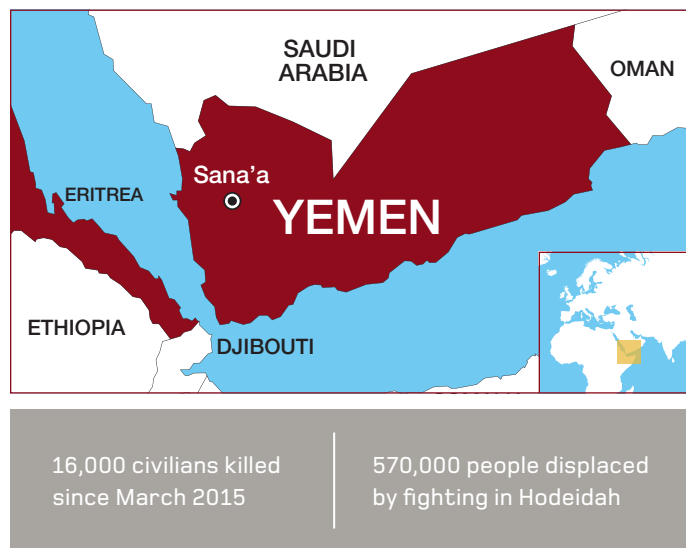
In keeping with various UNSC resolutions, Syrian government forces, armed opposition groups and all international parties to the conflict must facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting. All parties to the conflict should respect the Idlib "demilitarized zone."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

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/2401](#), 24 February 2018
- » [UN HRC Resolution, A/HRC/39/L.20](#), 25 September 2018
- » [GCR2P Populations at Risk: Syria](#)



## 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

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 United Arab Emirates (UAE)-led international coalition, have killed at least 16,000 civilians in Yemen since March 2015, although the actual death toll is considered to be much higher. As a result of the ongoing conflict, Yemen is now the largest humanitarian crisis in the world.

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 and hospitals.

On 27 July Yemeni government forces, supported by the Saudi/UAE-led coalition, resumed their military offensive on the port city of Hodeidah. 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. Hundreds of civilians have been killed by fighting in Hodeidah and UNHCR has reported that over 570,000 people have been displaced. On 24 October

airstrikes on a vegetable market killed at least 24 civilians in Al-Masoudi, Hodeidah Governorate. Hostilities continued to escalate in the city of Hodeidah throughout November.

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 15 October the UN Humanitarian Coordinator for Yemen reported that up to 14 million civilians are at risk of severe food insecurity, and that if the conflict continues famine could engulf the country within the next three months. An estimated 22.2 million people – over three quarters of the population – currently require humanitarian assistance. Since a cholera outbreak began in May 2017, over 1.2 million cases have been reported and more than 2,500 people have died.

On 11 October the UN Committee on the Rights of the Child reported at least 1,248 children have been killed in Yemen since March 2015. The Committee noted that no case involving child casualties has led to prosecution or disciplinary action against Saudi/UAE-led officials. On 27 March the UN Children's Fund (UNICEF) reported that at least 2,419 child soldiers have been recruited by both Houthi and government forces since March 2015.

Other armed groups continue to take advantage of the conflict to perpetrate violence against civilians, including Al-Qaeda in the Arabian Peninsula (AQAP). Since March 2015 ISIL has claimed responsibility for a series of attacks on Shia mosques and bombings in Sana'a and Aden. The conflict has also resulted in increased religious persecution of the country's Bahá'í population. During September charges of apostasy and espionage were brought by Houthi forces against 24 individuals, at least 22 of whom are members of the Bahá'í community.

Despite several temporary ceasefire agreements 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 negotiations have been suspended for two years. Political consultations facilitated by the UN Special Envoy for Yemen, Martin Griffiths, were scheduled for 6 September, but Houthi representatives failed to attend, allegedly due to travel restrictions.

### 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. The escalation of hostilities in Hodeidah Governorate not only endangers the lives of hundreds of thousands of civilians, but places vital civilian infrastructure at risk and leaves millions of Yemenis at increased risk of famine.

Despite the magnitude of the humanitarian crisis and the drastic increase in civilian casualties, a substantive UNSC resolution has not been adopted 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 caused by international coalition airstrikes have resulted in public pressure for the United States and United Kingdom 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. 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 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 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 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. The government of Yemen has announced they will refuse 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.

### NECESSARY ACTION

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 immediately adopt a resolution demanding a ceasefire in Hodeidah, calling upon all parties to uphold their obligations under international law, and adopting 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

- » [UNSC Presidential Statement, S/PRST/2018/5](#), 15 March 2018
- » [Report by the UN High Commissioner for Human Rights on the Findings of the Group of Independent Eminent Experts on Yemen](#), 28 August 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.



351,000 people internally displaced by conflict in the North-West and South-West regions of Cameroon

## CAMEROON

*There is an imminent risk of mass atrocity crimes due to increasing 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 has deepened since October 2017 after Anglophone separatists symbolically proclaimed independence from Cameroon, establishing a state of "Ambazonia." As the conflict has continued to intensify, there has been growing evidence of government security forces perpetrating extrajudicial killings and torture. There are also widespread reports of security forces using excessive force against unarmed demonstrators and civilians, as well as burning homes and property in over 20 villages.

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

On 7 October 2018 Cameroon held presidential elections. President Paul Biya won a seventh term, with 71 percent of

the vote. Threats and ongoing violence in Anglophone regions resulted in voter turnout below 15 percent in the South-West and North-West regions.

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 population of Cameroon, they are mainly concentrated in the North-West and South-West.

OCHA estimates that 351,000 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 and perceived political allegiances poses a direct threat to both Anglophone and Francophone civilians. Any further escalation of identity-based 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 North-West and South-West Cameroon as well as in their response to Boko Haram in the far north. Widespread allegations of the military perpetrating extrajudicial killings have been bolstered by leaked video evidence of security forces summarily executing groups of unarmed civilians.

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

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 former UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, 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 20 June the EU called upon the government to allow UN bodies access to the Anglophone regions.

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.”

## NECESSARY ACTION

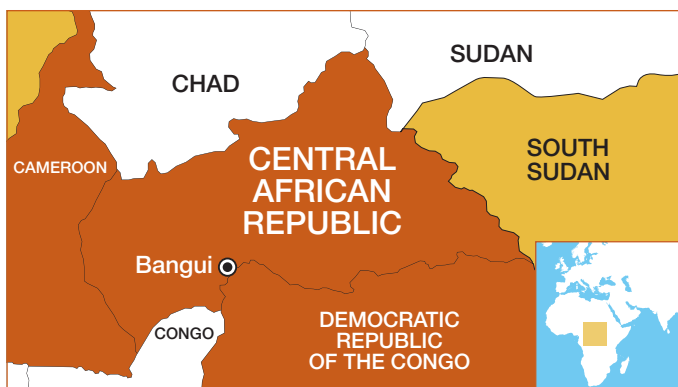
The security forces must cease the use of disproportionate and deadly force against civilians and ensure that the human rights of all Cameroonians are protected, regardless of language or cultural identity.

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 African Union (AU) and the 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](#)



70 percent of CAR remains under control of various armed groups

## 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. Violence in CAR 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 early 2018 that hate speech and incitement to ethnic and religious-based violence has reached unprecedented levels and warned that some anti-balaka affiliated groups were carrying out targeted attacks against the Muslim population.

Recent violence has particularly affected the areas surrounding Bria, Bambari and Batangafo. Between 25 August and 16 September violence between anti-balaka and ex-Séléka elements in Bria, including a series of attacks attributed to the Front Populaire pour la Renaissance de la Centrafrique (FPRC), left at least 24 civilians dead. According to Human Rights Watch, the FPRC – which controls most of Bria – executed civilians near the PK3 IDP camp where more than 50,000 people now live. Since 31 October conflict has also intensified in the northern city of Batangafo where homes and three IDP camps were burnt during violent clashes between anti-balaka and ex-Séléka groups, in particular the FPRC and the Mouvement Patriotique pour la Centrafrique. As a result of these clashes, on 2 November Médecins sans Frontières reported that an estimated 10,000 civilians were sheltering in a local hospital.

Armed groups have targeted civilians, committed sexual violence and perpetrated attacks on medical facilities and places of worship. As a result of increasing violence, several humanitarian agencies have suspended their operations.

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. Most fighters currently belong to either the anti-balaka, including affiliated "self-defense groups," or are members of armed groups loosely affiliated with the ex-Séléka alliance.

A report published by 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. UNICEF has also warned that children have been targeted during attacks, with reports of rape, abduction and recruitment into armed groups.

More than a quarter of the country's population has fled their homes since 2013, with almost 616,000 Central Africans internally displaced and over 572,000 refugees.

The AU has led recent efforts to initiate political dialogue and a possible peace process, acting as a mediator between the government and various armed groups. During the talks, these groups demanded general amnesty and integration of their members into the government. Following a meeting in Khartoum organized by Russia on 28 August 2018, four major armed groups pledged their support for peace talks under the framework of the AU-led African Initiative for Peace and Reconciliation. Tentative talks between the government and several non-state armed groups are scheduled for November, despite ongoing violence.

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 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. Civilians remain the primary targets of ongoing violence.

In many parts of the country the UN Mission in CAR (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. Since January 2018, five peacekeepers have been killed in malicious acts.

The October 2018 opening 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 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 13 July the UNSC adopted a Presidential Statement expressing concern regarding ongoing attacks by armed groups and condemning hate speech and incitement to ethnic and religious violence.

As of October 2018 more than 11,100 military personnel have been deployed to MINUSCA. On 15 November 2018 the UNSC voted on a one-month technical rollover of MINUSCA's mandate to 15 December.

## NECESSARY ACTION

MINUSCA must improve its ability to rapidly respond to emerging threats and strengthen its preventive capacity by bolstering local disarmament and reintegration efforts, including through community dialogue and programs aimed at resolving inter-communal grievances.

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 cooperating 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](#)
- » [UNSC Presidential Statement, S/PRST/2018/14](#), 13 July 2018
- » [Report of the UN Secretary-General, S/2018/922](#), 15 October 2018
- » [GCR2P Populations at Risk: Central African Republic](#)



Presidential elections  
scheduled to take  
place on 23 December

4.5 million IDPs and  
810,000 refugees in  
neighboring countries

## DEMOCRATIC REPUBLIC OF THE CONGO

*As the country prepares for long overdue elections, populations in the Democratic Republic of the Congo face an imminent risk of mass atrocity crimes committed by security forces and various militias.*

### BACKGROUND

After two years of unconstitutional delays and widespread repression of opposition protests, the Democratic Republic of the Congo (DRC) is finally preparing to hold elections on 23 December. Protests and political violence have taken place in Kinshasa and elsewhere since elections were first postponed in 2016, with more than 100 civilians shot and killed by security forces and hundreds of people arbitrarily detained over the past two years.

As a result of a failure to hold elections, 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 calling for elections to be held during 2017 and for President Joseph Kabila to abstain from seeking re-election. Following months of opposition protests, on 8 August 2018 President Joseph Kabila finally announced that he would not run for a third term. The ruling coalition nominated as its candidate former Interior Minister Emmanuel Ramazani Shadari, who has been on the EU sanctions list since May 2017 for his alleged role in human rights violations committed by the security forces in the Kasai region and violence against the political opposition.

The elections are taking place amidst increasing violence and instability throughout the DRC. Various armed groups have utilized the weakness of state authority in various parts of the country to sporadically 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 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 810,000 refugees have fled to neighboring countries. Nearly half of all IDPs in the DRC were displaced during 2017.

Several provinces in eastern DRC - notably North Kivu, South Kivu, Ituri and Tanganyika - have been plagued by a recent 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 also hampered efforts to stem an Ebola outbreak. Militia attacks on humanitarian workers during September and October led to the temporary suspension of Ebola response efforts. During 2018 attacks by the ADF and other militias have killed at least 235 civilians around Beni, while more than 165 people have been 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 earlier this year.

Tensions between the government and a local militia, Kamuina Nsapu, have also resulted in atrocities in Kasai, Kasai Central and Kasai Oriental provinces since August 2016. The UN Joint Human Rights Office in the DRC identified at least 80 mass graves in the Kasai region during 2017, with responsibility for most of these attributed to the FARDC. OHCHR has accused the FARDC and local officials of fomenting ethnic violence and supporting the formation of a pro-government militia, Bana Mura. The UN has documented children being used as combatants or human shields by Kamuina Nsapu, while Bana Mura has targeted populations based upon their ethnicity. According to an HRC-mandated International Team of Experts, violations in the Kasai region may constitute crimes against humanity and war crimes.

Following the expulsion of Congolese migrants from Angola during a crackdown on artisanal mining during mid-October, UNHCR estimates that 200,000 people have returned to Kasai Province, causing a humanitarian crisis.

### ANALYSIS

If the conduct of the upcoming presidential election is not seen as credible and legitimate it could generate a new political crisis with dangerous consequences for the DRC and its neighbors. Government repression of the opposition over the past two years has also exacerbated political tensions throughout the DRC.

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. Security forces have repeatedly used disproportionate and deadly force against peaceful demonstrators and perpetrated more than 1,100 extrajudicial and arbitrary executions during 2017.

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, 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 13 August the UNSC released a Press Statement welcoming President Kabila's announcement that he would not run for re-election and calling upon the government to ensure a swift and peaceful transition of power, including through implementation of the December 2016 CENCO agreement. On 5-7 October the UNSC visited the DRC. UNSC members emphasized the need for President Kabila's government to ensure the upcoming election is credible, inclusive and transparent.

On 30 October the UNSC adopted Resolution 2439 condemning attacks by armed groups that have jeopardized the response to the Ebola outbreak. The resolution 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."

## NECESSARY ACTION

The DRC government must ensure respect for the universal human rights of all Congolese, including freedom of expression and peaceful assembly. The AU and the Southern African Development Community should ensure rigorous oversight of the DRC election process. All political candidates in the DRC should refrain from using hate speech or inciting violence.

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 and ensure the upcoming election is free, fair and transparent.

The government should undertake measures to ensure accountability for crimes perpetrated in the Kasai region, as recommended by the HRC's International Team of Experts, as well as for the use of disproportionate and deadly force against unarmed protesters.

## 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

390,000 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

Violations and abuses of human rights perpetrated by state entities and affiliated groups in Burundi leave populations at serious 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, summary executions, 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. Approximately 390,000 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 growing role played by the Imbonerakure, the youth wing of the ruling party - the Conseil National pour la Défense de la Démocratie-Forces pour la Défense de la Démocratie. In response to the latest report of the Col, government officials publicly threatened members of the investigative mechanism.

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 reelected 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 severely limited the space for political debate by banning most independent non-governmental organizations, curtailing independent media and repressing the political opposition. The National Intelligence Service, police and Imbonerakure have committed summary 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 routinely 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 whose investigations were authorized in a Burundi government-backed HRC resolution. 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 obligations under IHRL.

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 diplomatic 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. Three of the sanctioned individuals are affiliated with the government or its security forces.

## NECESSARY ACTION

It remains essential that the Burundian government end the violent targeting of political opponents and avoid any further ethnicization or militarization of the political conflict. 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 threats directed against Commissioners.

The government should engage constructively with the mediation efforts led by the EAC and collaborate with OHCHR, HRC mechanisms and the UNSC. 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 Secretary General on the situation in Burundi, S/2018/89, 25 January 2018](#)
- » [Report of the Commission of Inquiry, A/HRC/39/63, 8 August 2018](#)
- » [GCR2P Populations at Risk: Burundi](#)



Between 30 March and 4 October at least 217 Palestinians were killed during protests at the Gaza-Israel border

## 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 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.

Between 30 March and 4 October at least 217 Palestinians were killed and over 21,897 wounded by the Israeli Defense Forces 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. Ten Palestinians, including three children, were killed and 882 wounded on 28 September, marking the deadliest day of the demonstrations since 57 Palestinians were shot dead and 1,700 wounded on 14 May. One Israeli has been killed and 40 injured since the demonstrations began.

On 8-9 August Hamas and other Palestinian armed groups fired 180 rockets and mortar rounds towards Israel. In retaliation Israel carried out airstrikes on Gaza, killing five Palestinians. On 12 November Hamas fired over 400 rockets and mortars towards Israel. Israel retaliated with airstrikes on over 100 targets within Gaza, killing seven 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. 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 300 Palestinian-owned structures have been demolished during 2018. On 4 July the Israeli authorities announced plans to demolish and expel the Palestinian Bedouin community of Khan Al-Ahmar in the West Bank in order to prepare for another Israeli settlement. The Palestinian Authority requested the ICC investigate the planned demolition, and on 17 October the Chief Prosecutor of the ICC stated that the eviction and demolition of Khan al-Ahmar could constitute a war crime. On 21 October the Israeli government announced that the demolition had been postponed.

## 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 ignite another war in Gaza and places civilians at risk of atrocities. 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 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 1 June the UNSC failed to adopt two draft resolutions on Palestine, one due to a veto by the United States and the other because it received only one vote.

On 13 June 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.

## 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 Secretary-General, Protection of the Palestinian civilian population](#), 14 August 2018
- » [GCR2P Populations at Risk: Israel and the OPT](#)



1,300 people killed in fighting between nomadic herders and settled farming communities between January–June 2018

## NIGERIA

*Inter-communal violence in Nigeria's "Middle Belt" region, as well as sporadic attacks by Boko Haram, constitute an ongoing threat to civilians.*

## BACKGROUND

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. From January–June 2018 an estimated 300,000 people were displaced and more than 1,300 killed in Nigeria due to violence between nomadic herders and farmers, according to International Crisis Group. Since July an additional 100 people have been killed in herder-farmer related violence.

Recurring conflict in Nigeria's Middle Belt region is often rooted in historical grievances over land use and resource allocation. These disputes have been exacerbated by growing desertification in the north of Nigeria, which 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 tensions.

Inter-communal and inter-religious dynamics have also triggered violence in other parts of Nigeria. Following the death of 55 people in violence between Hausa Muslim and Adara Christian youths in Kaduna State, on 21 October the government deployed a special security force and imposed a curfew. Between 27-30 October at least 40 members of the Islamic Movement in Nigeria (IMN), a Shia political group, were shot and killed by the security forces after a march by IMN members turned violent. Shias make up approximately three percent of Nigeria's population and the IMN has a long history of conflict with the secular federal state.

Meanwhile, 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 Nigeria's northeast. On 18-19 August 67 people were killed in two separate attacks in Borno State. The first took place near Ali Goshe village outside of Maiduguri and the second in the Guzamala region. 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.

## ANALYSIS

Large-scale 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, putting civilians at ongoing risk of inter-communal violence.

Nigerian security forces have often failed to provide sufficient protection to civilians and have been widely accused of committing human rights abuses during the government's fight against Boko Haram. The latest deadly crackdown on the IMN and ongoing human rights abuses demonstrate the need for security sector reform.

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

A regional Multinational Joint Task Force has been leading efforts to combat Boko Haram since 2015. On 19 August the UN Secretary-General condemned Boko Haram violence and killings 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."

On 1 November the United States Embassy in Nigeria urged the government to investigate the shooting of IMN protesters.

## NECESSARY ACTION

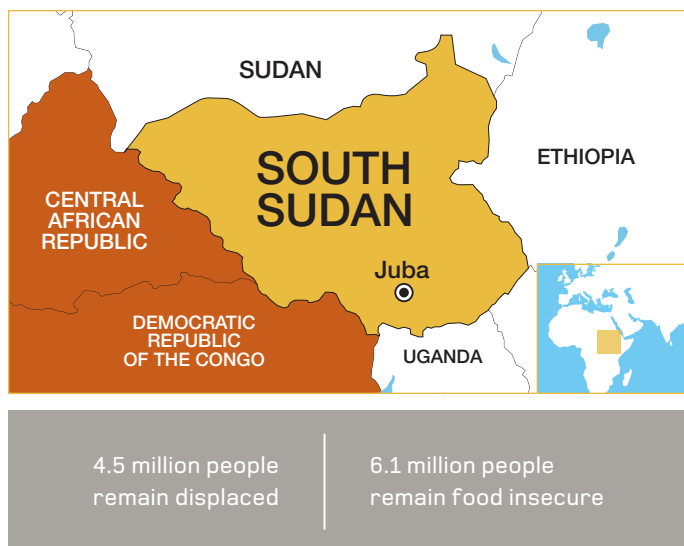
It is essential that the government of Nigeria address the root causes of inter-communal violence in the Middle Belt through socio-economic initiatives and political reforms that tackle land rights and poor governance. Utilizing the Early Warning System of the Economic Community of West African States, the Nigerian government should work with local civil society to help identify and 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 include comprehensive security sector reform.

## MORE INFORMATION

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



## SOUTH SUDAN

*Despite a 12 September peace agreement, the risk of recurring armed conflict between government forces and armed rebel groups in South Sudan continues to pose a threat to populations who may be targeted on the basis of their ethnicity and presumed political loyalties.*

### BACKGROUND

On 12 September 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 latest peace deal represents a significant diplomatic attempt to permanently end armed conflict in South Sudan and re-establish a power-sharing government.

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 formal 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 in South Sudan, including nearly 1.7 million on the brink of famine. The government has previously been accused of intentionally denying aid to civilians in rebel-held areas.

### 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 investment by the entire region – including negotiations brokered by the presidents of Uganda, Sudan and Kenya – is cause for cautious optimism with regard to the R-ARCSS. The government must also work to ameliorate long-standing inter-communal conflicts within South Sudan.

Despite the August 2015 peace 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 12 September agreement, 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 atrocities committed during the civil war.

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

### INTERNATIONAL RESPONSE

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 the UN Peacekeeping Mission in South Sudan (UNMISS) until March 2019.

On 13 July the UNSC imposed an arms embargo on the country, 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.

### NECESSARY ACTION

Pending the full implementation of the R-ARCSS, the AU, Inter-governmental Authority on Development and neighboring countries should actively assist in imposing and monitoring the existing arms embargo. The UNSC should expand targeted sanctions against any senior military officers, politicians and leaders of armed groups implicated in atrocities or of violating the 12 September agreement.

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

committed since December 2013. All perpetrators should be held accountable, regardless of their affiliation or position.

#### 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](#)



## VENEZUELA

*Ongoing political conflict and systematic human rights violations and abuses in Venezuela are putting 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 Organization of American States (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.

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, including protesters and members of the security forces. According to the OAS report, the government of Venezuela committed human rights abuses and violations in its attempt to suppress protests. The report argued that "the widespread and systematic targeting of opponents of the regime or suspected 'enemies of the state'" constitute crimes against humanity.

During 2017 President Maduro undertook a number of controversial policy decisions, including the formation of 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 Venezuela's democracy and move towards dictatorship.

Despite ongoing political tensions, a deepening economic crisis, and allegations of vote manipulation, during May 2018 President Maduro was re-elected for a second six-year term. Major opposition parties boycotted the election.

According to the UN, an estimated 3 million Venezuelans have fled the country over the past three years. Responding to the ongoing migration crisis, the OAS has called for greater burden sharing amongst regional governments, while international NGOs 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 deepening economic crisis and ongoing political repression, Venezuelans face the ongoing risk of potential mass atrocity crimes. While the campaign of mass demonstrations has ended, political opponents of the government continue to face 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, including Venezuela's neighbors and the Secretary General of the OAS, have criticized the systematic violation of human rights in Venezuela.

Following allegations of fraudulent regional elections, during November 2017 the EU imposed an arms embargo and other sanctions on Venezuela, including on the sale of equipment used for internal repression. 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 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. The Prosecutor previously announced a preliminary examination in February 2018.

On 27 September the HRC adopted a resolution on Venezuela, formally requesting the UN High Commissioner for Human Rights report on the situation.

### 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, including those within the region, 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 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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