

R2P MONITOR

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A bimonthly bulletin by
the Global Centre for the
Responsibility to Protect

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



280,000+
people killed

590,000 people
under siege

13.5 million in need
of assistance

SYRIA

Populations continue to face the threat of mass atrocity crimes committed by state security forces and affiliated militias in Syria's ongoing civil war. Various armed opposition groups and the Islamic State of Iraq and the Levant are also committing war crimes and crimes against humanity.

BACKGROUND

Following several weeks of negotiations, on 10 September Russia and the United States reached agreement on a new plan to reduce violence in Syria, while also potentially increasing joint military targeting of the Islamic State of Iraq and the Levant (ISIL). At the time of publication the new cessation of hostilities appeared to be holding. There were no civilian casualties reported on 13 September, the first day of the ceasefire.

This follows the collapse of a previous cessation of hostilities brokered by the United States and Russia, which came into effect on 27 February. Indirect talks between the Syrian government and opposition factions, mediated by the UN Special Envoy for Syria, Staffan de Mistura, were suspended on 18 April amidst a resumption of heavy fighting.

Violence had increased since mid-April when the government launched an offensive to retake rebel-held areas of eastern Aleppo. On 7 July government forces and their allies captured the Castello Road, a key artery for the residents of eastern Aleppo. According to the UN, approximately 250,000 people are at risk of injury, starvation or death due to the resulting siege. Heavy fighting for control of Aleppo, Syria's largest city, continued throughout July and August.

On 7 August a coalition of armed opposition groups claimed to have broken the siege of eastern Aleppo. The government responded by intensifying airstrikes, including the use of

incendiary weapons. There were credible reports of a deadly chlorine gas attack on the rebel-held area of Zubdiya in eastern Aleppo on 10 August. On 4 September the Syrian government claimed it had reestablished the siege after taking control of a strategic military complex in Ramosa.

Attacks against health facilities have also escalated, with Physicians for Human Rights (PHR) reporting 6 airstrikes on medical facilities in Aleppo between 24 and 31 July in the worst week for attacks on hospitals since the conflict began. These attacks occurred despite the UN Security Council (UNSC) passing Resolution 2286 on 3 May, strongly condemning attacks on medical facilities. PHR has documented 373 attacks on health facilities in Syria between March 2011 and May 2016, the vast majority committed by the Syrian government and its allies.

The government has also routinely obstructed the delivery of cross-border humanitarian aid, contravening multiple UNSC resolutions. Over 13.5 million Syrians remain in need of protection and humanitarian assistance, with 5.5 million people in inaccessible areas. UN Secretary-General Ban Ki-moon has accused all sides in Syria of using starvation as a weapon of war.

On 26 August, following an agreement between the government and opposition forces, the Damascus suburb of Darayya was surrendered after a four-year government siege. The surrender resulted in a mass evacuation of civilians, with UN officials raising concern regarding potential violations of international humanitarian law (IHL) and human rights law (IHL).

Since the Syrian conflict began in 2011 over 280,000 people have been killed. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that as of July 2016 there were over 4.8 million Syrian refugees and at least 6.6 million internally displaced persons (IDPs) - the largest number of people displaced by any conflict in the world.

The UN Human Rights Council-mandated Commission of Inquiry (CoI) has asserted that government forces have committed crimes against humanity as a matter of state policy. The government has conducted airstrikes in residential areas, contravening UNSC Resolution 2139, which demanded all parties cease attacks on civilians and the use of indiscriminate weapons. The Syrian Network for Human Rights reported that 17,318 indiscriminate barrel bombs were dropped in Syria during 2015, killing 2,032 people.

Government-allied militias have committed large-scale massacres and perpetrated war crimes and gross violations of IHL. The CoI has reported that pro-government forces have conducted widespread attacks on the population, committing crimes against humanity, including "extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforced disappearance and other inhuman acts."

Several armed opposition groups have also committed war crimes, violated IHL and targeted religious minorities for attack. ISIL poses a direct threat to civilians as its fighters have carried out crimes against humanity, including mass killings and sexual enslavement in areas under their control. According to the Syrian Observatory for Human Rights (SOHR), between June 2014 and August 2016 ISIL executed 4,400 people, including 2,370 civilians.

On 24 August the Leadership Panel of the Organization for the Prohibition of Chemical Weapons (OPCW) Joint Investigation Mechanism (JIM) issued a report attributing responsibility for two chlorine gas attacks during 2014 and 2015 to the Syrian Airforce and a 2015 sulfur-mustard attack to ISIL. The use of chemical weapons is a war crime and directly contravenes UNSC Resolution 2118.

An international coalition, led by the United States, is currently conducting airstrikes against ISIL in Syria. The SOHR reported that at least 5,250 ISIL fighters and 600 civilians were killed during coalition airstrikes between September 2014 and August 2016. On 13 August a coalition of Syrian and Kurdish armed opposition groups called the Syrian Democratic Forces, operating with air support from the international coalition, liberated the key northern city of Manbij from ISIL after a battle that lasted more than 70 days.

Russia commenced airstrikes in Syria on 30 September 2015, claiming it would help defeat ISIL. However, most airstrikes have targeted other opposition forces and civilian areas outside government control, including in Aleppo where Russian aircraft have bombed besieged areas in the east of the city. The SOHR reported on 30 August that Russian airstrikes had killed 2,600 ISIL fighters and 3,200 civilians, including over 700 children.

Saudi Arabia and Qatar are providing arms to some armed opposition groups. Meanwhile, Iran and Hezbollah continue to provide crucial economic, military and political support to the Syrian government.

On 23 August Turkey launched an incursion into Syria, supporting the Free Syrian Army in efforts to fight ISIL and the Kurdish People's Protection Units (YPG). After seizing Jarablus and other towns along the Turkish-Syrian border, military officials declared that Turkey had secured a 90 kilometer corridor from ISIL and the YPG.

ANALYSIS

Despite the current cessation of hostilities, all sides in Syria remain committed to an outright military victory and the lives of countless civilians are still imperiled by the ongoing civil war. Previous attacks on medical facilities and civilian infrastructure, including the use of chemical weapons, demonstrate a complete disregard for IHL and IHRL. Sustaining the cessation of hostilities is vital for the protection of civilians and reviving the stalled peace talks.

The government, with support from its allies, continues to utilize its military resources to retain power at all costs and has perpetrated crimes against humanity and war crimes against armed rebels and populations presumed to be supporting them. Russian airstrikes have enabled the government to regain significant territory previously lost to opposition forces and besiege eastern Aleppo.

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

External political influence upon the Syrian government, via the UN and regional actors, remains weak. Despite adopting several resolutions concerning humanitarian access and chemical weapons, the UNSC has been unable to enforce their full compliance, with significant divisions over Syria evident amongst the permanent members. Russia, United States, Iran and Saudi Arabia remain essential to any 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 commission of mass atrocity crimes.

INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syria government for its widespread violations of human rights. Despite this, the UNSC failed to adequately respond to the conflict. Since 2011 China and Russia have vetoed four resolutions on Syria. In total, the UNSC has passed 16 resolutions on Syria, several of which refer to the government's responsibility to protect populations and none of which have been fully implemented.

The CoI, UN Secretary-General and High Commissioner for Human Rights have all called for the situation in Syria to be referred to the ICC. [For responses prior to November 2015 see [GCR2P's Timeline of International Response to the Situation in Syria.](#)]

Since November 2015 the International Syria Support Group (ISSG) - including the UN, European Union (EU), League of Arab States and other countries - has met five times, agreeing on the need to convene Syrian government and opposition representatives in formal negotiations under UN auspices.

The UN Human Rights Council has adopted 18 resolutions condemning atrocities in Syria. The latest, adopted on 1 July, stressed that the primary responsibility to protect the Syrian population lies with the Syrian authorities.

The UNSC held an Arrria Formula meeting on the situation in Aleppo on 8 August.

NECESSARY ACTION

Russia and the United States need to press their respective Syrian allies to sustain the cessation of hostilities and engage in meaningful negotiations over how to fundamentally resolve Syria's conflict.

In keeping with the cessation of hostilities, and various UNSC resolutions, Syrian government forces and armed opposition groups must facilitate immediate and unimpeded humanitarian access to civilians trapped or displaced by fighting. The UNSC must act expeditiously to establish neutral humanitarian corridors and secure desperately-needed food and medical supplies for besieged civilian populations in Aleppo and elsewhere.

In keeping with Resolution 2118, the alleged use of chemical weapons in Zubdiya should be thoroughly investigated by the OPCW and the findings reported to the UNSC. The UNSC must take action to end the use of indiscriminate and illegal weapons and hold all perpetrators accountable, regardless of their position or affiliation. Parties to the conflict who have breached UNSC Resolutions must be held accountable under international law.

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 who commit war crimes or target minority communities. All foreign states participating in airstrikes against ISIL must ensure all necessary precautions are taken to avoid civilian casualties and uphold IHL.

MORE INFORMATION

- » [Statement to the UNSC on Syria](#), OCHA, 23 June 2016
- » [UN HRC Resolution, The human rights situation in the Syrian Arab Republic](#), 1 July 2016
- » [GCR2P Populations at Risk: Syria](#)



84,000+ civilians
have fled Mosul since
June

3 million Iraqis still
living under ISIL
control

IRAQ

The extremist armed group the Islamic State of Iraq and the Levant is committing genocide, war crimes and crimes against humanity in Iraq. As they confront ISIL, Iraqi Security Forces and Shia militias are also committing grave human rights abuses.

BACKGROUND

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

The UN Assistance Mission for Iraq (UNAMI) reported that 691 people, including 473 civilians, were killed in acts of terrorism, violence and armed conflict during August, bringing the total number of civilians killed this year to more than 3,800. Given access constraints, UNAMI states that these figures “have to be considered as the absolute minimum” and do not include Anbar province, where intense fighting occurred between May and July.

OCHA estimates that as of 12 July, 10 million people in Iraq – nearly one third of the population – are in need of humanitarian assistance, with over 3.3 million people internally displaced, more than half of whom are children. OCHA also reported that at least 3 million Iraqis are still living in areas under ISIL control.

The ISF and allied militia groups are reportedly preparing to launch a military offensive to liberate Mosul from ISIL, with Iraqi government officials asserting that Mosul will be retaken before the end of 2016. The UN Humanitarian Coordinator for Iraq warned on 20 July that the humanitarian consequences of the military campaign may be devastating and that “mass casualties among civilians are likely.” At least 84,000 people have fled Mosul since June, according to International Organization on Migration. ISIL has reportedly used civilians as human shields in order to delay the offensive.

The impending Mosul campaign follows a major offensive to retake Fallujah from ISIL, launched on 22 May and reportedly completed on 26 June. The UN High Commissioner for Refugees (UNHCR) reported that 87,000 civilians fled the city as a result of the fighting. While the government instructed residents to leave via safe corridors established by the military, ISIL prevented many from doing so, including by killing those attempting to flee.

On 7 June the UN High Commissioner for Human Rights, Zeid Ra'ad al Hussein, cited "credible reports" that some Sunni civilians fleeing Fallujah also faced severe human rights violations committed by Shia militias participating in the battle alongside the ISF. On 13 June the Iraqi government reported the death of 49 people and the disappearance of at least 600 after being taken into custody by Shia militias between 2 and 4 June.

ISIL continues to systematically attack and persecute vulnerable ethnic and religious minority communities, including Christians, Shabak, Yazidis and Turkmen, causing their mass displacement. On 4 July the Minority Rights Group released a report warning that many of Iraq's minority communities are "on the verge of disappearance," with thousands of people from ethnic and religious minority communities having been "murdered, maimed or abducted." More than 3,500 women and children, mainly Yazidi, also remain enslaved by ISIL.

UNAMI and the UN Office of the High Commissioner for Human Rights (OHCHR) have reported that ISIL's violations, "may amount to war crimes, crimes against humanity and possibly genocide." On 16 June the Col on Syria reported that ISIL "has committed the crime of genocide as well as multiple crimes against humanity and war crimes against the Yazidis," including killings, sexual slavery, enslavement, torture, inhuman and degrading treatment and forcible transfer.

ISIL also routinely targets civilians from the majority Shia population in sectarian bombings. On 3 July a bomb was detonated in a busy marketplace in Baghdad amidst crowds of people celebrating Ramadan. The bombing killed at least 250 people, the deadliest attack since 2007.

The United States has been conducting airstrikes against ISIL in Iraq since 8 August 2014, following the Iraqi government's request for assistance after the group seized the northern town of Sinjar. Since then Australia, Belgium, Canada, Denmark, France, Jordan, Netherlands and United Kingdom have joined the military coalition against ISIL in Iraq, with some also participating in airstrikes on ISIL in Syria.

Responding to sectarian terrorist attacks and the rise of ISIL, some Shia militias have carried out violent reprisals against Sunni civilians. The ISF has also been accused of extrajudicial killings, illegal detention, torture and other violations of IHL and IHRL. OHCHR has expressed concern at reports of forced evictions and extrajudicial killings committed by Iraqi and Kurdish security forces and affiliated militias "against Sunni Arab communities in parts of Iraq that have been reclaimed from ISIL."

ANALYSIS

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

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

There are grave fears for the fate of civilians in ISIL-controlled Mosul as the ISF and allied Shia militias prepare for a military offensive to retake the city. Human rights violations continue to be perpetrated by Shia militias and the ISF, who often commit abuses in the name of counterterrorism.

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

INTERNATIONAL RESPONSE

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

On 7 June High Commissioner Zeid urged the Iraqi government to "show its commitment to protecting civilians" by fully investigating alleged human rights violations against civilians fleeing from ISIL-controlled areas.

On 5 July the High Commissioner condemned the Baghdad terrorist attack and called upon the Iraqi government to do more to protect civilians from ISIL and to "halt uncontrolled militias from continuing to take revenge on civilians fleeing towns recaptured from ISIL."

On 25 July the UNSC adopted Resolution 2299, renewing the mandate of UNAMI until July 2017 while expressing grave concern for continuing violations and abuses perpetrated by ISIL against civilians.

On 18 August OHCHR and UNAMI released a report on Yazidi survivors of atrocities committed by ISIL, calling for Iraq to accede to the Rome Statute of the ICC and hold perpetrators accountable for "targeting and seeking to destroy" the Yazidi.

NECESSARY ACTION

The international community should continue to provide support to the Iraqi government to combat the threat ISIL poses to vulnerable populations, especially religious and ethnic

minorities. The Kurdistan Regional Government is also in need of international support to defend vulnerable populations from ongoing ISIL attacks.

While confronting ISIL and other armed groups, the government must protect civilians and address the underlying sources of conflict between Sunnis, Shias and Kurds in Iraq. The government of Iraq and the Kurdistan Regional Government must strictly uphold their obligations under IHL. Iraq's international supporters must ensure that the ISF and Kurdish forces strictly and consistently comply with their obligations under international law. All members of the international anti-ISIL coalition must also take all necessary measures to mitigate the risk to civilians.

The government must condemn human rights abuses and actively prevent reprisals by the ISF and allied militias against Sunni civilians in areas recaptured from ISIL.

Those responsible for mass atrocities perpetrated by ISIL should be brought to justice and held accountable under international law, including potentially at the ICC.

MORE INFORMATION

- » [UNAMI Website](#)
- » [Casualty Figures](#), UNAMI, 1 September 2016
- » [UNSC Resolutions 2299, S/RES/2299](#), 25 July 2016
- » ["A Call for Accountability and Protection: Yazidi Survivors of Atrocities Committed by ISIL"](#), OHCHR and UNAMI, August 2016
- » [GCR2P Populations at Risk: Iraq](#)



3,700+ civilians killed

2.8 million people
displaced by violence

YEMEN

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

BACKGROUND

Despite an 11 April ceasefire and intermittent UN-brokered peace talks between the government and Houthis that began in Kuwait on 21 April, the conflict in Yemen continues to leave civilians facing mass atrocity crimes. Ceasefire violations throughout the country have escalated, with increasing violence since peace talks were suspended on 6 August. On 12 August the UN Humanitarian Coordinator for Yemen, Jamie McGoldrick, noted that "reports indicate that children and women are being killed and maimed, homes being destroyed ... by both ground fighting and air strikes, particularly in Sana'a city and the Governorates of Sana'a, Sa'ada, Taizz, and Al Hudaydah."

During 2014, amidst a UN-facilitated political transition process, the Houthis, an armed Shia movement from northeast Yemen, and military units loyal to former President Ali Abdullah Saleh, took control of the governorates of Sa'ada, Hodeida, Dhamar, Amran and Sana'a. On 26 March 2015 Saudi Arabia and a coalition of nine other countries responded to a government request for regional military intervention. Growing violence forced President Abed Rabbo Mansour Hadi to seek temporary refuge in Riyadh. Despite military setbacks, Houthis and pro-Saleh forces still control much of Yemen.

Violence between Houthi rebels and various pro-government forces, as well as sustained Saudi-led coalition airstrikes, have resulted in more than 3,700 civilians killed, including at least 1,100 children, since March 2015. More than 3 million Yemeni civilians have been forcibly displaced while an estimated 21.2 million people, over 82 percent of the population, require humanitarian assistance. The UN Secretary-General has reported on the particularly dire effect on children, noting widespread recruitment by armed groups, sexual violence, abductions and

military attacks on schools. The UN Children's Fund (UNICEF) has reported that 370,000 children are at risk of starvation.

Houthi and government-allied forces have both targeted civilian infrastructure and international humanitarian workers. OCHA has reported that more than 170 schools and 70 health facilities have been destroyed. On 13 August ten children were killed following an airstrike on a religious school in Sa'ada. On 18 August Médecins Sans Frontières (MSF) announced it was halting operations in parts of Yemen after a hospital supported by MSF in Hajjah was destroyed in an airstrike, killing at least 19 people. The UN High Commissioner for Human Rights has said that respect for the distinction between civilian and military targets has been "woefully inadequate" by both sides.

The UN and the Gulf Cooperation Council (GCC) have made numerous attempts to broker peace between parties to the conflict. The UN Special Envoy to Yemen, Ismail Ould Chekh Ahmed, announced that talks would resume in September, but amidst increasing violence a date for renewed negotiations has not been set.

Other armed groups have taken advantage of the conflict to perpetrate violence against civilians. Since March 2015 ISIL has claimed responsibility for a series of attacks on Shia mosques and has detonated car bombs in Sana'a and Aden. ISIL claimed responsibility for a 29 August bombing in Aden that killed more than 60 people at a military recruitment center. Al-Qaeda in the Arabian Peninsula (AQAP) also gained influence during 2015, but has since retreated from several cities it previously controlled.

ANALYSIS

Various parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. Failure to abide by the cessation and attempts by the Houthis to subvert the political transition are in violation of various UNSC resolutions. Civilians continue to suffer the costs of humanitarian crisis and ongoing conflict. Escalating violence since the 6 August end to peace talks has exacerbated the ongoing humanitarian crisis.

Yemen has become another proxy battlefield between Saudi Arabia and Iran. While Saudi Arabia remains the main force backing the regional military coalition, Iran has allegedly provided substantial military assistance to the Houthis.

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

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

INTERNATIONAL RESPONSE

In 2011 the UNSC adopted Resolution 2014, which condemned human rights violations by the government of former President

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 seized during the conflict. On 24 February 2016 the UNSC renewed the sanctions regime for an additional year.

On 4 June the UN Secretary-General condemned the use of heavy weapons, including rockets, on Taizz markets and urged all parties to respect the ceasefire. The Secretary-General attended the peace talks in Kuwait on 26 June, reminding parties of their moral and political responsibility to end the conflict.

On 25 August OHCHR released a report on the Human Rights Situation in Yemen, calling for the Human Rights Council to establish an independent body to thoroughly investigate abuses against the population. On 8 September the UNSC issued a Press Statement urging all parties to the conflict to continue working with Special Envoy Ahmed on negotiating a peaceful solution and to resume observing the ceasefire.

NECESSARY ACTION

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

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

The UNSC, GCC and all parties to the conflict need to ensure that Resolution 2216 is fully implemented and that Yemen returns to the political transition process. The government and Houthis should return to substantive peace negotiations. The UN Human Rights Council should establish an international commission of inquiry to investigate serious violations in Yemen since March 2015.

MORE INFORMATION

- » [UNSC Resolution, S/RES/2215](#), 14 April 2015
- » [UNSC Presidential Statement, S/PRST/2016/5](#), 25 April 2016
- » [OHCHR Report on the situation of human rights in Yemen, A/HRC/33/38](#), 4 August 2016
- » [GCR2P Populations at Risk: Yemen](#)



2.6 million IDPs
in Darfur

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

SUDAN

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

BACKGROUND

For over five years the Sudanese Armed Forces (SAF) and armed rebels of the Sudan People's Liberation Movement-North (SPLM-N) have been engaged in hostilities in South Kordofan and Blue Nile. According to OCHA, since June 2011 the conflict has resulted in over 1.2 million people "internally displaced or severely affected and in need of humanitarian assistance," while more than 250,000 have fled to South Sudan and Ethiopia. The government of Sudan prohibits access to South Kordofan and Blue Nile and is systematically preventing aid from reaching vulnerable civilians at risk of starvation.

Following several failed negotiations, the African Union (AU) High Level Implementation Panel (AUHIP) for Sudan proposed a Roadmap agreement to halt the conflicts in Darfur, South Kordofan and Blue Nile. On 23 March the Chair of the AU Commission welcomed the signing of the agreement by the Sudanese government. On 8 August a number of prominent rebel groups, including the SPLM-N, also signed the Roadmap. However, the parties failed to reach an agreement regarding a permanent cessation of hostilities in South Kordofan, Blue Nile and Darfur. A new round of talks are scheduled to take place during September.

The SPLM-N had accepted a four-month ceasefire in South Kordofan and Blue Nile during June. Prior to the ceasefire there had been a reported escalation in fighting. Indiscriminate aerial bombings by the SAF during April and May around Heiban and Um Dorein resulted in civilian casualties and the displacement of approximately 20,000 people.

Sudan has previously failed to honor AU-brokered agreements and UNSC resolutions calling for a cessation of hostilities. The

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

The situation in Darfur, meanwhile, continues to deteriorate with civilians facing ongoing inter-communal violence, as well as attacks by the SAF and Rapid Support Forces, a pro-government militia with aerial and ground support from the SAF. Heavy clashes between the government and the Sudan People's Liberation Army-Abdul Wahid in Jebel Marra, North Darfur, since mid-January has led to the displacement of over 129,000 civilians. The government continues to prevent humanitarian access to areas around Jebel Marra. A total of 2.6 million people are now displaced in Darfur.

The government has systematically obstructed the AU-UN hybrid peacekeeping force in Darfur (UNAMID), tasked with a civilian protection mandate, from carrying out human rights monitoring. The UN Secretary-General has condemned repeated attacks on UNAMID. More than 70 UNAMID peacekeepers have been killed since 2008.

ANALYSIS

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

The UNSC and AU have failed to ensure that the government and SPLM-N honor past agreements on the cessation of hostilities and delivery of humanitarian assistance. Indiscriminate attacks on civilian areas by both the SAF and SPLM-N demonstrate an unwillingness to distinguish between combatants and civilians, actions that amount to crimes against humanity.

Since its deployment in Darfur in 2008, UNAMID has been unable to provide adequate protection to civilians and has been systematically obstructed by the government of Sudan. Ongoing inter-communal violence and SAF operations contribute to the risk of further mass atrocity crimes. Attacks on UN peacekeepers constitute war crimes, while restrictions on their freedom of movement contravenes the Status of Forces Agreement between the UN and the government.

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

INTERNATIONAL RESPONSE

The UNSC has adopted 62 resolutions on Sudan since 2004, most of which have not been fully implemented. The response of the international community to mass atrocities in South Kordofan and Blue Nile has been grossly inadequate. [See also, [GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States.](#)]

In 2007 the ICC indicted three members of the current government, including President Omar al-Bashir, for war crimes and crimes against humanity committed in Darfur. President Bashir was also indicted in 2010 for perpetrating genocide in Darfur. The ICC issued an additional arrest warrant during September 2014 against rebel leader Abdallah Banda for war crimes resulting from an attack on AU peacekeepers during 2007 in northern Darfur. None of the indictees have been surrendered to the Court. On 15 December 2015 the Chief Prosecutor of the ICC criticized the UNSC for failing to meaningfully assist in the arrest of indicted suspects.

On 28 May Norway, United Kingdom and United States issued a statement condemning the Sudanese government's aerial bombardment of civilians in Kauda and Heiban, South Kordofan. The statement recalled that the "Sudanese government has a responsibility to protect all its citizens" and urged all parties to end hostilities and facilitate immediate humanitarian access.

On 29 June 2016 the UNSC adopted Resolution 2296, which extended UNAMID's mandate until 30 June 2017. The resolution emphasized that those responsible for violations of IHL and abuses of human rights "must be held accountable and that the Government of Sudan bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

On 9 August the EU, Germany, Norway, United Kingdom and United States issued a joint statement welcoming the signing of the Roadmap agreement by various rebel groups.

On 17 August the UN Secretary-General expressed his disappointment that the parties had failed to reach an agreement on a permanent cessation of hostilities, calling upon the parties to abide by the Roadmap agreement and continue negotiations.

NECESSARY ACTION

After more than 10 years and 62 resolutions it is time for the UNSC and other member states to review their entire approach to endemic conflict and ongoing atrocities in Sudan. The UNSC should immediately expand the arms embargo on Darfur to include South Kordofan and Blue Nile.

The government, SPLM-N and other parties must abide by the AUHIP Roadmap and cease all armed hostilities in Darfur, South Kordofan and Blue Nile. The UNSC and AU must ensure the government and SPLM-N facilitate the delivery of humanitarian assistance, as stipulated in the Roadmap, 2011 Framework

Agreement and 2012 cooperation agreements. The UNSC should mandate the establishment of an independent international commission of inquiry for South Kordofan and Blue Nile and actively support efforts to bring ICC indictees to justice.

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

The government must stop obstructing UNAMID and allow them to uphold their mandate, including investigating gross human rights violations. Mediation efforts should be facilitated between the government and armed groups operating in Darfur.

MORE INFORMATION

- » [UNAMID Website](#)
- » [UNSC Resolution, S/RES/2296](#), 29 June 2016
- » [GCR2P Populations at Risk: Sudan](#)



1 million Rohingyas are subject to systematic persecution and the denial of their ethnic identity

BURMA/MYANMAR

Stateless Rohingya in Burma/Myanmar face systematic persecution that poses an existential threat to their community. Human rights violations against the Rohingya amount to crimes against humanity.

BACKGROUND

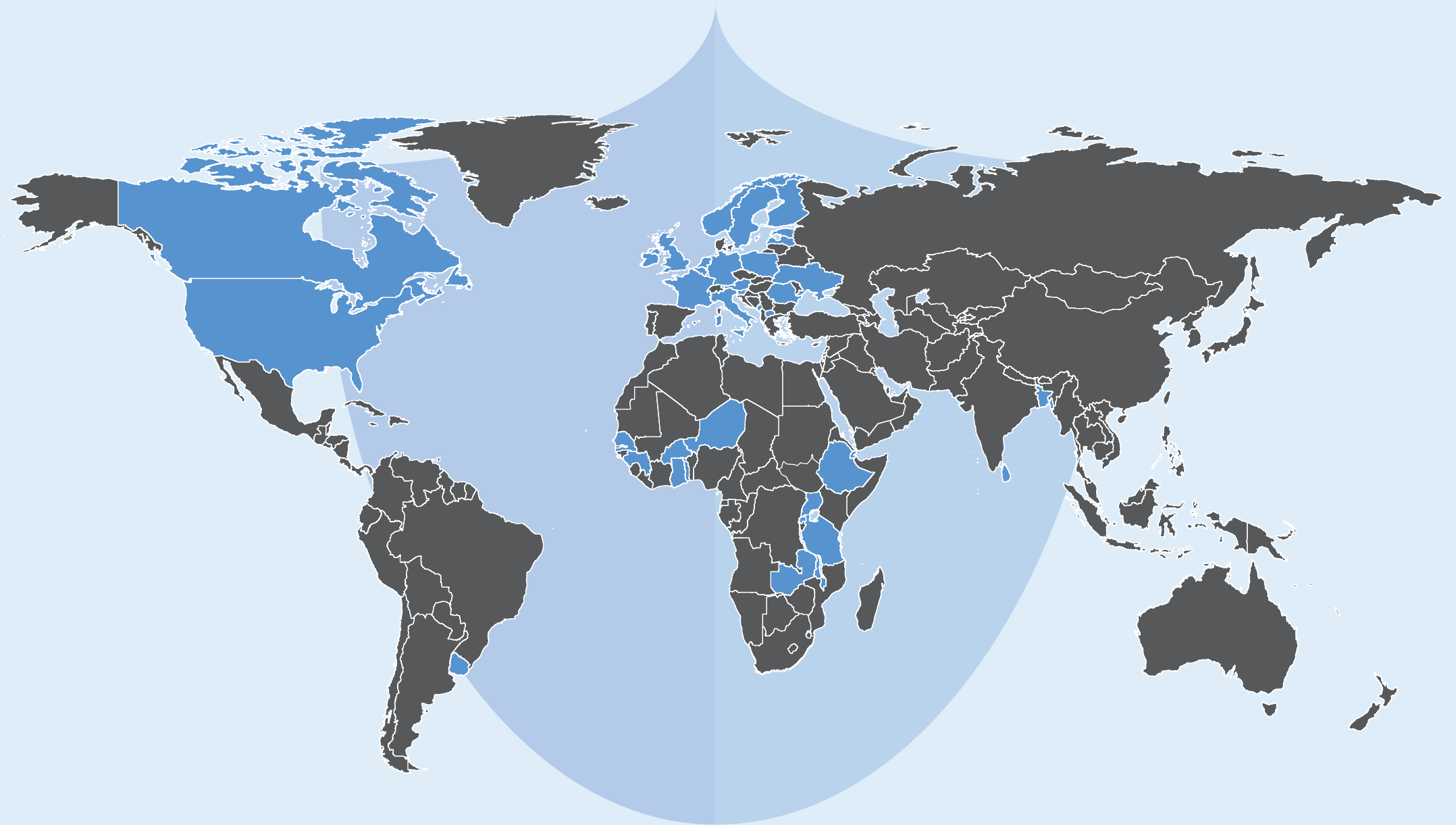
Discriminatory state policies and systematic persecution in Burma/Myanmar threaten the existence of the more than 1 million stateless Rohingya, a distinct Muslim ethnic minority group. On 20 June the UN High Commissioner for Human Rights released a report on the human rights situation of the Rohingya in Burma/Myanmar, detailing a "pattern of gross human rights violations," including discriminatory practices targeting Rohingya on the basis of their identity. These "widespread and systematic" abuses amount to crimes against humanity.

The Kigali Principles on the Protection of Civilians

Peacekeepers are increasingly called upon to uphold the international community's Responsibility to Protect civilians from mass atrocity crimes, namely genocide, war crimes, ethnic cleansing and crimes against humanity. The Kigali Principles are a set of eighteen pledges for the effective implementation of civilian protection mandates in UN peacekeeping. Ten out of sixteen current UN Security Council-authorized missions, constituting 97% of peacekeepers, have the Protection of Civilians at the core of their mandates.

Signatories

1. Austria
2. Bangladesh
3. Belgium
4. Burkina Faso
5. Canada
6. Djibouti
7. Estonia
8. Ethiopia
9. Finland
10. Former Yugoslav Republic of Macedonia
11. France
12. Germany
13. Ghana
14. Guinea
15. Ireland
16. Italy
17. Latvia
18. Malawi
19. Montenegro
20. Netherlands
21. Niger
22. Norway
23. Poland
24. Romania
25. Rwanda
26. Senegal
27. Slovenia
28. Sri Lanka
29. Sweden
30. Tanzania
31. Togo
32. Uganda
33. Ukraine
34. United Kingdom
35. United States
36. Uruguay
37. Zambia



Despite the historic 8 November 2015 democratic elections, Rohingyas were largely disenfranchised in advance of the vote and continue to be denied citizenship and other fundamental human rights. While the National League for Democracy (NLD) won the elections, it did so while excluding all Muslims as candidates. NLD leader Aung San Suu Kyi has publicly stated that the new government will not use the term "Rohingya," cautioning against "emotive" and "controversial" terms.

An estimated 120,000 people, mostly Rohingyas, remain segregated in IDP camps as a result of 2012 inter-communal violence. After visiting Rohingya displacement camps during February 2016, the Director of Operations for OCHA, John Ging, described the "appalling" conditions and appealed for an end to the "discriminatory and repugnant policies" of segregation and disenfranchisement. The cumulative impact of deteriorating living conditions, combined with ongoing persecution, has led tens of thousands of Rohingyas to flee to neighboring countries, where they are often subject to further abuse, human trafficking and refoulement. UNHCR reported that at least 32,600 people, mostly Rohingyas, fled Burma/Myanmar during 2015.

On 29 March 2016 the former government lifted the state of emergency in Arakan/Rakhine state, but the new government has done little to ensure access to vital humanitarian assistance or freedom of movement, with several townships remaining under curfew. Many Rohingyas in Arakan/Rakhine state also face the ongoing threat of recurring violence at the hands of Buddhist extremists who reject their right to exist in Burma/Myanmar.

On 31 March 2015 the former government invalidated the identification cards held by many Rohingyas, forcing them to apply for citizenship as "Bengalis," suggesting their illegal migration from Bangladesh. This follows the government denying Rohingyas the ability to self-identify on the national census of March 2014, the first since 1983. On 21 July 2016 the government finally released census figures on ethnicity and religion, which showed that Buddhists make up 90 percent of the population of 51 million. The UN Population Fund acknowledged that the exclusion of the Rohingya represented "a serious shortcoming of the census and a grave human rights concern." The UN Special Rapporteur on the human rights situation in Myanmar, Yanghee Lee, has previously highlighted the "right of the Rohingya to self-identification according to international human rights law."

Former President Thein Sein signed into law the last of four so-called "Protection of Race and Religion" bills in August 2015. These discriminatory laws place harsh restrictions on women and non-Buddhists, including on fundamental religious freedoms, as well as reproductive and marital rights. The laws were supported by a radical Buddhist chauvinist organization Ma Ba Tha, which has been accused of anti-Muslim and anti-Rohingya hate speech. Several government officials, including the Union Religious Affairs Minister, Thura U Aung Ko, have recently spoken out against Ma Ba Tha, threatening to sanction the group.

On 23 August the office of State Counselor Aung San Suu Kyi announced the establishment of a high-level advisory commission, headed by former UN Secretary-General Kofi Annan, to find solutions to "the complex and delicate issues in the Rakhine state." The commission convened its first meeting on 5 September in Yangon.

The country's military forces (Tatmadaw) pose an ongoing threat to other ethnic groups in Burma/Myanmar. While the previous government signed a ceasefire agreement on 15 October with eight ethnic armed groups, conflict between the Tatmadaw and several other groups continues. Fighting between the Tatmadaw and Kachin Independence Army over the past five years has displaced nearly 100,000 civilians.

The new government held a peace conference - the 21st Century Panglong - with ethnic armed groups from 31 August to 4 September. The Panglong conference could be a significant symbolic step towards more formal negotiations between the new government and ethnic armed groups.

On 14 September Aung San Suu Kyi met with United States President Barack Obama in Washington. Following the meeting President Obama indicated that the United States would soon lift its remaining sanctions on Burma/Myanmar.

ANALYSIS

The previous government's refusal to grant the Rohingya access to citizenship or end discriminatory state policies encouraged violations of their fundamental human rights and reinforced the dangerous perception of the Rohingya as ethnic outsiders. The Protection of Race and Religion bills were intended to eradicate the Rohingya's legal right to exist as a distinct ethnic group.

While the NLD government inherited these discriminatory laws and anti-Rohingya policies, it has yet to demonstrate willingness to repeal them. Disenfranchisement, combined with years of persecution, exclusion and poverty, is causing Rohingyas to flee from Burma/Myanmar, despite the refusal of several countries in the region to offer asylum. The NLD government has a historic opportunity to end discriminatory policies and drastically improve the plight of the Rohingya, including by utilizing the recently established high-level advisory commission.

With a pervasive culture of impunity, the military has not been held accountable for previous mass atrocity crimes.

Despite some positive signs, the government of Burma/Myanmar is still failing to uphold its primary Responsibility to Protect with regard to the Rohingya.

INTERNATIONAL RESPONSE

Following decades of military dictatorship, democratic reforms have contributed to rapprochement between Burma/Myanmar and the international community, including the lifting of sanctions by a number of countries. [For responses prior to March 2016, see [GCR2P's Timeline of International Response](#)

[to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar.\]](#)

On 23 March the UN Human Rights Council adopted a resolution expressing serious concern over human rights violations, particularly against the Rohingya, and urged the government to repeal discriminatory legislation.

On 20 June the UN High Commissioner for Human Rights urged the NLD to end systemic discrimination and ongoing human rights violations against the Rohingya and other minorities.

Special Rapporteur Lee concluded a 12-day visit to the country on 1 July, calling upon the government to “demonstrate that instigating and committing violence against an ethnic or religious minority community has no place in Myanmar.”

On 7 July the EU Parliament passed a resolution calling upon the government to abolish discriminatory policies and restore the Rohingya's citizenship.

NECESSARY ACTION

The high-level advisory commission should investigate the systematic persecution of the Rohingya in Arakan/Rakhine state. The government of Burma/Myanmar must uphold its

Responsibility to Protect all populations, regardless of their ethnicity or religion. The NLD government should immediately abolish the Rakhine Action Plan and end institutionalized discrimination against the Rohingya, including the denial of citizenship. It must prohibit hate speech and hold accountable all those who commit human rights abuses, including Ma Ba Tha.

In Arakan/Rakhine state the government must facilitate the safe, voluntary return of IDPs to their communities. Neighboring countries should offer protection and assistance to Rohingya asylum seekers.

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

MORE INFORMATION

- » [UN HRC Resolution, A/HRC/31/24](#), 23 March 2016
- » [Human rights violations and abuses against Rohingya Muslims and other minorities in Myanmar](#), OHCHR, 20 June 2016
- » [Statement of the UN Special Rapporteur](#), 4 July 2016
- » [GCR2P Populations at Risk: Burma/Myanmar](#)

ACCOUNTABILITY WATCH

Mali:

The ICC opened the trial of Ahmad al-Faqi al-Mahdi, a member of Ansar Eddine, on 22 August. Al-Mahdi pleaded guilty to the war crime of deliberately destroying of cultural and religious heritage sites in Timbuktu, Mali, between June and July 2012. This case marks the first time a defendant has pleaded guilty at the ICC and the first time the Court has prosecuted a case on the destruction of cultural and religious heritage sites. The ICC is expected to deliver a judgment in the case on 27 September.

Argentina:

On 25 August a federal court in Argentina convicted 38 former military officials for their role in torturing civilians during the country's 1976-1983 military dictatorship. The latest trial focused on torture centers in Cordoba and involved over 716

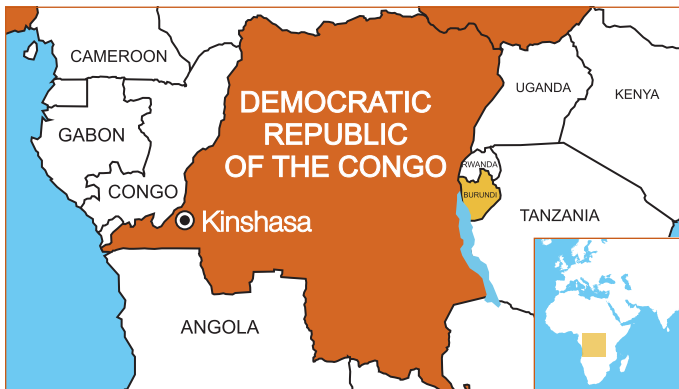
victims. Courts in Argentina have so far sentenced over 600 people for perpetrating human rights violations under the military dictatorship.

Chad:

On 29 July the Extraordinary African Chambers (EAC) in Senegal granted financial reparations to the victims of rape, sexual violence, torture and other crimes endured under former Chadian dictator Hissène Habré. The EAC found Habré guilty of crimes against humanity, war crimes and torture committed between 1982 and 1990, sentencing him to life imprisonment on 30 May 2016. Habré's conviction marked the first time a court of one country had prosecuted the former ruler of another for mass atrocity crimes.

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.



1.8 million IDPs

650+ civilians killed
by the ADF since
October 2014

DEMOCRATIC REPUBLIC OF THE CONGO

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

BACKGROUND

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

Despite offensives conducted by the government's armed forces (FARDC) with assistance from the UN's stabilization mission in the DRC (MONUSCO) and its force intervention brigade, violence committed by dozens of armed groups continues throughout the eastern DRC. Populations in Maniema, Katanga and North Kivu have been particularly affected by fighting between various Mayi-Mayi groups and the FARDC. Several armed groups have also been implicated in kidnapping humanitarian workers.

The FARDC launched offensive operations against the FDLR in February 2015. Although the FARDC has reportedly liberated many localities previously occupied by the group, the FDLR continues to threaten civilians. Inter-communal clashes have also sparked violence between armed groups affiliated with the FDLR, and those affiliated with ethnic Nandes in Lubero and Walikale, North Kivu. On 7 August a series of attacks in

Kibirizi resulted in 14 people killed and dozens of homes burned. This follows rising tensions between Hutu and Nande militias in Buleusa, including attacks on IDP camps and reprisal killings.

Elsewhere in North Kivu the ADF and other armed groups have been sporadically attacking villages near Beni, massacring civilians and perpetrating possible crimes against humanity. The ADF is suspected of killing more than 650 people since October 2014, including a 13 August attack where more than 50 people were hacked to death in a village outside Beni. Several people have been killed in reprisal violence and protests against the government's inability to provide adequate protection against the ADF.

The UNSC has raised concerns regarding the "risk of instability, insecurity, the potential for violence, human rights violations and abuses and violations of [IHL]" ahead of presidential elections. President Joseph Kabila's term is constitutionally-mandated to end in 2016, but the government lacks the capacity to complete voter registration and hold the required elections prior to 2017. Civilians have already been killed in election-related protests in Kinshasa and Goma amid reports of growing political repression. On 1 September a national dialogue was launched to ensure a peaceful political process, but most opposition groups have refused to participate.

ANALYSIS

While military measures are taken against the FDLR, ADF and other armed groups, civilians remain at risk of reprisal violence. The FARDC and MONUSCO have failed to adequately respond to early warning of attacks, particularly around Beni, and civilians have responded with protests or by forming their own self-defense groups. The FARDC has also been implicated in attacks on civilians, including widespread sexual violence, and often fails to hold its members accountable for human rights violations.

The weakness of government structures undermines attempts to prevent atrocities. This is particularly evident in the eastern DRC, where the government has previously lost control of vast areas to various rebel groups. Instability caused by disagreements over the country's presidential elections may be further exacerbated by these weaknesses and leaves populations at risk of potential political violence.

Despite the government and MONUSCO encouraging militias to participate in disarmament programs prior to launching offensives against them, various armed groups continue to perpetrate abuses against civilians. Competition for control of minerals, as well as underlying conflict between communities that consider themselves indigenous and those perceived as outsiders, has enabled the proliferation of armed groups,

which will continue to emerge even after the eradication of the ADF and FDLR if these issues are not resolved. While the government has undertaken important reforms, impunity for crimes committed against civilians continues.

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

INTERNATIONAL RESPONSE

The international community has responded to violence in the eastern DRC by taking measures to confront various armed groups. The UNSC currently subjects 9 entities and 31 individuals in the DRC to sanctions. [For responses prior to March 2016, see [GCR2P's Timeline of International Response to the Situation in the DRC.](#)]

On 30 March the UNSC extended MONUSCO's mandate until March 2017, 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." The following day the UNSC issued a Presidential Statement reiterating that the 2013 Peace, Security and Cooperation (PSC) Framework remains essential to peace and security in the Great Lakes Region.

On 6 June the AU, UN, EU and International Organization of the Francophonie issued a statement emphasizing the importance of concluding a national dialogue and that the facilitation group, led by Edem Kodjo, needs to assist in finalizing an elections plan. On 4 July the AU-led "Support Group for Facilitation of the National Dialogue in the DRC" held its inaugural meeting. On 15 July the UNSC issued a Press Statement welcoming the meeting, but raising concerns regarding growing political repression.

On 23 June the UNSC passed Resolution 2293 extending the sanctions regime until 1 July 2017 and including for the first time individuals found to be "planning, directing or committing acts that constitute human rights violations."

On 17 August the UNSC issued a Press Statement condemning the attack on civilians in Beni.

NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains the primary priority as they address the threat posed by armed groups. The FARDC and MONUSCO need to increase their capacity to respond to early warning of inter-communal violence and attacks by armed groups.

MONUSCO should also support the government in facilitating local peacebuilding initiatives and encourage civil society to help facilitate DDRRR. The government, with MONUSCO's support, should enhance security and protection measures, particularly in eastern DRC and Kinshasa, in advance of the elections. The government and opposition must engage in genuine dialogue

regarding the presidential election process and actively discourage political violence.

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

The UN, AU, International Conference for the Great Lakes Region and Southern African Development Community should ensure that all signatories to the PSC Framework continue to fulfill their commitments.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Resolution, S/RES/2293](#), 23 June 2016
- » [UNSC Press Statement, SC/12477](#), 16 August 2016
- » [GCR2P Populations at Risk: DRC](#)



2.4 million IDPs

20,000+ people
killed since 2009

NIGERIA

Mass atrocity crimes continue to be threatened by the extremist group Boko Haram in northern Nigeria. Excessive use of force by security forces, recurring inter-communal violence and ongoing instability in the Niger Delta region also constitute a serious threat to civilians.

BACKGROUND

While military operations by the Nigerian army and the regional Multinational Joint Task Force (MNJTF) have recovered an estimated 80 percent of the territory once held by Boko Haram, sporadic attacks by the extremist Islamist armed group continue in Nigeria as well as neighboring Cameroon, Chad and Niger. Many areas previously held by Boko Haram remain unsafe for returnees. According to OCHA, there are currently 2.4 million IDPs in Nigeria and more than 187,000 Nigerian refugees in neighboring countries.

The Nigerian government's seven-year conflict with Boko Haram has claimed more than 20,000 lives and sparked an acute humanitarian crisis that now threatens famine in northeast Nigeria. During July MSF reported that half a million people in Borno state live in "catastrophic conditions," with no access to humanitarian aid. On 22 August the World Health Organization announced that its preliminary assessment of territories previously held by Boko Haram revealed mortality rates in some areas four times higher than emergency thresholds.

According to UNICEF, since April 2014 at least 1.3 million children have been uprooted by Boko Haram violence in Nigeria and neighboring states, while one of every five suicide bombers used by Boko Haram in 2015 was a child. The group has also targeted schools for attack, including the 2014 abduction of 276 girls from Chibok and the 2015 abduction of 300 elementary students in Damasack. The vast majority of abducted children remain missing. On 14 August Boko Haram released a video showing some of the kidnapped Chibok girls, demanding that the government release imprisoned fighters in return for them. The video emerged during a leadership struggle within Boko Haram between Abubakar Shekau, who has led the group since 2010, and Abu Musab al-Barnawi, who was recently appointed by ISIL.

As the government addresses the Boko Haram insurgency, several other localized conflicts, rooted in long-standing grievances over land and resource allocation, have escalated in Nigeria's "middle belt" and Niger Delta regions. Inter-communal clashes between semi-nomadic herdsman and settled farming communities have resulted in hundreds of deaths in 2016. Newly-formed militant groups in the Niger Delta, including the Niger Delta Avengers, have perpetrated attacks on oil and gas installations as well as security personnel. On 21 August the Niger Delta Avengers announced a ceasefire to enable talks with the government.

Nigerian security forces have been consistently accused of failing to adequately protect populations and committing human rights abuses against civilians. At least 347 civilians were killed during clashes between security forces and a Shia group, the Islamic Movement of Nigeria, in Zaria, Kaduna state during December 2015. The final report of the Judicial Commission of Inquiry, released by the Kaduna state government on 31 July, confirmed that the deaths of 347 civilians resulted from the army using excessive force and called for those involved in the massacre to be prosecuted.

ANALYSIS

While large-scale attacks by Boko Haram have become less frequent, the group continues to target civilians as well as security and humanitarian personnel. Large-scale displacement and insecurity have increased unemployment and poverty within Nigeria, Africa's second largest economy, which is already experiencing a severe decrease in government revenue due to depressed oil prices. Destroyed civilian infrastructure across the northeast and the ongoing threat of Boko Haram attacks makes the return of displaced populations dangerous and continues to limit humanitarian operations. Years of

disrupted farming and trading have resulted in an acute food crisis in the northeast.

Infighting within Boko Haram's leadership has resulted in rival leaders attempting to assert control over the group. Al-Barnawi has declared his intention to increase Boko Haram's targeting of Christians, putting these populations at greater risk of atrocities and potentially exacerbating religious tensions within Nigeria.

The reemergence of armed groups in the Niger Delta region and attacks on oil and gas installations puts increasing strain on a government that is already struggling to protect vulnerable civilians from Boko Haram.

While the recently-established Human Rights Desk within the Nigerian army is a welcome development, the scale and frequency of human rights abuses committed by the security forces confirms the necessity of comprehensive security sector reform.

The government of Nigeria currently lacks the capacity to adequately uphold its Responsibility to Protect and needs ongoing support from the international community.

INTERNATIONAL RESPONSE

On 14 May representatives from the four Lake Chad Basin states, together with international partners, including the EU, France, United Kingdom and United States, met in Abuja for the second Regional Security Summit on efforts to defeat Boko Haram. Ahead of the Summit, the UNSC issued a Presidential Statement, recognizing that some acts perpetrated by Boko Haram "may amount to crimes against humanity and war crimes" and stressing that those responsible must be held accountable.

On 16 July the EU, UN, and United States issued a joint press release calling upon international donors to increase support for the emergency humanitarian response in the Lake Chad Basin. The United States announced an increase in its support to a total of \$112 million, while the EU allocated over 70 million Euros in 2016 to support humanitarian efforts in the Lake Chad Basin. On 1 August the EU Commission signed an agreement with the AU Commission announcing a contribution of 50 million Euros to support MNJTF operations.

NECESSARY ACTION

As Nigeria faces multiple security crises it is essential for the government to prioritize the protection of vulnerable civilians. The government must also address the root causes of conflict through social initiatives and political reforms that tackle corruption, poor governance and land rights, as well as access to employment and educational opportunities. The government must urgently address long-standing grievances in the Niger Delta, including serious environmental degradation and disputes over resource allocation.

Governments involved in the MNJTF and ongoing military operations against Boko Haram need to mitigate the risk to

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

The government must provide protection to all vulnerable communities and renew efforts to release people abducted by Boko Haram. The return of refugees and IDPs should be conducted on a strictly voluntary basis.

The Human Rights Desk within the Nigerian army must conduct thorough investigations into alleged abuses by the security

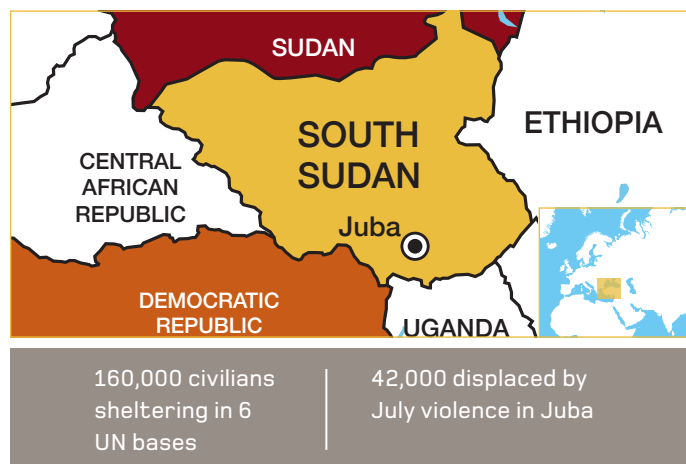
forces, including for crimes committed during counter-terrorism operations. The government needs to urgently undertake comprehensive security sector reform to ensure that the army and police are trained to protect civilians and prevent mass atrocities in a manner consistent with international law.

MORE INFORMATION

- » ["Nigeria: The Challenge of Military Reform,"](#) International Crisis Group, 6 June 2016
- » [GCR2P Populations at Risk: Nigeria](#)

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.



SOUTH SUDAN

Despite the August 2015 peace agreement, recent violence in South Sudan poses an ongoing threat to populations who may be targeted on the basis of ethnicity and presumed political loyalties.

BACKGROUND

Political turmoil in South Sudan continues following five days of intense fighting from 7 to 11 July between elements of the Sudan People's Liberation Army (SPLA) and the SPLA in Opposition (SPLA-IO). Heavy fighting, including tanks and helicopter gunships, took place in Juba, particularly in the Jebel area near a UN base protecting thousands of civilians. Following an 11 July ceasefire, First Vice President Riek Machar fled Juba and was replaced on 24 July by Taban Deng Gai, whose nomination by the fractured opposition was accepted by President Salva Kiir. The UN warned the appointment was a violation of the August 2015 peace agreement. On 18 August the UN reported that Machar had been "extracted" by MONUSCO on "humanitarian grounds" before traveling to Sudan to receive medical attention.

Hundreds of people, including civilians and two UN peacekeepers, were reportedly killed during the July fighting. Two UN compounds were hit by mortar and artillery fire, killing at least eight people. Approximately 42,000 people were displaced in Juba. Many civilians attempting to flee to UN bases were reportedly prevented from doing so and some were subjected to targeted killings.

Government forces perpetrated sexual violence against women and girls, especially ethnic Nuer, in Juba. Several rapes of civilians and foreign humanitarian workers took place near a UN base where peacekeepers were reportedly aware of the attacks but failed to act. OHCHR recorded 217 incidents of sexual violence between 8 and 25 July. On 1 August the UN Mission in South Sudan (UNMISS) condemned the sexual violence and noted that such acts may amount to war crimes and crimes against humanity.

In response to the violence, on 5 August the Intergovernmental Authority on Development (IGAD) proposed the deployment of a Regional Protection Force (RPF) to support UNMISS. On 12 August the UNSC adopted Resolution 2304, authorizing the deployment of the 4,000-strong RPF. After initially rejecting the force, the Transitional Government of National Unity issued a joint communiqué with the UNSC on 4 September consenting to its deployment. Following a UNSC meeting on 14 September, UN Under-Secretary-General for Peacekeeping, Hervé Ladsous, said that despite assurances given during the recent UNSC visit, the Transitional Government had made no progress towards fulfilling its commitments regarding the RPF.

The fighting in Juba comes nearly a year after President Kiir and Machar agreed to end the country's 2013-2015 civil war by signing the "Agreement on the Resolution of the Conflict in the Republic of South Sudan" in August 2015. The power-

sharing agreement called for a permanent ceasefire, as well as the establishment of an independent Hybrid Court for South Sudan (HCSS) to investigate mass atrocities committed during the conflict. Despite some progress, including the formation of the Transitional Government on 29 April, President Kiir and Machar were criticized for their half-hearted implementation of the peace agreement.

The civil war was the result of a conflict that started on 15 December 2013 between soldiers from rival SPLA factions. Over the following 18 months, the worst fighting was between ethnic Dinka and Nuer soldiers loyal to President Kiir and Machar, respectively. At least 24 armed militias loosely aligned with either side, including the powerful Nuer White Army, have been operating in South Sudan.

Between 2013 and 2015 parties to the civil war engaged in widespread extrajudicial killings, torture, child abductions and sexual violence, targeting civilians as part of their military tactics. OHCHR published a report on 11 March 2016, noting that all parties to the conflict had committed systematic violations that may amount to war crimes or crimes against humanity. UNICEF estimates that more than 16,000 children were forcibly recruited during the civil war.

At least 50,000 people were killed during the civil war, which resulted in nearly 1.7 million IDPs and 900,000 refugees, according to UNHCR. Prior to the recent violence in Juba and Wau, over 160,000 people were still taking refuge in six UNMISS bases across the country. Since the July fighting more civilians have sought UN protection, which UNMISS lacks the capacity to adequately provide.

ANALYSIS

Political instability, endemic corruption and sustained violence have been pervasive in South Sudan for the majority of its five years of independence. The resumption of fighting in Juba and the split in the SPLA-IO leaves civilians at ongoing risk of further mass atrocity crimes. Frequent attacks on civilians sheltering at UN protection sites demonstrate a clear disregard for IHL and IHRL by all parties to the conflict.

Despite the formation of the Transitional Government of National Unity, the peace agreement was never fully implemented and the root causes of the conflict have not been addressed. A pervasive culture of impunity has fueled recurring cycles of armed violence and mass atrocities in South Sudan. Ethnic tensions also continue to be exacerbated by officials using hate speech to incite violence.

The government has previously obstructed UNMISS, hampering its ability to uphold its mandate. With ongoing resource deficits and a hostile operating environment, UNMISS is still struggling to protect vulnerable populations.

The Transitional Government of National Unity has failed to uphold its Responsibility to Protect and ensure accountability for mass atrocity crimes. UNMISS requires urgent international assistance in order to uphold its civilian protection mandate.

INTERNATIONAL RESPONSE

[For responses prior to December 2015, see [GCR2P's Timeline of International Response to the Situation in South Sudan](#).]

On 22 March the UN Human Rights Council adopted a resolution establishing a commission to investigate human rights abuses in South Sudan.

On 31 May the UNSC adopted Resolution 2290 extending the sanctions regime until 31 May 2017 and the mandate of the Panel of Experts until 1 July 2017. Six senior military figures, three from each side, are currently subject to sanctions.

The UN Secretary-General, UNSC, IGAD, AU and other key international partners all condemned the July fighting in Juba.

UNSC Resolution 2304 of 12 August extended UNMISS' mandate until 15 December and emphasized that the Transitional Government of National Unity bears the primary responsibility to protect populations from mass atrocities. The resolution threatened an arms embargo if the government continues to obstruct UNMISS from fulfilling its mandate.

A UNSC delegation visited South Sudan from 2 to 5 September to discuss full implementation of the peace agreement as well as how UNMISS can improve the security and humanitarian situation in the country.

NECESSARY ACTION

The Transitional Government of National Unity must abide by the cessation of hostilities and fully implement all provisions of the August 2015 peace agreement and UNSC Resolution 2304. The government, SPLA and SPLA-IO must ensure that UNMISS and the RPF are able to move freely and without threats to their personnel. The inviolability of UN compounds must be respected.

IGAD must expeditiously establish and deploy the RPF. UNMISS and the RPF must robustly implement their civilian protection mandate. The international community should immediately enhance UNMISS' capabilities through the provision of additional aviation assets, including tactical military helicopters and unarmed unmanned aerial systems.

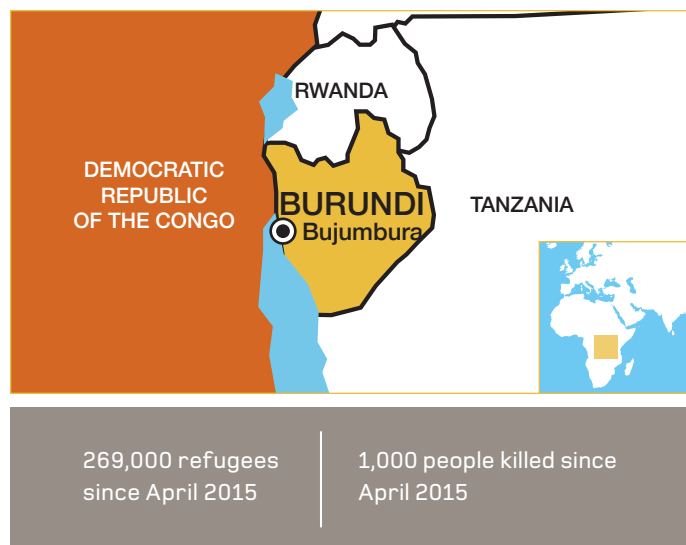
In keeping with Resolution 2304, if the government continues to obstruct UNMISS, the UNSC and IGAD should immediately impose an arms embargo and extend targeted sanctions.

The AU should expeditiously establish the HCSS and ensure it has the resources to investigate and prosecute individuals responsible for mass atrocities committed since December

2013, including commissioning a special investigation into the July violence in Juba. The government, AU and international community must hold those responsible for atrocities in South Sudan accountable, regardless of affiliation or position.

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UNSC Press Statement, SC/12431-AFR/3407](#), 1 July 2016
- » [UNSC Resolution, S/RES/2304](#), 12 August 2016
- » [GCR2P Populations at Risk: South Sudan](#)



BURUNDI

Civilians in Burundi face a serious risk of potential mass atrocity crimes as ongoing political violence continues to destabilize the country.

BACKGROUND

There is a serious risk of mass atrocity crimes in Burundi as a result of targeted killings, including the assassination of political activists and military officials, widespread violations of human rights and ongoing clashes between the security forces and armed elements of the opposition. The UN Special Adviser on the Prevention of Genocide, Adama Dieng, and the High Commissioner for Human Rights, Zeid Ra'ad al-Hussein, have warned of a possible relapse into civil war and ethnic violence if the ongoing crisis is not resolved.

Since 26 April 2015 at least 1,000 people have been killed in civil unrest. The crisis developed following the announcement by the ruling Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie (CNDD–FDD) that President Pierre Nkurunziza would seek a third term in the country's elections. President Nkurunziza's candidacy was regarded by the political opposition and many civil society groups as being in violation of the constitution and the 2000 Arusha Peace and Reconciliation Agreement, which brought an end to a civil war that claimed over 350,000 lives between 1993 and 2005.

High Commissioner Zeid and the UN Independent Investigation on Burundi (UNIIB) have raised concern over reports of extrajudicial executions, mass arrests, illegal detention and torture during the first six months of 2016, as well as systematic targeting of members of the opposition and of the former Burundian army. The UN Committee Against Torture has also urged the government to investigate reports of ethnic targeting of alleged opposition supporters, resulting in torture, sexual violence and extrajudicial killings. Members of the current Burundian army and police, as well as of the ruling CNDD–FDD, have also been assassinated in suspected reprisal killings.

OHCHR has reported cases of sexual violence committed by the security forces. Independent media outlets have been systematically destroyed or shut down. There are ongoing reports of hate speech and incitement to violence on the basis of ethnicity by some government officials and some opposition supporters.

UNHCR reported that over 269,000 Burundians have fled the country since April 2015, and over 99,000 are internally displaced. Refugees have reported harassment, enforced disappearances and murder, including by the Imbonerakure, the CNDD–FDD's paramilitary youth movement. There have also been allegations of recruitment of Burundian refugees into armed groups.

ANALYSIS

There is a risk that the ongoing political crisis in Burundi could deteriorate into an armed conflict between forces loyal to the President and those that oppose his third term. Any further deterioration of the security situation would significantly increase the risk of mass atrocity crimes. A protracted conflict in Burundi could have significant repercussions for peace and security throughout the Great Lakes Region.

Despite a sustained period of stability since the end of the 1993–2005 civil war, recurring political and ethnic conflict have previously caused mass atrocity crimes in Burundi. There is a risk that the army, which has been a source of stability since the end of the civil war, could fracture along political and ethnic lines. Tensions between the army, traditionally dominated by the ethnic Tutsi minority, and ethnic Hutu political organizations have previously been a perennial source of conflict.

The Burundian government must take urgent action to uphold its Responsibility to Protect. The international community must also be prepared to respond in a timely and decisive manner should the situation rapidly deteriorate.

INTERNATIONAL RESPONSE

On 9 November 2015 the UN Secretary-General appointed Jamaal Benomar as his Special Adviser on Burundi.

On 25 to 26 February an AU delegation, comprised of five Heads of State, visited Bujumbura. Following this, the AU authorized the deployment of an additional 400 human rights observers

and military experts. Resource constraints and delays imposed by the government of Burundi have inhibited the deployment.

On 25 April the Chief Prosecutor of the ICC opened a Preliminary Examination into the situation since April 2015.

Political dialogue between the government and some opposition political parties was convened in Arusha, Tanzania from 21 to 24 May under the auspices of the Facilitator of the East African Community, former Tanzanian President Benjamin Mkapa. Dialogue resumed on 12 July, but the government walked out and at least five opposition parties boycotted the talks.

On 15 April the UN Secretary-General presented three options to the UNSC on an enhanced UN policing and monitoring presence. On 29 July the UNSC passed Resolution 2303 urging Burundi to accept the deployment of up to 228 UN police personnel, including those mandated to provide protection and assistance to OHCHR and AU monitors. The government rejected the proposal, stating it would only accept up to 50 unarmed police personnel.

On 24 August Special Adviser Dieng issued a statement deploring remarks by Pascal Nyabenda, former leader of the CNDD-FDD, that could potentially “inflame ethnic tensions, both within Burundi and outside its borders,” and condemning ongoing human rights violations.

NECESSARY ACTION

Immediate steps must be taken by the government and opposition to avoid further militarization and/or ethnicization of the political crisis. Allegations of human rights abuses, torture and extrajudicial killings should be subject to thorough and independent investigation and prosecution. The government should honor its commitment to release detainees, allow independent media and ensure civil society can operate freely. The government and opposition must refrain from using language that could exacerbate ethnic tensions or incite violence.

The UNSC should authorize the deployment of a more robust UN police protection and monitoring presence. Monitoring responsibilities should include providing early warning on the risk of mass atrocity crimes.

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

MORE INFORMATION

- » [UNSC Resolution, S/RES/2303](#), 29 July 2016
- » [Letter of the UN Secretary-General to the UNSC, S/2016/352](#), 15 April 2016
- » [GCR2P Populations at Risk: Burundi](#)



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