

# 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.



1,692 civilians killed between January and June 2018

## AFGHANISTAN

*Populations in Afghanistan are at ongoing risk of mass atrocity crimes as the Taliban intensifies its armed conflict with the government. Other armed extremist groups are also increasing their attacks on 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 military forces, the Taliban has made substantial military gains, currently controlling or contesting over 40 percent of the country. The Taliban has also continued to perpetrate indiscriminate attacks on civilians. According to the UN Assistance Mission in Afghanistan (UNAMA), civilians living in Taliban-controlled territory suffer widespread human rights abuses, including recruitment of child soldiers and extrajudicial killings.

UNAMA's midyear report documented the deaths of 1,692 civilians from 1 January to 30 June 2018. Attacks by the Taliban and other anti-government forces remain the leading cause of casualties, but other parties to the conflict also continue to use heavy weapons in civilian-populated areas. Between 10–15 August the Taliban launched a major military offensive on the city of Ghazni, resulting at least 95 civilian deaths.

On 19 August the government proposed a four-day ceasefire marking the Eid al-Adha celebration. The Taliban rejected the ceasefire and rockets were fired on Kabul the following day.

The UN Secretary-General's annual report on children and armed conflict documented 3,179 children killed or maimed in Afghanistan during 2017, marking a decrease of 10 percent from

2016, although the situation in Afghanistan is still responsible for the highest overall number of child deaths and injuries due to armed conflict. During 2016 Afghanistan recorded the highest number of verified child casualties since the UN started globally documenting such casualties in 2009.

During November 2017 the Chief Prosecutor of the ICC requested authorization to proceed with an investigation into alleged war crimes and crimes against humanity committed in Afghanistan since May 2003. 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.

Following the military defeat of the so-called Islamic State of Iraq and the Levant (ISIL) in Syria and Iraq, some supporters – designated ISIL Khorasan (ISIL-K) – have established a presence in Afghanistan. ISIL-K attacks have been increasingly directed at Afghanistan's Shia minority, including a 3 August attack on a Shia mosque in Gardez city that resulted in the deaths of at least 39 people and a 15 August bombing of an education center in a largely Shia district of Kabul, resulting in the deaths of 48 people.

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 has regained territory, the number of civilians at risk of possible war crimes and crimes against humanity has increased. During their 16-year war, government forces and the Taliban have both shown disregard for International Humanitarian Law (IHL).

In addition to fighting to expand territorial control, the Taliban has escalated attacks on civilians in urban areas in an effort to undermine the government's ability to govern and provide basic security. Although government forces undertook successful measures to decrease civilian casualties during 2017, deliberate bomb attacks by the Taliban and ISIL-K on densely populated areas and civilian infrastructure present an escalating threat.

Unless sustained action is taken to address corruption, marginalization and political tensions within the Afghan government, conflict and insecurity will continue to increase. Parliamentary elections scheduled for October and presidential

elections during April 2019 provide a potential focus for attacks in an environment of increased insecurity. Continued violence and terrorist attacks may prevent people from voting in several regions of the country.

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.

Following the conclusion of the voter registration process in Afghanistan, on 23 July the UNSC adopted a Presidential Statement emphasizing the need for international electoral observation missions and welcoming the intention of international partners to provide ongoing support to the government.

### NECESSARY ACTION

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

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

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

### MORE INFORMATION

- » [UNAMA Website](#)
- » [UNAMA Mid-year Report on the Protection of Civilians in Armed Conflict, 15 July 2018](#)
- » [UNSC Presidential Statement, S/PRST/2018/15, 23 July 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 – since so-called “clearance operations” began in Rakhine State on 25 August 2017. According to the UN Refugee Agency (UNHCR), over 720,000 people have fled the violence, bringing the number of Rohingya refugees in Bangladesh to more than 900,000 people.

The Myanmar authorities continue to deny that these atrocities have taken place. In particular, the military insists that it only carried out counter-insurgency operations after the so-called Arakan Rohingya Salvation Army (ARSA) armed group attacked police posts and an army base. However, there is compelling evidence that the military made extensive preparations to attack the Rohingya population long before 25 August, including deploying additional troops to Rakhine State, arming local non-Rohingya villagers, and blocking the flow of humanitarian aid to Rohingya communities.

On 27 August 2018 the Independent International Fact-Finding Mission (IFFM) on Myanmar, mandated by the UN Human Rights Council (HRC), released its final report. According to the IFFM, the treatment of the Rohingya by Myanmar's security forces amounts to four of the five prohibited acts defined in the Genocide Convention. The report 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. The report also found that Myanmar's civilian authorities, including State Counsellor Aung San Suu Kyi, have not met “a responsibility to protect the civilian population” and “have contributed to the commission of atrocity crimes.”

The FFM 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, Rakhine, and Shan states.

Myanmar's authorities appear to have made a deliberate attempt to conceal evidence of atrocities, including by bulldozing mass graves and systematically clearing some Rohingya villages. On 30 July the government of Myanmar established an "Independent Commission of Enquiry" to "investigate the allegations of human rights violations and related issues, following the terrorist attacks by ARSA." The commission has been widely criticized for lacking independence and credibility.

On 3 September a Myanmar court sentenced two Reuters journalists to seven years in prison for breaking the Official Secrets Act. The reporters were investigating the massacre of Rohingya villagers by Myanmar's security forces at the time of their arrest in December 2017.

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 Kachin and Shan states also remain at continued risk of mass atrocity crimes. Clashes between the Myanmar military and Kachin Independence Army have been ongoing since a ceasefire broke down in June 2011, with violence increasing during 2018. According to OCHA, there are currently more than 106,000 people in internally displaced persons (IDP) camps in Kachin and Shan states as a result of the ongoing conflict. For more than two years, the government of Myanmar has blocked the UN from areas controlled by armed groups and has severely restricted humanitarian access in government-controlled areas. 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.

## ANALYSIS

Despite the transition to democracy, Myanmar's security forces continue to pose an existential threat to the Rohingya population and other vulnerable ethnic minorities. Unless discriminatory laws and policies are repealed or amended and the citizenship of the Rohingya is restored, the threat of further atrocities will continue.

Restricting access to UN agencies and investigators, humanitarian organizations and the media undermines efforts to investigate human rights abuses and provide humanitarian assistance.

The failure of the international community to hold accountable those responsible for atrocities committed against the Rohingya has emboldened the military to intensify its campaign against vulnerable populations in Kachin and Shan states.

The government of Myanmar has not only manifestly failed to uphold its Responsibility to Protect the Rohingya, 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. 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." On 28 August 2018 the UNSC held an open briefing on the situation in Myanmar with no formal outcome.

On 26 April the European Union (EU) extended its arms embargo on Myanmar for a year, prohibited the export of goods and equipment that "might be used for internal repression," and banned military training and cooperation with Myanmar's army. On 25 June the EU and Canada imposed sanctions on seven senior members of Myanmar's military and police, including the former head of the army's Western Command, Major General Maung Maung Soe, who was also sanctioned by the United States in December 2017. On 17 August the United States government sanctioned four of Myanmar's police commanders "for their involvement in ethnic cleansing in Burma's Rakhine State and other widespread human rights abuses in Burma's Kachin and Shan States."

In its 27 August report the FFM listed some "alleged perpetrators of crimes under international law," including military Commander-in-Chief, General Min Aung Hlaing. The FFM called upon the UNSC to refer the situation in Myanmar to the ICC or to create an ad hoc international criminal tribunal.

On 27 August Facebook announced it was banning 20 individuals and organizations, including Senior-General Min Aung Hlaing. According to the social network, the action was taken to prevent these individuals from using Facebook "to further inflame ethnic and religious tensions."

On 6 September the Pre-Trial Chamber of the ICC decided that the Court "has jurisdiction over the crime against humanity of deportation allegedly committed against members of the Rohingya people."

## NECESSARY ACTION

The international community must uphold its responsibility to protect populations in Myanmar by fully implementing the FFM's recommendations and ensuring that those responsible for genocide, crimes against humanity and war crimes do not evade justice. The UNSC should refer the situation in Myanmar to the ICC and impose an arms embargo on the country as well as

targeted sanctions on all senior military officers with command responsibility for atrocities committed in Rakhine State. The UNSC should also demand immediate 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.

The government must repeal or amend all laws that systematically discriminate against the Rohingya, including the Protection of Race and Religion laws and the 1982 Citizenship Law. The government must 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

#### 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 \(Burma\)](#)



At least 1.5 million of the 3 million people within Idlib governorate are internally displaced

## SYRIA

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

#### BACKGROUND

Since the Syrian crisis began in 2011 the conflict between the government and opposition groups has escalated into a civil war where over 500,000 people have been killed. As of September there were over 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 remain in dire need of humanitarian assistance.

Despite UN-led political negotiations aimed at ending the civil war, as well as separate talks between the governments of Turkey, Russia and Iran, fighting between Syrian government forces, their allies and armed opposition groups has continued, most notably in Idlib governorate and in the southwest governorates of Quneitrah, As-Suweida and Dera'a.

Although Dera'a was formally designated a "de-escalation zone" during 2017, on 22 June Syrian government forces launched an offensive in the southwest, shelling opposition-held territory for the first time in nearly a year and successfully taking control of the region. According to OCHA, at least 10,000 people were evacuated to Idlib governorate.

Hostilities have also escalated in Idlib, another so-called "de-escalation zone," in what appears to be the start of a government offensive to retake the governorate. Between 10-12 August alone at least 116 civilians were killed due to airstrikes, shelling and the explosion of a weapons and ammunition depot in a residential building. At least 1.5 million of the 3 million people within the governorate are internally displaced and the recent escalation of hostilities has led to the displacement of 36,000 people as of 13 September.



For over six years 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.

Although ISIL no longer controls any cities within Syria, it continues to pose a threat to civilians, and its fighters have carried out crimes against humanity in remote areas still under their control. ISIL has also increased its terrorist attacks across the country, including coordinated suicide bombings in As-Suweida city on 25 July that killed 245 people. According to the Syrian Observatory for Human Rights (SOHR), ISIL has killed over 5,000 civilians in Syria since June 2014.

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 Col reported on 6 March that some airstrikes by the Russian air force may amount to war crimes.

The SOHR has reported that Russian airstrikes have killed 5,225 ISIL fighters and over 7,965 civilians, including 1,885 children, as of 31 August. According to the SOHR, airstrikes by the United States-led anti-ISIL coalition have also killed 3,100 civilians since September 2014, including 735 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. As a final military offensive on Idlib becomes increasingly likely, the lives of millions of civilians remain imperiled by the ongoing civil war.

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

The UNSC has been unable to enforce compliance with its resolutions, with bitter divisions evident amongst the permanent

members. Russia has systematically shielded Syria from accountability measures. Despite the current political impasse, Russia, United States, Iran, Turkey and Saudi Arabia remain essential to any potential negotiated settlement of the conflict.

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

## INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syrian government for its widespread violations of human rights. The 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 UNSC 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 26 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 7 September the Astana guarantors – Russia, Turkey and Iran – held a summit in Tehran to discuss the situation in Idlib. They failed to reach an agreement on a proposed ceasefire.

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



8.4 million people at risk of famine and 22.2 million require humanitarian assistance

## YEMEN

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

### BACKGROUND

Fighting between Houthi rebels, members of the General People's Congress (GPC) and various pro-government forces, as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition, have killed more than 6,600 civilians in Yemen since March 2015, although the actual death toll is considered to be much higher. On 28 April 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. The Saudi/UAE-led coalition was responsible for attacks on five hospitals during 2017. On 9 August a coalition airstrike targeting a school bus in Sa'ada Province killed at least 40 children. The former UN High Commissioner for Human Rights, Zeid Ra'ad al Hussein, has said that respect for the distinction between civilian and military targets has been "woefully inadequate" by all sides.

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 2018 by the Saudi/UAE-led coalition. Yemen is now the largest humanitarian crisis in the world. At least 8.4 million people are at risk of famine while an estimated 22.2 million people – over three quarters of the population – require humanitarian assistance. On 6 September OCHA reported that a further 3.5 million people may become food insecure if conditions do not improve. Since a cholera outbreak began in May 2017, over 1.1 million cases have been reported and at least 2,300 people have died.

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 70 percent of the country's humanitarian aid. On 2 August an alleged airstrike on a fish market within the city and the entrance to Al-Thawra hospital – the largest in Yemen – killed at least 55 people. UNHCR has reported that over 500,000 people have been displaced by fighting in Hodeidah, and over 450 civilians were killed in the first nine days of August, making it one of the deadliest periods since the start of the conflict.

The UN Secretary-General's annual report on children and armed conflict documented the deaths of 552 children in Yemen during 2017, noting that the Saudi/UAE-led coalition was responsible for killing or wounding at least 670 children, while the Houthis were responsible for 324 casualties. On 27 March the UN Children's Fund 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 car bombings in Sana'a and Aden. The conflict has also resulted in increased religious persecution of the country's Bahá'í population.

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 political 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 due to alleged 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. Despite the magnitude of the crisis, the UNSC has failed to adequately

respond to the conflict in Yemen. A substantive UNSC resolution has not been passed since April 2015.

While Saudi Arabia and the UAE remain the main forces behind the regional military coalition, Iran has provided some military assistance to the Houthis. Civilian casualties 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 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 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 29 September 2017 the HRC adopted a resolution establishing the Group of Eminent International and Regional Experts to monitor and report on the human rights situation in Yemen.

On 14 June the UN Special Adviser on the Prevention of Genocide expressed grave concern regarding the potential impact of a military offensive on Hodeidah.

### **NECESSARY ACTION**

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

The HRC should renew and strengthen the mandate of the Group of Eminent Experts during its 39th session, including by enabling the Experts to identify individuals responsible for possible atrocities in Yemen.

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.

The UNSC should immediately impose sanctions on any party responsible for the deliberate obstruction of vital humanitarian assistance to civilians.

### **MORE INFORMATION**

- » [UN HRC Resolution, A/HRC/36/L.4](#), 29 September 2017
- » [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.



180,000 people displaced by fighting in Anglophone 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 in Cameroon has deepened after Anglophone separatists organized large-scale protests from 22 September to 1 October 2017 and symbolically proclaimed independence, establishing a state of "Ambazonia." The Cameroonian security forces responded with disproportionate and deadly force.

As the conflict has continued to expand and intensify, there has been growing evidence of government security forces perpetrating extrajudicial executions, torture and ill-treatment of suspected separatists, as well as using excessive force against unarmed demonstrators and 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 burned down. Some armed separatist groups have attacked state officials as well as security forces and sought to make the Anglophone areas "ungovernable."

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 have been controlled by the French-speaking majority. Although the Anglophone minority constitutes 20 percent of the overall population of Cameroon, they are mainly concentrated in the North-West and South-West regions.

OCHA estimates that 160,000 people have been internally displaced by the Anglophone crisis since December 2017 while more than 21,000 have sought refuge across the border in Nigeria.

Military operations against the armed extremist group Boko Haram also continue in the north of the country. There have been widespread allegations of extrajudicial killings, especially following the circulation of a video showing two women and two children accused of links to Boko Haram being executed by Cameroonian soldiers.

On 7 October Cameroon will hold presidential elections, which could trigger further insecurity and violence. President Paul Biya, who has held power since 1982 and is the longest serving ruler in Africa, will run for a seventh term.

### ANALYSIS

The targeting of individuals based upon their cultural identity and perceived political allegiances poses a direct threat to both Anglophone and Francophone civilians. Although the government created a Commission for Bilingualism and Multiculturalism during 2017, it has failed to address the root causes of the conflict and provide a political means for peacefully resolving it.

There are growing concerns that the upcoming presidential elections could lead to a further militarization of the conflict. Any escalation of identity-based violence could also result in greater internal displacement and further refugee flows.

There are growing allegations of Cameroonian security forces carrying out extrajudicial killings in North-West and South-West Cameroon as well as in their response to Boko Haram in the far north. These allegations have been bolstered by recent video evidence of members of the security forces summarily executing groups of unarmed civilians. Cameroonian security forces appear to be committing systematic or widespread attacks on civilians, potentially amounting to crimes against humanity.

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 conflict.

## 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 also 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 North-West and South-West 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 and ensure that the human rights of all Cameroonians are protected, regardless of language or cultural

identity. All persons responsible for human rights violations must be held accountable. The government of Cameroon should grant the 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 government should permit international human rights and election monitors to observe the voting period and take proximate measures to ameliorate the risk of further conflict and identity-based violence.

## MORE INFORMATION

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

**SERIOUS CONCERN**

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



More than 1,200 people killed and 430,000 refugees since April 2015

**BURUNDI**

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

**BACKGROUND**

Ongoing violations and abuses of human rights leave populations in Burundi at serious risk of mass atrocity crimes. The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed in the country since April 2015. According to the Col's latest report, many of these violations are ongoing. These include rape and sexual violence, extrajudicial killings, summary executions, enforced disappearances, torture and arbitrary detention.

Violations and abuses of human rights have primarily been carried out by the National Intelligence Service and police, sometimes in collaboration with the Imbonerakure, the youth wing of the ruling party, Conseil National Pour la Défense de la Démocratie—Forces pour la Défense de la Démocratie (CNDD-FDD). The Col's August 2018 report highlighted the personal role of President Pierre Nkurunziza in fueling hatred and fomenting the commission of serious human rights violations amidst a pervasive climate of impunity.

More than 1,200 people have been killed in politically inspired violence since April 2015 and more than 10,000 Burundians have been arbitrarily detained. Approximately 430,000 refugees remain in neighboring countries.

The crisis developed following the April 2015 announcement that President 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 has had no success so far. A new round of talks between the parties is scheduled for late September 2018.

On 17 May a controversial national referendum approved the government's draft changes to the constitution. On 27 June the Col on Burundi reported that some opponents of the referendum faced torture and execution "amid a continuing environment of threats and intimidation." President Nkurunziza has subsequently announced that he will not seek re-election in 2020.

**ANALYSIS**

The government has severely limited the space for political debate by banning independent non-governmental organizations, curtailing independent media and repressing the political opposition.

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

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

**INTERNATIONAL RESPONSE**

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

On 29 July 2016 the UNSC passed Resolution 2303, authorizing UN police to monitor the security and human rights situation. The government of Burundi refused to accept the monitors. One year later the UNSC adopted a Presidential Statement expressing the Council's intention to pursue targeted measures against those who threaten the peace and security of Burundi. There has been no subsequent diplomatic action.

On 30 September 2016 the HRC created the Col to investigate human rights violations and abuses in Burundi. On 29 September 2017 the HRC extended the mandate of the Col for another year, despite the refusal of the government to allow the Commissioners to enter Burundi. In mid-2018, the Col compiled a list of alleged perpetrators of crimes against humanity and called on the national government to ensure accountability for human rights violations.

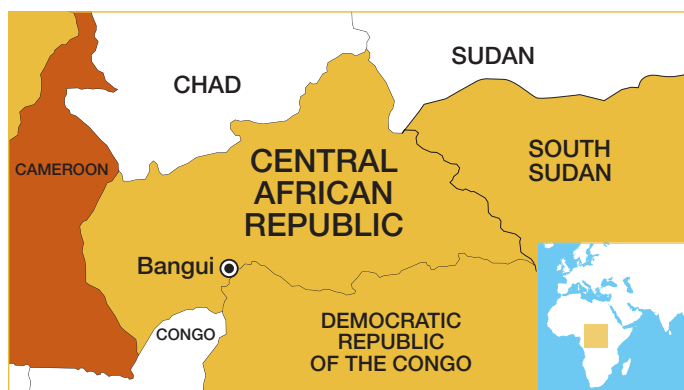
## NECESSARY ACTION

It remains essential that the Burundian government deescalate tensions, 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 systematic and widespread violations and abuses of human rights.

The government should engage constructively with the mediation efforts led by the EAC and collaborate with OHCHR, HRC and 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](#)



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. Recent violence is rooted in divisions between the Muslim and Christian communities, but is also fueled by shifting alliances between various predatory armed groups.

The UNSC-mandated Panel of Experts on CAR has reported that hate speech and incitement to ethnic and religious-based violence has reached unprecedented levels and warned that

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

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 to 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. Sexual violence against the civilian population has been used as a tactic by both the Séléka and anti-balaka. The UN Children's Fund 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, with almost 615,000 Central Africans internally displaced and over 572,000 refugees in neighboring countries. Attacks by armed groups have also resulted in the death of six humanitarian workers since the beginning of 2018. As a result of increasing violence, several humanitarian agencies have suspended their operations.

The African Union (AU), has led recent efforts to initiate a political dialogue and possible peace process, acting as a mediator for potential negotiations between the government and various militia groups. During the talks, armed groups demanded general amnesty for atrocities and integration of their members into the government.

## 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. Targeted attacks, threats and harassment of UN personnel highlight MINUSCA's highly insecure operating environment.

Despite the establishment of the Special Criminal Court for CAR, a hybrid judicial mechanism that was created in 2015

to prosecute those responsible for mass atrocity crimes, funding shortfalls have inhibited the court from becoming fully operational.

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

### INTERNATIONAL RESPONSE

The UNSC has passed 11 resolutions since October 2013 that emphasize the government's responsibility to protect all populations in CAR, including Resolution 2399 of 30 January 2018 which extended the sanctions regime that has been in place since 2013. The resolution authorized the imposition of travel bans and asset freezes on those who incite ethnic or religious violence.

In May 2014 the government referred the situation in CAR to the ICC, which opened an investigation into alleged war crimes and crimes against humanity by both Séléka and anti-balaka forces since 2012.

On 15 November 2017 the UNSC adopted Resolution 2387, authorizing an additional 900 MINUSCA troops to protect civilians and prevent any further deterioration of the security situation. As of September 2018, more than 10,700 military personnel have been deployed to MINUSCA.

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.

### NECESSARY ACTION

MINUSCA must improve its ability to rapidly respond to emerging threats. MINUSCA should also continue to bolster local disarmament and reintegration efforts.

Notwithstanding its numerous reconstruction, reconciliation and security challenges, the government should also prioritize accountability for mass atrocity crimes by carrying out national criminal prosecutions as well as by cooperating with the ICC. National authorities should ensure the Special Criminal Court can fulfill its mandate. The AU should not allow individuals responsible for the commission of mass atrocity crimes to be granted amnesty.

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

### MORE INFORMATION

- » [MINUSCA Website](#)
- » [Report of the UN Secretary-General, S/2018/611](#), 18 June 2018
- » [UNSC Presidential Statement, S/PRST/2018/14](#), 13 July 2018
- » [GCR2P Populations at Risk: Central African Republic](#)



4.5 million IDPs and  
735,000 refugees

## DEMOCRATIC REPUBLIC OF THE CONGO

*Populations in the Democratic Republic of the Congo continue to face a risk of mass atrocity crimes committed by security forces and various militias, as well as the threat of inter-communal violence.*

### BACKGROUND

Various armed groups in the Democratic Republic of the Congo (DRC) continue to utilize instability and the weakness of state authority in various parts of the country to 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, 4.5 million Congolese are currently internally displaced and more than 735,000 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. Recent clashes over access to land and water between the Banyamulenge and Bafuliro ethnic groups and affiliated militias near Uvira, South Kivu, have displaced more than 76,000 people.

UNHCR has also warned that populations in Tanganyika province have faced torture, murder, forced labor and rape as a result of inter-communal violence between the Luba, Twa and other ethnic groups. Fighting between the Hema and Lendu ethnic groups that erupted in Ituri province during 2017 also led to more than 260 people being killed, 120 villages and towns being pillaged or destroyed, and more than 60,000 people fleeing to Uganda.



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.

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

Since 31 December 2017 Catholic organizations and opposition groups have held demonstrations to pressure the government to uphold the CENCO agreement and proceed with elections.

On 8 August President Kabila announced that he would not run for re-election. 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.

## 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.

Widespread violence in eastern DRC 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 3 July 2018 the HRC held an interactive dialogue with the International Team of Experts mandated to investigate alleged human rights violations and abuses within the Kasai region. The team reported on violations that may constitute crimes against humanity and war crimes.

## NECESSARY ACTION

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The government should implement measures to mediate inter-communal tensions and address structural issues of land access, resource allocation and poor governance.

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. The government must also halt support for Bana Mura and end the ethnic targeting of civilians.

The AU and the Southern African Development Community should ensure rigorous oversight of the DRC election process.

## MORE INFORMATION

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



Between 30 March and 9 August at least 172 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 9 August at least 172 Palestinians were killed and over 17,504 wounded by the Israeli Defense Forces (IDF) along the border between Gaza and Israel during a series of mass demonstrations. The demonstrations were initially organized in the lead up to the 70th anniversary of the founding of Israel and the Palestinian “Nakba” (Catastrophe) on 14 and 15 May, respectively. Fifty-seven Palestinians were shot dead and 1,700 wounded on 14 May alone.

Hamas security forces in Gaza have also committed grave human rights abuses, including arbitrary arrests, summary executions and torture of Palestinian civilians. 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.

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.

Illegal Israeli settlements, prohibited under international law, also continue to expand in the West Bank, including East Jerusalem. On 4 July the Israeli authorities proceeded with plans to demolish and expel the Palestinian Bedouin community of Khan Al-Ahmar in the West Bank in order to prepare for another potential Israeli settlement. After the Israeli High Court of Justice announced that the evacuation of village residents could proceed on 5 September, the Palestinian Authority requested the ICC investigate the planned demolition.

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.

### ANALYSIS

In the absence of a meaningful peace process, conflict between Israel and Palestinian armed groups is likely to result in recurring armed hostilities. Previous attacks on civilians 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. Meanwhile, 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 is also exacerbating tensions between communities across Israel and the OPT.

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

### INTERNATIONAL RESPONSE

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

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.

On 14 August the UN Secretary-General submitted a report to the UN General Assembly on the protection of the Palestinian civilian population, in which he noted that Palestinians in the West Bank and Gaza remain particularly vulnerable to various violations of IHL and IHRL.

### 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](#)



300 people have been killed and 2,000 injured since April in political violence

## NICARAGUA

*The ongoing political crisis in Nicaragua is putting populations at risk of potential crimes against humanity.*

### BACKGROUND

Repression by state authorities in response to more than four months of protests against the government of President Daniel Ortega has triggered a human rights crisis in Nicaragua. During April tens of thousands of Nicaraguans took to the streets to protest severe pension cuts imposed by the government. Demonstrations then escalated across the country in response to widespread police violence.

Since April more than 300 people have been killed and 2,000 injured. Police have regularly used disproportionate and deadly force against protesters, perpetrating enforced disappearances, arbitrary detention and torture. State security forces and masked pro-government paramilitaries have persecuted anti-government activists and their families, causing over 23,000 people to flee to neighboring Costa Rica. In response, some anti-government protesters have also violently attacked police. The introduction of an "anti-terrorism" law on 16 August has effectively criminalized any further anti-government protests.

On 29 August the UN High Commissioner for Human Rights published a report detailing human rights abuses in Nicaragua. The UN report describes widespread and systematic violations and abuses that may amount to crimes against humanity, including extrajudicial killings committed by the police, as well as sexual violence perpetrated in government detention centers. According to the report, in violently suppressing protests the Nicaraguan government has also systematically violated the right to freedom of opinion and expression, as well as the right to peaceful assembly, creating "a climate of widespread terror."

On 31 August, following the publication of the report, the UN investigative team was expelled from Nicaragua.

## ANALYSIS

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

While the campaign of mass anti-government demonstrations has diminished, sporadic protests continue. Opposition activists continue to face targeted persecution, including arbitrary arrest, torture and possible extrajudicial killing by the security forces or masked paramilitaries.

The government of Nicaragua is failing to uphold its primary Responsibility to Protect its population.

## INTERNATIONAL RESPONSE

The Organization of American States (OAS) has established a Special Monitoring Mechanism for Nicaragua. On 18 July the Permanent Council of the OAS also adopted Resolution CP-RES-1108, condemning ongoing human rights violations and abuses in Nicaragua.

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

## NECESSARY ACTION

In cooperation with the OAS and the UN, the government of Nicaragua must take tangible steps to deescalate tensions and mitigate the growing risk of potential crimes against humanity. The government should immediately demobilize and disarm pro-government paramilitaries and must ensure that its treatment of political detainees consistently complies with international law.

All deaths resulting from political violence should be independently investigated and those responsible must be held accountable, regardless of their position or political affiliation. The government should also meaningfully reengage with the Catholic Church-led political mediation process.

## MORE INFORMATION

- » [OAS Resolution, CP-RES-1108](#), 18 July 2018
- » [OEA/Ser - OAS - Organization of American State](#)
- » [GCR2P Populations at Risk: Nicaragua](#)



2,000 people killed every year since 2011 in fighting between nomadic herders and settled farming communities

## 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

Attacks by the armed extremist group Boko Haram, as well as recurring inter-communal violence in Nigeria's "middle belt" and northwest, leaves civilians at risk of mass atrocity crimes.

Clashes between semi-nomadic herdsman and settled farming communities have escalated in Nigeria's "middle belt." According to the UN Office for West Africa and the Sahel, during the first half of 2018 the conflict increased "in frequency, intensity, complexity and geographic scope" across the Sahel region, but especially in Nigeria. During this period an estimated 300,000 were displaced and more than 1,300 people were killed due to violence between nomadic herders and farmers, according to International Crisis Group. Another 34 people were killed in herder-farmer related violence in July, and 29 during August.

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 increasing herder-farmer violence and has exacerbated religious and ethnic tensions.

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 also continue in Nigeria's northeast. On 18 and 19 August alone 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.

## 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.

Sporadic attacks by Boko Haram and ISWA leave civilians at continued risk of terrorist attacks and other forms of 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.

The UN Secretary-General condemned the killings in Borno state on 19 August and called for “the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin.”

## NECESSARY ACTION

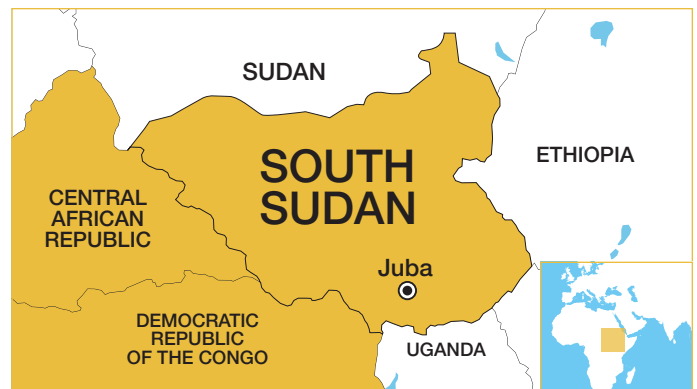
It is essential that the government of Nigeria address the root causes of inter-communal violence in the middle-belt through socio-economic initiatives and political reforms that tackle land rights and poor governance. Utilizing the Early Warning System of the Economic Community of West African States, the Nigerian government should work with local civil society to help identify, monitor 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](#)



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

## 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

Between December 2013 and August 2015 at least 50,000 people in South Sudan were killed as parties to the civil war perpetrated war crimes and crimes against humanity, including widespread extrajudicial killings, torture, child abductions and sexual violence, with both sides targeting civilians as part of their military tactics. Despite regional diplomatic efforts to revitalize an August 2015 peace agreement, which formally ended the civil war, serious fighting between the Sudan People’s Liberation Army (SPLA), SPLA in Opposition (SPLA-IO) and other affiliated armed groups continued sporadically throughout the following three years.

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, 7.1 million people remain severely food insecure and 1.1 million children are acutely malnourished. The government has previously been accused of intentionally denying aid to civilians in rebel-held areas.

During 2017 the Intergovernmental Authority on Development (IGAD) launched the High-Level Revitalization Forum (HLRF) in an attempt to reinvigorate the August 2015 peace agreement. Despite hosting three rounds of HLRF meetings, the parties failed to reach a sustainable accord. In response, President Yoweri Museveni of Uganda, President Omar Al-Bashir of Sudan, and President Uhuru Kenyatta of Kenya brokered a new comprehensive agreement that was signed by the parties on 12 September 2018. 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.

While negotiating the 12 September agreement, the President of South Sudan, Salva Kiir, granted amnesty to “those who waged war against the government.” Despite a pervasive culture of impunity for atrocities perpetrated during the civil war, on 6 September a military court in South Sudan sentenced 10 soldiers for the rape of foreign aid workers and murder of a journalist at the Terrain Hotel in Juba during July 2016.

On 1 and 13 September the SPLA-IO accused the government of a large-scale attack on their position in Yei River State. The SPLA also announced on 3 September that the SPLA-IO had initiated heavy fighting in Northern Liech and Yei states. Despite these incidents, there has been a significant overall decrease in armed conflict across South Sudan.

### **ANALYSIS**

Political instability and armed conflict have been pervasive in South Sudan for the majority of its seven years of independence. Various previous peace agreements have not been fully implemented and the root causes of the conflict have never been addressed. While the August 2015 peace agreement called 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. There is a risk that President Kiir’s recent amnesty offer will include alleged perpetrators of atrocities committed during the civil war.

Since the start of the civil war in December 2013, the government of South Sudan has been manifestly unwilling and/or unable to uphold its Responsibility to Protect.

### **INTERNATIONAL RESPONSE**

On 23 February the HRC-mandated Commission on Human Rights in South Sudan reported on 41 senior officials who bear individual responsibility for war crimes and crimes against humanity allegedly committed during 2016 and 2017. On 20 March 2018 the HRC extended the mandate of the Commission 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, meaning that all UN member states are now 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, meaning that a total of eight rebel leaders or government officials are now on the sanctions list. Resolution 2428 reiterates that the government of South Sudan “bears the primary responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity.”

The UNSC, AU and IGAD have all declared a willingness to take further measures to punish those who violate agreements and obstruct the peace process in South Sudan.

### **NECESSARY ACTION**

The government and opposition must fully implement the 12 September peace agreement. The SPLA, SPLA-IO and all affiliated militias must also ensure that UNMISS is able to move freely and without threats to its personnel.

Pending the full implementation of the 12 September agreement, the AU and IGAD should actively assist in imposing and monitoring the 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 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 legally accountable, regardless of their affiliation or position.

### **MORE INFORMATION:**

- » [UNMISS Website](#)
- » [UNSC Resolution, S/RES/2406](#), 15 March 2018
- » [UNSC Resolution S/RES/2428](#), 13 July 2018
- » [GCR2P Populations at Risk: South Sudan](#)

# R2P MONITOR

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