

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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*Updates for China, DPRK, Eritrea, Libya and Sudan are available on our website.

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



3,800+ civilians killed during 2018

1,361 civilians killed by IEDs during 2018

AFGHANISTAN

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

BACKGROUND

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

UNAMA documented 10,993 civilian casualties during 2018, including 3,804 deaths. Among those killed were 927 children, the highest number recorded during the conflict in a single year. Attacks by the Taliban and other anti-government forces using improvised explosive devices (IEDs) were the leading cause of civilian casualties, resulting in over 1,361 civilian deaths. On 6 February the UN Mine Action Service reported that 1,415 civilians were also killed or injured by mines and explosive remnants during 2018. Landmines are banned under international law. Civilians have also been killed by government and international military forces during anti-Taliban operations.

During the first three months of 2019 UNAMA documented 1,773 civilian casualties, including 581 deaths. UNAMA attributes the 23 percent decrease in casualties compared to the same period last year to the reduction in attacks involving IEDs.

Since December 2018 a United States government delegation has participated in formal talks with the Taliban in an effort to end the 17-year war. The Afghan government has not been officially represented at any of the negotiations. The Russian government has also hosted parallel peace talks with parties to the conflict. Despite these talks, during April the Taliban announced its annual spring military offensive.

The so-called Islamic State of Iraq and the Levant-Khorasan (ISIL-K) has also established a significant presence in Afghanistan, carrying out at least 38 terrorist attacks during 2018. These attacks have often targeted the minority Shia population.

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

ANALYSIS

As the Taliban regains territory the number of civilians at risk of possible war crimes and crimes against humanity continues to increase. During their 17-year war, government forces and the Taliban have both shown blatant disregard for International Humanitarian Law (IHL).

In addition to fighting to expand their territorial control, the Taliban have escalated attacks on civilians in urban areas. The rise of ISIL-K across Afghanistan has also put civilians – particularly members of the minority Shia community – at elevated risk of mass atrocity crimes. Although government forces implemented measures to decrease civilian casualties, the use of IEDs by the Taliban and ISIL-K in populated areas continues to endanger civilians and may constitute war crimes and crimes against humanity.

While progress made by the United States and Taliban towards a potential peace agreement is welcome, the exclusion of the Afghan government from discussions – as well as representatives of women, ethnic and religious minorities, and civil society – risks the further marginalization of vulnerable populations within Afghan society.

Unless sustained action is taken to address corruption and mismanagement within the Afghan government, conflict and insecurity will continue to increase. Ahead of the October 2018 parliamentary elections UNAMA documented 56 civilian deaths due to an “organized campaign” by “anti-government elements, mainly Taliban, directed at civilian objects and in civilian-populated areas ... including attacks against schools used as polling centres.” The upcoming presidential election, scheduled for September 2019, provides a potential focus for further violence by armed extremist groups.

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.

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

During November 2017 the Chief Prosecutor of the ICC requested authorization to proceed with an investigation into alleged crimes committed in Afghanistan since May 2003. According to the ICC, the Taliban has potentially committed crimes against humanity and war crimes. Afghan security forces and members of the United States military may have also committed war crimes, including the torture of detainees.

On 12 April 2019 the ICC rejected the Chief Prosecutor's request to open an investigation, citing a lack of cooperation from governments involved in the situation. On 15 March the United States government announced it would revoke or deny visas to members of the ICC involved in investigating its personnel.

On 29 January the United States and Taliban officials announced their agreement on a framework for the withdrawal of United States forces from Afghanistan. The most recent high-level talks took place in Doha, Qatar, from 1-9 May. The Russian government also hosted talks during February between the Taliban and a delegation of Afghan officials led by former President Hamid Karzai.

NECESSARY ACTION

The international community should continue to support the Afghan government as it combats the Taliban, ISIL-K and other armed extremist groups. Increased efforts should be undertaken to ensure the security of vulnerable minorities.

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). All counterterrorism measures should be conducted with respect to distinction, proportionality and precaution. International military forces should also review and strengthen protocols to prevent civilian casualties and ensure transparency regarding the conduct of operations.

Promoting good governance and the rule of law remains essential. Ahead of the presidential elections in September the government must take proximate steps to ensure that all voters are able to safely participate in the political process.

The international community should continue to pursue international justice for war crimes committed in Afghanistan, regardless of the position, nationality or affiliation of the alleged perpetrator.



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

MYANMAR (BURMA)

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

BACKGROUND

Populations in Myanmar remain at risk of mass atrocity crimes perpetrated by the security forces and as a result of discriminatory laws and policies. The 2018 report of the UN Human Rights Council (HRC)-mandated Fact-Finding Mission (FFM) on Myanmar concluded that the military, as well as some civilians, have committed crimes against humanity and war crimes in Rakhine, Shan and Kachin states, as well as acts of genocide in Rakhine State.

Since the start of so-called "clearance operations" in Rakhine State on 25 August 2017, over 727,000 people – mostly ethnic Rohingya – have fled to Bangladesh, bringing the total number of Rohingya refugees in Bangladesh to over 900,000 people. According to the FFM, the treatment of the Rohingya population by Myanmar's security forces amounts to four of the five prohibited acts defined in the Genocide Convention.

The FFM reported that Myanmar's civilian authorities, including State Counsellor Aung San Suu Kyi, have not met their "responsibility to protect the civilian population" and have enabled the commission of atrocity crimes. The FFM found evidence of "genocidal intent," including policies designed to alter the demographic composition of Rakhine State and a premeditated plan for the destruction of Rohingya communities. The report listed alleged perpetrators of these atrocities,

including Commander-in-Chief General Min Aung Hlaing, and called for Myanmar's top military officials to be prosecuted for genocide, crimes against humanity and war crimes. The FFM also called upon the UNSC to refer the situation to the ICC or create an ad hoc international criminal tribunal.

The government of Myanmar has failed to create conditions conducive to the voluntary, safe and dignified repatriation of refugees from Bangladesh, including addressing key issues of citizenship and freedom of movement. Following a visit to the region, FFM experts noted that there was "note evidence that the Myanmar government is acting in good faith to resolve the crisis or facilitate the safe return of refugees."

Since November 2018 conflict has also flared in Rakhine State between Myanmar's military and the Arakan Army (AA), an armed group seeking greater autonomy for the ethnic Rakhine Buddhist population. Myanmar's security forces have shelled villages, blocked food supplies and arbitrarily detained civilians. On 3 April military helicopters bombed southern Buthidaung township in Rakhine State, reportedly killing approximately 30 civilians. The Office of the UN High Commissioner for Human Rights (OHCHR) condemned the incident and other recent attacks against civilians, stating that they may constitute war crimes. According to OCHA, more than 33,000 people have been displaced in Rakhine and neighboring Chin state since November.

Access to conflict-affected areas within Rakhine State has been denied to UN agencies and most humanitarian organizations since January.

ANALYSIS

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

The failure of the UNSC to hold accountable those responsible for atrocities committed against the Rohingya has enabled the military to continue their attacks on other populations. Restricting access for UN agencies and humanitarian organizations undermines efforts to provide assistance to vulnerable civilians.

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

INTERNATIONAL RESPONSE

The only formal response of the UNSC to the situation in Rakhine State since 25 August 2017 has been the adoption of a Presidential Statement on 6 November 2017. That statement stressed the "primary responsibility of the Myanmar government to protect its population."

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

On 18 September 2018 the Chief Prosecutor of the ICC, Fatou Bensouda, announced that her office was proceeding with a preliminary investigation into the alleged deportation of more than 700,000 Rohingya civilians from Myanmar to Bangladesh.

On 27 September 2018 the HRC adopted a resolution creating an "independent mechanism to collect, consolidate, preserve and analyze evidence of the most serious international crimes and violations of international law committed in Myanmar." Discussions are also taking place about the jurisdiction of the International Court of Justice under the genocide convention.

On 22 March the HRC extended the mandate of the Special Rapporteur on the situation of human rights in Myanmar for one year.

On 2 April five UN experts condemned the Indian government's decision to deport three Rohingya back to Myanmar, "where they face high risk of attacks, reprisals and other forms of persecution because of their ethnic and religious identity."

On 24-26 April the UN High Commissioner for Refugees, Filippo Grandi, the Director General of the International Organization for Migration, António Vitorino, and the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, visited Bangladesh, calling upon the international community to continue supporting Rohingya refugees and host communities.

On 29 April the EU extended sanctions against Myanmar until 30 April 2020. The sanctions include an arms embargo and prohibit military cooperation with Myanmar's armed forces (Tatmadaw). The extension also applies targeted measures against 14 high-ranking officials from Myanmar's security forces for serious violations of human rights in Rakhine, Kachin and Shan states. On 14 May the FFM urged the "financial isolation" of Myanmar's military to put an end to the violence.

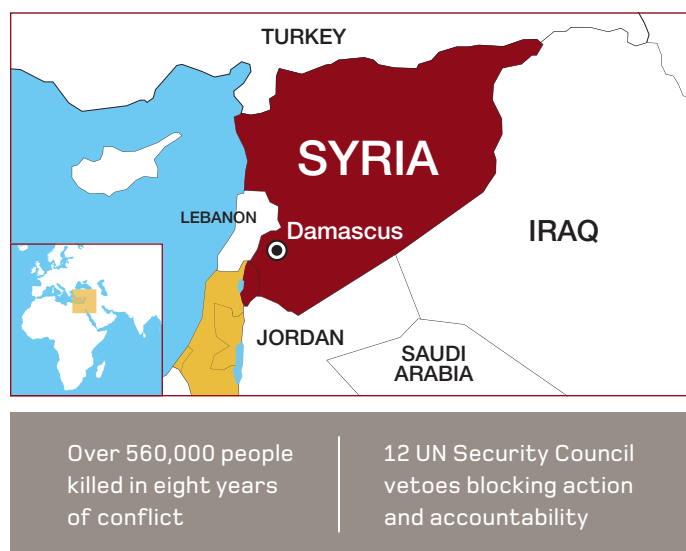
NECESSARY ACTION

All parties to the ongoing conflict in Rakhine State should ensure the protection of civilians and strictly adhere to IHL and IHRL. Access for UN agencies and humanitarian organizations must be restored.

The international community should support the FFM's recommendations and ensure that those responsible for genocide, crimes against humanity and war crimes do not evade justice. Governments, regional organizations and the UNSC should impose targeted sanctions on all those responsible for atrocities, including General Min Aung Hlaing. All international trade and development programs in Rakhine State should be scrupulously reviewed to ensure that they do not reinforce discriminatory structures.

The UNSC should refer the situation in Myanmar to the ICC and impose an arms embargo on the country. The UNSC should demand immediate and unfettered access for humanitarian organizations, UN agencies and independent investigators.

Myanmar's government must create conditions for the voluntary, safe and dignified repatriation of refugees from Bangladesh. 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.



SYRIA

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

BACKGROUND

Since the Syrian crisis began in 2011 the conflict between the government and opposition groups has escalated into a civil war where at least 560,000 people have been killed. There are 5.7 million Syrian refugees and at least 6.2 million people are internally displaced - the largest number of people displaced by any conflict in the world. An estimated 12 million Syrians remain in dire need of humanitarian assistance.

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

On 1 January hostilities erupted between two major armed groups within Idlib governorate - Hayat Tahrir al-Sham (HTS) and Nour el-Din el-Zinki. During the clashes HTS consolidated control over the Idlib area. With the support of Russia, the Syrian government increased its airstrikes and artillery attacks on densely populated areas of Idlib during March and April.

Since 30 April Syrian and Russian government forces have increased their bombardment of Idlib Governorate, damaging schools, residential areas and hospitals. These are the heaviest clashes since the September 2018 agreement and have renewed concerns of a possible major Syrian government offensive. According to the Syrian Observatory for Human Rights (SOHR), at least 69 civilians were killed between 30 April and 6 May.

On 23 March 2019 the Kurdish-led Syrian Democratic Forces (SDF), supported by United States airstrikes, seized the last remaining territory from the so-called Islamic State of Iraq and the Levant (ISIL) in Syria. More than 73,000 people, mainly children and women, fled from the village of Baghouz to Al-Hol camp in northeastern Syria. In recently liberated areas, the SDF have reportedly found numerous mass graves and have called for an international tribunal to deal with hundreds of captured ISIL fighters. The SOHR reported that ISIL has killed approximately 5,500 civilians in Syria since June 2014 while airstrikes by the United States-led anti-ISIL coalition have killed 3,640 civilians, including 922 children.

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

The Organization for the Prohibition of Chemical Weapons-Joint Investigative Mechanism has also determined that Syrian government forces used chlorine gas between 2014-2015 while ISIL used sulfur-mustard gas in attacks during 2015-2016. On 15 October the British Broadcasting Corporation (BBC) published an investigation alleging that at least 106 chemical weapons attacks have taken place in Syria since the government acceded to the Chemical Weapons Convention in September 2013. The CoI has publicly reported 37 instances of chemical weapons

use between March 2013 and March 2019, including 32 attacks perpetrated by Syrian government forces.

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. According to the SOHR, Russian airstrikes have killed 5,233 ISIL fighters and over 7,990 civilians, including 1,937 children, as of 30 January 2019. The Col has reported that some Russian airstrikes may amount to war crimes.

ANALYSIS

The government of Syria, its allies and armed opposition groups have all committed indiscriminate attacks on civilian populations. Attacks on medical facilities and civilian infrastructure, as well as the use of chemical weapons, demonstrate a complete disregard for international law.

Ongoing fighting between rival armed opposition groups and a potential military offensive on Idlib could imperil the lives of millions of civilians. The fracturing and radicalization of the opposition has also compounded the difficulty of negotiating an end to the 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.

The UNSC has been unable to enforce compliance with its resolutions, with the Syrian government and its partners often directly violating various resolutions. With bitter divisions evident amongst the permanent members of the Council, Russia has systematically shielded Syria from accountability measures.

Despite claims by the government of Syria and its allies that the war is largely over and that the international community should restore diplomatic and economic ties, the conflict remains unresolved. Domestic legislation such as Laws No. 10 and 42 (2018) and Law No. 19 (2012) raise concerns for potential returning refugees with regards to land and property rights, as well as the potential persecution of political dissidents. There are also ongoing concerns regarding the treatment of individuals in government-run detention facilities, where the Col has documented summary executions, sexual violence and other abuses and violations that may amount to crimes against humanity and war crimes.

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

The HRC has adopted 27 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population.

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. On 12 February three former Syrian secret service officers were arrested in Germany and France on allegations of torture and crimes against humanity, marking the first major arrests in Europe of members of the Syrian government under the principle of universal jurisdiction.

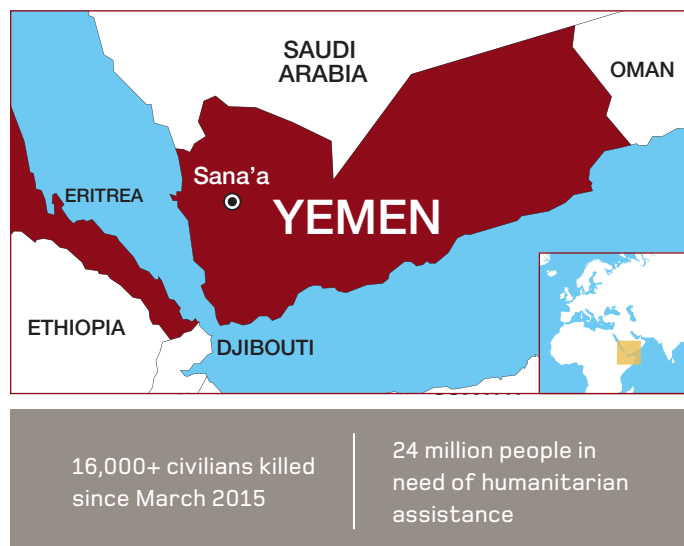
The UN Special Envoy for Syria, Geir Pedersen, is currently facilitating a political process under the auspices of UNSC Resolution 2254 of December 2015.

NECESSARY ACTION

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

Returns of refugees and other displaced persons must be in accordance with the principle of non-refoulement and all parties must guarantee that returnees will not face persecution, discrimination, arbitrary detention or torture. The government should repeal or amend all laws that restrict the access of returning refugees to their homes and other property.

UN member states should ensure the IIIM is incorporated into the UN's regular budget. States should also continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction.



YEMEN

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

BACKGROUND

Despite diplomatic efforts to end Yemen's four-year war, populations remain at risk of war crimes and are experiencing the largest humanitarian crisis in the world. Fighting between Houthi rebels, members of the General People's Congress and various pro-government forces, as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition, has resulted in the deaths of at least 16,000 civilians, including over 1,250 children, since March 2015. The actual death toll is considered to be much higher.

During December 2018 the UN Special Envoy for Yemen, Martin Griffiths, hosted the first consultations between the government of Yemen and Houthi representatives since previous talks were suspended in 2016. During the consultations in Sweden parties to the conflict agreed to the establishment of a ceasefire in Hodeidah Governorate and the withdrawal of all forces from the city of Hodeidah; an exchange of prisoners; and a statement of understanding on the besieged city of Taiz. Despite a subsequent decrease in violence, intense fighting in Hodeidah during March threatened the future of the "Stockholm Agreement." The ceasefire in the port city of Hodeidah has largely held since then, but deadlines with regards to troop withdrawal have not been met. However, on 11 May the Houthis began withdrawing forces from Saleef, Ras Isa and Hodeidah ports.

Hostilities have also intensified elsewhere, including in Al-Jawf and Al-Dhale governorates. Fighting in Kushar District, Hajjah Governorate, displaced up to 50,000 people during February and March.

In their 25 January report the UNSC-mandated Panel of Experts on Yemen documented widespread violations of IHL

and IHRL by all parties to the conflict. The report noted the disproportionate effect on civilians of Saudi/UAE-led coalition airstrikes and the use of explosive ordnance by Houthi forces. The HRC-mandated Group of Independent Eminent Experts on Yemen has also reported that grave human rights violations have been perpetrated by all parties to the conflict, possibly amounting to war crimes. In August 2018 the Group of Eminent Experts found that coalition airstrikes have caused most of the documented civilian casualties. Throughout the conflict both Houthi and government-allied forces have also targeted civilian infrastructure. Arbitrary arrest and detention, enforced disappearances, and widespread use of torture and sexual violence within both Houthi and government-allied detention centers has also been widely documented.

The conflict has had a dire effect on children. Between April 2013 and January 2019 the UN Office of the Special Representative on Children and Armed Conflict verified more than 7,500 cases of the killing and maiming of children, almost half of which were caused by coalition airstrikes. More than 3,000 children were also recruited or used by parties to the conflict between April 2013 and the end of 2018. An additional 500 children were recruited in the first three months of 2019, mostly by the Houthis. Schools have also been targeted by Houthi and government-allied forces throughout the conflict, including a bombing of a school in Sana'a on 7 April that killed 14 children.

The conflict has been characterized by the obstruction of humanitarian aid by all parties, including the temporary closure of all air and sea ports in November 2017 by the Saudi/UAE-led coalition. At least 24 million people are in need of humanitarian assistance and, according to the Integrated Phase Classification system, as of December 2018 an estimated 15.9 million people – over half the population – are severely food insecure. On 21 November Save the Children reported that 85,000 children under five may have died due to starvation since April 2015. Following a 2017 outbreak of cholera that resulted in more than 1 million cases and over 2,300 deaths, there is a fear of a renewed epidemic with 200,000 suspected cases reported so far during 2019. Essential vaccines to treat cholera have reportedly been blocked by parties to the conflict.

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

ANALYSIS

All parties to the conflict have perpetrated indiscriminate attacks and targeted civilian infrastructure, amounting to possible war crimes and crimes against humanity. A climate of impunity has enabled ongoing violations of IHL and IHRL.

The dire humanitarian situation in Yemen is a direct result of the armed conflict and requires a political solution. If the ceasefire in Hodeidah Governorate is not maintained, resumed hostilities could threaten vital civilian infrastructure and leave millions of

Yemen is at increased risk of famine. Yemen imports 90 percent of its staple food supplies and Hodeidah serves as the entry point for 80 percent of the country's food and fuel imports. The besieged city of Taiz is also crucial to the distribution of food imports.

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

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

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

INTERNATIONAL RESPONSE

During 2011 the UNSC adopted Resolution 2014, which condemned human rights violations by the government of former President Ali Abdullah Saleh and affirmed Yemen's primary responsibility to protect its population. The UNSC imposed sanctions on former President Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC passed Resolution 2216, establishing an arms embargo against Houthi leaders and some supporters of Saleh, and demanding the Houthis withdraw from all areas they had been militarily seized. On 26 February 2019 the UNSC renewed sanctions and extended the mandate of the Panel of Experts until 28 March 2020.

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

On 25 October the European Parliament passed a resolution calling upon EU member states to halt weapons exports to Saudi Arabia. On 9 November the United States announced it would stop refueling Saudi/UAE-led coalition aircraft. Despite votes in both the United States Senate and House of Representatives calling for an end to military support for the Saudi/UAE-led coalition in Yemen, on 16 April President Donald Trump vetoed the decision. Meanwhile, during March Germany decided to continue its suspension of arms sales to Saudi Arabia.

On 21 December the UNSC passed its first substantive resolution on the conflict in over three years, endorsing the Stockholm Agreement and authorizing the deployment of a monitoring team to oversee its implementation. On 16 January the UNSC adopted Resolution 2452, establishing the UN Mission to support the Hodeidah Agreement for an initial period of six months.

On 31 December 2018 the World Food Programme demanded that Houthi forces immediately halt the practice of seizing food aid in territories under their control.

NECESSARY ACTION

All parties to the conflict should uphold the ceasefire in Hodeidah governorate and immediately implement the terms of the Stockholm Agreement. The UNSC should also adopt targeted sanctions against all those responsible for potential atrocities, including the deliberate obstruction of vital humanitarian assistance to vulnerable civilians.

The government of Yemen should allow access to the Group of Eminent Experts in order to ensure that perpetrators of war crimes and crimes against humanity are held accountable.

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.

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.



530,000+ people displaced by conflict in the north-west and south-west regions

CAMEROON

There is an imminent risk of mass atrocity crimes due to widespread violence between government forces and armed separatists in the Anglophone regions. The armed extremist group Boko Haram also poses an ongoing threat to civilians.

BACKGROUND

Political conflict over cultural rights and identity have escalated 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 north-west and south-west regions. The crisis deepened after October 2017 when Anglophone separatists symbolically proclaimed independence, declaring a new state of "Ambazonia."

As the conflict has intensified, there has been growing evidence of government security forces perpetrating extrajudicial killings and torture, as well as burning Anglophone villages. Armed separatist forces have also perpetrated abuses, including kidnappings and killings. At least 650 civilians, 235 members of the security forces and nearly 1,000 separatists have been killed as a result of the fighting in the Anglophone region since October 2017. During early February at least 47 armed separatists, 6 military personnel and 16 civilians were reportedly killed in armed violence in Beua, the capital of the south-west region. According to OCHA, 530,000 people have also been displaced as a result of the conflict. Violence against medical facilities and health workers by Cameroonian security forces and armed separatists has also been reported.

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

The armed extremist group Boko Haram also remains active in the Lake Chad Basin region that includes Nigeria, Niger, Chad and Cameroon. The group continues to commit atrocities in the far north of Cameroon, including abduction and killing of civilians. On 12 April at least 13 civilians were killed by Boko Haram militants and the village of Tchakarmari was destroyed.

Military operations against Boko Haram also continue in the north of Cameroon, where there have been widespread allegations of the security forces perpetrating extrajudicial killings. More than 245,000 Cameroonians are currently internally displaced as a result of the Boko Haram insurgency in the far north, and Cameroon also hosts 100,000 refugees from Nigeria.

ANALYSIS

The targeting of individuals based upon their cultural identity poses a direct threat to both Anglophone and Francophone civilians. The government has consistently failed to address the root causes of the Anglophone conflict and provide a political means for peacefully resolving it.

The deteriorating situation in Cameroon has received little international attention despite evidence of systematic and widespread attacks on civilians, potentially amounting to crimes against humanity. Jan Egeland, Head of the Norwegian Refugee Council, noted that "there is no mediation, no large relief programme, no media interest and little pressure on the parties to stop attacking civilians" and warned of the risk of atrocities if urgent action is not taken.

The government of Cameroon is failing to uphold its Responsibility to Protect the Anglophone minority and requires international assistance to mediate and end the armed conflict in the north-west and south-west regions.

INTERNATIONAL RESPONSE

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

Despite the government's failure to protect populations from violations and abuses of human rights or to hold security forces

accountable, on 12 October 2018 Cameroon was elected to the HRC for the 2019–2021 term.

On 17 April 2019 the European Parliament adopted a resolution calling for the crisis to be considered by the UNSC. On 13 May the UNSC held its first Arria Formula meeting on the humanitarian and human rights situation in Cameroon.

NECESSARY ACTION

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

All persons responsible for extrajudicial killings must be held accountable. The government of Cameroon should immediately grant OHCHR access to the north-west and south-west regions to investigate potential human rights violations and abuses. Foreign governments and regional organizations should suspend all military aid to Cameroon until it has made demonstrable progress in upholding the human rights of vulnerable populations.

The government of Cameroon should immediately initiate a dialogue with Anglophone community leaders and constructively address the historic grievances of the English-speaking minority. The African Union (AU) and Economic Community of Central African States should engage with Cameroon's government in order to prevent any further deterioration of the armed conflict in the Anglophone regions.



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

NIGERIA

Inter-communal violence in Nigeria's "Middle Belt" region and increased attacks by Boko Haram leave civilians at imminent risk of mass atrocity crimes.

BACKGROUND

The Nigerian government continues to face difficulties in confronting multiple security threats that place civilians at

risk of mass atrocity crimes, including recurring inter-communal violence in the "Middle Belt" region and increased attacks by the armed extremist group Boko Haram.

Recurring conflict in Nigeria's "Middle Belt" region, rooted in historical grievances between herders and farming communities, has escalated over the past year. According to Amnesty International, 3,641 people were killed in clashes between herders and farming communities between January 2016 and October 2018, with 57 percent of deaths occurring during 2018. During February 2019 at least 98 people, including 22 children, were killed in attacks in Kajuru, Kaduna State. Between 14–19 April at least 42 people were also killed during clashes between farmers and semi-nomadic herders in Nassarawa and Adamawa states.

Since the beginning of this year there have also been growing concerns over the increase of armed banditry in Zamfara and Katsina states. During March and April at least 169 civilians were killed by bandits in Zamfara State. Nigerian security forces have tried to neutralize "bandits" and armed groups that continue to conduct large-scale attacks against civilians in the northwest since 2016 under the auspices of Operation Sharan Daji.

Despite claims by the government that it had militarily defeated Boko Haram, the group and the so-called Islamic State in West Africa (ISWA) have intensified their attacks in the north-east of Nigeria since December 2018. Boko Haram has temporarily seized several towns and attacked military bases, including the headquarters of the regional Multinational Joint Task Force (MNJTF). According to OCHA, 1.4 million people remain internally displaced in Borno State and an additional 400,000 are displaced in Adamawa and Yobe states as a result of insecurity caused by Boko Haram.

Nigerian security forces have also been implicated in human rights abuses during operations against Boko Haram, ISWA and other armed groups, including during recent operations against bandits in Zamfara State.

ANALYSIS

Although Nigeria's "Middle Belt" region has experienced recurring inter-communal violence for many years, growing desertification has exacerbated the competition for resources. The loss of grazing land in the north of Nigeria has driven many ethnic Fulani herders, who are mainly Muslim, southward into areas traditionally farmed by settled communities that are predominately Christian.

Although the MNJTF has made significant progress in offensives against Boko Haram, the ongoing threat posed by Boko Haram and ISWA leaves civilians at risk of terrorist attacks and identity-based violence.

Ongoing human rights abuses by Nigeria's security forces demonstrate the need for security sector reform and human rights training.

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

INTERNATIONAL RESPONSE

The regional MNJTF has led efforts to combat Boko Haram since 2015. On 19 August the UN Secretary-General condemned attacks in Borno State and called for "the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin." During February the MNJTF launched a new offensive against Boko Haram.

NECESSARY ACTION

It is essential that the government of Nigeria addresses the root causes of inter-communal violence in the "Middle Belt" through socio-economic initiatives and political reforms that tackle land rights and poor governance. Utilizing the Early

Warning System of the Economic Community of West African States, the Nigerian government should work with local civil society to ameliorate long-standing grievances between herding and settled communities. The government should also increase police and military deployments to vulnerable areas. The government should expand efforts to mitigate the effects of climate change, including by accelerating initiatives in regions 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 Boko Haram attacks continue. Such efforts should address comprehensive security sector reform, including by incorporating IHL and IHRL into all military and police training. The government should also investigate all alleged human rights abuses perpetrated by the security forces.

SERIOUS CONCERN

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



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

352,000 refugees in neighboring countries

BURUNDI

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

BACKGROUND

Ongoing violations and abuses of human rights perpetrated by state forces in Burundi leave populations at risk of mass atrocity crimes. The HRC-mandated Col on Burundi has found that potential crimes against humanity have been committed since April 2015. More than 1,200 people have been killed in politically inspired violence since then and 10,000 Burundians

have been arbitrarily detained. More than 352,000 refugees remain in neighboring countries.

Violations and abuses of human rights, including extrajudicial killings, enforced disappearances, arbitrary detention and torture of suspected dissidents, have primarily been carried out by the National Intelligence Service and police. The Col's August 2018 report highlighted the personal role of President Pierre Nkurunziza in fomenting serious human rights violations and warned that possible crimes against humanity continue to be committed. In March 2019 the Col warned that the climate of impunity was encouraging the ongoing persecution of political opponents, as alleged perpetrators of mass atrocity crimes are still occupying key positions within the security forces and the Imbonerakure, the youth wing of the ruling party.

During December 2018 the BBC published a special investigation regarding the existence of at least 22 secret government detention facilities across the country where dissidents are tortured as part of what witnesses call an "orchestrated program to eliminate opposition." According to former national intelligence officers, the disappearance and death of alleged government opponents has been approved by the highest state authorities. On 29 March the government banned the BBC from Burundi.

The crisis in Burundi developed following the April 2015 announcement that President Nkurunziza would seek a third presidential term. This was regarded by many as violating the 2000 Arusha Peace Agreement, which ended a civil war that

claimed over 350,000 lives between 1993–2005. Following a failed coup, widespread protests and violence, President Nkurunziza was re-elected during July 2015. The East African Community (EAC) has attempted to mediate between the government and opposition parties, but with little success.

ANALYSIS

The police, National Intelligence Service and Imbonerakure continue to commit serious human rights violations and abuses that may amount to crimes against humanity. Despite President Nkurunziza's announcement that he would not run for an additional term in 2020, the current political environment is not conducive to holding free and fair elections.

The ongoing hostility directed towards UN mechanisms and institutions is a disturbing indication of the government's unwillingness to engage with the international community. The government has refused to cooperate with OHCHR, the HRC and the ICC. In addition to threats directed at members of the Col, in April 2018 the government expelled a team of UN experts. On 28 February 2019 the government announced the permanent closure of the UN human rights office in Bujumbura. The government has also banned most independent non-governmental organizations and media outlets.

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 October 2017.

On 29 July 2016 the UNSC passed Resolution 2303, authorizing UN police to monitor the security and human rights situation. Despite the government's refusal to accept the monitors and the Council announcing its 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. During 2018 the Col compiled a list of alleged perpetrators of crimes against humanity and called upon the government to ensure accountability. On 27 September 2018 the HRC extended the mandate of the Col despite the refusal of the government to allow the Commissioners to enter Burundi.

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

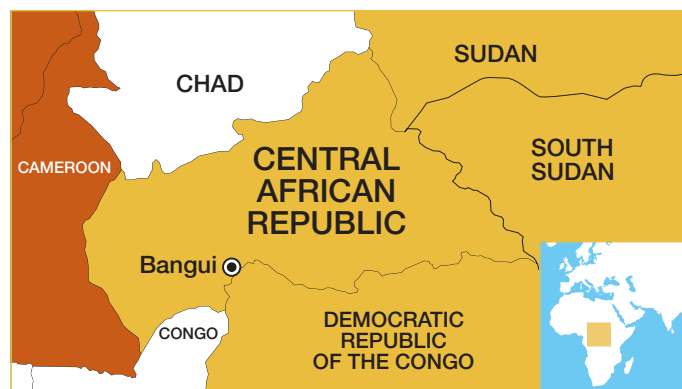
NECESSARY ACTION

It remains essential that Burundi's government end the violent targeting of political opponents, civil society organizations and

independent media. The HRC-mandated Col on Burundi should be granted immediate access to the country.

The government should engage constructively with the mediation efforts led by the EAC and fully commit to an inclusive dialogue to end the political crisis. The EAC, together with other international stakeholders, should support measures to ensure safe, peaceful and transparent elections in 2020.

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.



70 percent of CAR remains under control of various armed groups

CENTRAL AFRICAN REPUBLIC

Violent conflict and instability leaves populations in the Central African Republic at risk of recurring mass atrocity crimes.

BACKGROUND

On 6 February the national government and 14 armed groups, including the Front Populaire pour la Renaissance de la Centrafrique (FPRC), Union pour la Paix en Centrafrique (UPC) and Mouvement Patriotique pour la Centrafrique (MPC), signed a peace deal to bring an end to years of armed violence in the Central African Republic (CAR).

Despite the armed groups' expressed commitment to the peace process, the security situation remains fragile and tensions between armed groups leave populations at ongoing risk of attack. Most recently, on 9 April the Front Démocratique du Peuple Centrafricain, one of the signatories of the peace deal, engaged in deadly clashes with UN Mission in CAR (MINUSCA) peacekeepers in the western part of the country. The dangerous operating environment also threatens the provision of life-saving humanitarian aid for an estimated 2.9 million people.

Endemic violence in CAR has been fueled by shifting alliances between predatory armed groups, including factions of the ex-Séléka rebel alliance, such as the FPRC, UPC and MPC, and anti-balaka militias. These groups have intentionally targeted civilians, humanitarian workers and peacekeepers, committed sexual violence, and perpetrated attacks on internally displaced persons (IDP) camps, medical facilities and places of worship.

The February agreement, which was negotiated under the AU-led African Initiative for Peace and Reconciliation, highlights the need to address the root causes of the conflict. It also contains provisions on the disarmament, demobilization and reintegration of former fighters and the establishment of a Truth, Justice, Reparation and Reconciliation Commission. In keeping with the terms of the agreement, on 22 March the government announced a new cabinet, which will include representatives from all 14 signatory armed groups.

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. OHCHR has reported that both anti-balaka and ex-Séléka forces may have committed war crimes and crimes against humanity between 2013–2015. A hybrid judicial mechanism – the Special Criminal Court (SCC) for CAR – was created during 2015 and opened its first session on 22 October 2018

An estimated 1.2 million Central Africans – more than a quarter of the country's population – have fled their homes since 2013.

ANALYSIS

Governmental control remains extremely limited outside the capital, 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 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.

While the February agreement was a positive step towards peace, the promotion of leaders of armed groups responsible for past atrocity crimes into senior governmental roles potentially undermines the credibility of the justice process.

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

INTERNATIONAL RESPONSE

The UNSC has passed 12 resolutions since October 2013 that emphasize the government's responsibility to protect all

populations in CAR, including Resolution 2448 of December 2018, which renewed MINUSCA's mandate until 15 November 2019. On 31 January 2019 the UNSC extended the sanctions regime that has been in place since 2013, including the imposition of travel bans and asset freezes on those who incite ethnic or religious violence. On 9 April the UNSC announced it would establish benchmark criteria for a possible suspension of the existing arms embargo.

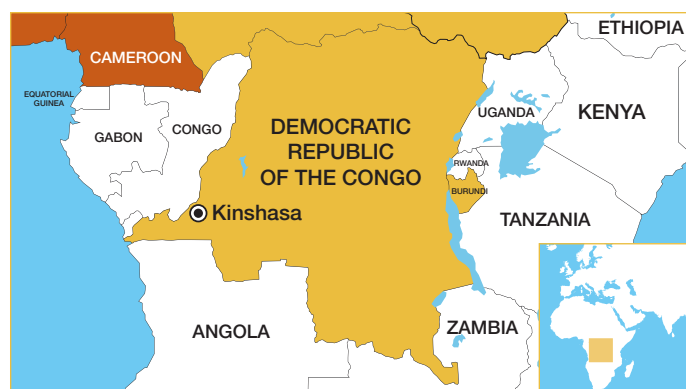
During May 2014 the government referred the situation in CAR to the ICC, which opened an investigation into alleged war crimes and crimes against humanity by both Séléka and anti-balaka forces. On 17 November 2018 Alfred Yekatom, former commander of an anti-balaka group and a Member of Parliament, was transferred to the ICC and will face charges of war crimes and crimes against humanity. On 23 January French authorities transferred Patrice-Edouard Ngaïssona, an anti-balaka leader accused of war crimes and crimes against humanity, to the ICC.

NECESSARY ACTION

In addition to focusing on emerging threats against the civilian population, MINUSCA must strengthen its preventive capacity by bolstering local disarmament and reintegration efforts.

Notwithstanding its numerous reconstruction, reconciliation and security challenges, the government should prioritize accountability for mass atrocity crimes and continue its cooperation with the ICC. National authorities should also ensure the SCC can fulfill its mandate.

The UNSC and AU should closely monitor implementation of the peace agreement and impose targeted sanctions on any individuals who breach its key provisions. Criteria to suspend the existing arms embargo must focus on the successful reintegration of former fighters and on strategies to counter the illicit trafficking of weapons by armed groups.



100,000 people
displaced in North
Kivu during April

At least 80 active armed
groups operating in eastern
DRC

DEMOCRATIC REPUBLIC OF THE CONGO

Populations in the Democratic Republic of the Congo remain at risk of mass atrocity crimes committed by the security forces and various armed groups.

BACKGROUND

After two years of unconstitutional delays, the Democratic Republic of the Congo (DRC) held elections on 30 December. Despite widespread irregularities, including vote tampering and voter suppression, opposition candidate Felix Tshisekedi was sworn in as president on 24 January 2019. Throughout the delayed election process Congolese security forces were widely accused of using disproportionate and deadly force against protesters and arbitrarily arresting opposition supporters.

The elections took place amidst increasing violence and instability as various armed groups have exploited the weakness of state authority in various parts of the country. Despite military offensives conducted by the government's armed forces (FARDC) with assistance from the UN Peacekeeping Mission in the DRC (MONUSCO) and its Force Intervention Brigade, attacks by armed groups and inter-communal violence continue. According to the UN Refugee Agency (UNHCR), over 4.5 million Congolese are internally displaced while more than 825,000 refugees have fled to neighboring countries.

Several provinces in eastern DRC – notably North Kivu, South Kivu, Ituri and Tanganyika – have been plagued by inter-communal violence and attacks by armed groups. Suspected attacks by the Allied Democratic Forces and other armed groups in North Kivu have hampered efforts to confront an Ebola outbreak. Since August 2018 Ebola treatment centers have been subjected to arson attacks and forced to close due to the targeting of health workers. UNHCR reported that insecurity in North Kivu, including attacks by armed groups as well as fighting between the army and Mai-Mai militias, led to the displacement of more than 100,000 people during April.

Deadly clashes erupted between the Batende and Banunu communities in Yumbi territory, Mai-Ndombe province, from 16-18 December 2018. The UN Joint Human Rights Office in the DRC, which investigated 59 burial sites in the area, reported that at least 535 civilians were massacred in a series of attacks on four villages. At least 967 homes and other properties, including churches and schools, were looted or destroyed, and UNHCR reported that at least 16,000 people fled to the Republic of Congo.

ANALYSIS

Government repression of the opposition over the past two years has exacerbated political tensions throughout the DRC. The new government has taken steps to reestablish trust between the population and the security sector, including releasing hundreds of opposition protesters, but it still needs to demonstrate its institutional commitment to the protection and promotion of human rights.

Widespread violence in eastern DRC is indicative of the enduring challenge of building effective governance and political stability. Competition for control of profitable minerals, as well as unresolved inter-communal conflicts, have enabled the proliferation of militias and other armed groups. Attacks on health centers threaten to exacerbate the Ebola epidemic.

The DRC government has struggled to uphold its Responsibility to Protect in the past, 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 impeded the election process or were deemed responsible for deadly attacks on peaceful demonstrators.

On 29 March 2019 the UNSC extended the mandate of MONUSCO until 20 December. The resolution emphasized that the government "bears the primary responsibility to protect civilians within its territory and subject to its jurisdictions, including protection from crimes against humanity and war crimes."

NECESSARY ACTION

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

The DRC government and MONUSCO must ensure that protecting civilians remains their primary priority as they address the ongoing threat posed by various armed groups. The protection of civilians and health centers in North Kivu must remain an integral part of any strategy to combat the Ebola epidemic.

The government and MONUSCO should implement measures to mediate inter-communal tensions in eastern DRC, the Kasai region and Mai-Ndombe province. The government should conduct a thorough investigation of the massacres in Yumbi and hold the perpetrators accountable.



At least 189 Palestinians killed and 25,252 wounded during protests on the Gaza border between March and December 2018

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.

BACKGROUND

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

Between 30 March 2018 and 31 March 2019 at least 199 Palestinians were killed – including 43 children – and over 25,000 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. At least 40 Israeli soldiers have also been injured. On 28 February the HRC-mandated Col on the 2018 Gaza protests reported that Israeli security forces used excessive and disproportionate force in response to the protests, targeted journalists and medical personnel, and used live ammunition against unarmed protesters. The Col indicated that these violations of IHL may amount to crimes against humanity or war crimes.

Between August–November Hamas and other Palestinian armed groups fired hundreds of rockets and mortar rounds towards Israel, including over 400 on 12 November. In retaliation Israel carried out airstrikes on targets within Gaza. Palestinian

armed groups have continued to intermittently fire rockets towards Israel, including between 4–6 May when Hamas and other Palestinian armed groups indiscriminately fired more than 600 rockets into Israel. Israel responded with airstrikes on Gaza. Four Israelis and 24 Palestinians were killed before Egypt brokered a ceasefire on 6 May.

Hamas security forces in Gaza have also committed grave human rights abuses against Palestinian civilians, including arbitrary arrests, summary executions and torture. On 19 March Palestinian protests against Hamas’ 12-year rule over Gaza were met with violent repression and arrests.

On 9 April Israeli Prime Minister Benjamin Netanyahu won re-election for a fifth term. During his election campaign Netanyahu vowed to begin annexing significant portions of the West Bank.

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

Since 2014 the dire humanitarian situation in Gaza has been exacerbated by an ongoing air, sea and land blockade by Israel. According to the UN, 1.7 million people in the Occupied Palestinian Territories (OPT) are food insecure, including 68 percent of households in Gaza. Negotiations between Israel and Palestinian representatives regarding a lasting peace agreement have been suspended since April 2014.

Illegal Israeli settlements, prohibited under international law, also continue to expand in the West Bank, including East Jerusalem. According to OCHA, over 460 Palestinian-owned structures were demolished or seized by Israeli government authorities during 2018 and an additional 172 have been demolished so far this year.

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 IHRL and may constitute war crimes or crimes against humanity. No Israeli or Hamas officials have been held accountable for unlawful attacks committed during the 2014 war, perpetuating a climate of impunity.

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

Article 49 of the Fourth Geneva Convention prohibits an occupying power from transferring parts of its civilian

population into occupied territory. Illegal Israeli settlements have contributed to the volatile situation in the West Bank.

Increased anti-Semitic and anti-Arab rhetoric has also heightened tensions between communities across Israel and the OPT.

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

INTERNATIONAL RESPONSE

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

On 24 June 2015 the Col on the Gaza conflict reported on violations of IHL and violations and abuses of IHRL that may amount to war crimes. On 18 May 2018 the HRC established a new Col mandated to investigate all such violations in the context of large-scale civilian protests on the Gaza border.

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

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

NECESSARY ACTION

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

Israel must lift the blockade on Gaza, cease illegal settlement-related activity, and end the use of disproportionate and deadly force against Palestinian protesters. The Palestinian Authority must help end indiscriminate attacks on Israeli civilians and rigorously prosecute those responsible. The Hamas de-facto administration in Gaza must permanently halt indiscriminate rocket attacks on Israel. The government of Israel should swiftly and impartially investigate the violations of international law reported by the Col and hold all perpetrators accountable. All parties should condemn anti-Semitic and anti-Arab hate speech and cooperate fully with the preliminary examination of the ICC.

States with strong political and economic ties to 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 than 600 people killed in inter-communal violence since March 2018

MALI

Populations in central and northern Mali are at risk of potential atrocity crimes as a result of ongoing conflict between ethnic militias and armed self-defense groups. Attacks perpetrated by armed Islamist groups also continue to threaten populations.

BACKGROUND

Inter-communal violence has been growing in the northern and central regions of Mali. Ethnic militias and armed "self-defense groups" have targeted civilians in attacks that have resulted in more than 600 deaths since March 2018. The violence has also included the deliberate destruction of food sources. According to OHCHR, over 56,400 people were internally displaced as a result of violence in the Mopti region of central Mali as of December 2018.

Most fighting has taken place between Dozos – traditional hunters recruited mainly from the Dogon ethnic community – and members of the Fulani ethnic group. Dogon and Fulani communities have historically clashed over access to land, water and grazing rights. Dozos, some of whom affiliated during 2016 under the Dan Na Amassagou group, have also targeted Fulani communities for their perceived sympathy with armed Islamist groups that have recruited Fulani fighters in Mali and neighboring Burkina Faso. Some Dogon villages have also been targeted in attacks. According to the UN, 18 civilians were killed in two separate attacks on a Dogon community between 29 April and 4 May.

Violence has escalated since January. The UN Mission in Mali (MINUSMA) documented seven incidents between 1 January and 16 February that resulted in the deaths of 49 civilians in the Bankass area of Mopti alone. On 23 March Dozos reportedly killed at least 150 people, including 50 children, in an attack on Ogossagou village in the Mopti region.

The Ogossagou massacre occurred amidst growing instability as a result of Mali's stalled peace process. Following a 2012 military coup, Tuareg separatists and armed Islamist groups

seized territory in northern Mali. Despite the presence of MINUSMA and a French-led force, as well as the 2015 signing of the "Bamako Agreement," violence between government forces and various armed extremist groups – including Ansar Dine, al-Qaida in the Islamic Maghreb and others – has continued. MINUSMA has frequently been attacked by these groups, with 17 peacekeepers killed in malicious acts so far this year.

ANALYSIS

Malian security forces and Islamist armed groups have been implicated in war crimes and crimes against humanity perpetrated since 2012. Various parties to the conflict have also violated the Bamako Agreement or impeded its implementation.

Ongoing attacks targeting particular ethnic groups demonstrate that any response to the security crisis in Mali should take mass atrocity risks into consideration in addition to counterterrorism and countering violent extremism. Weak state institutions in central Mali and arms proliferation via the country's porous borders has exacerbated conflict.

The volatile operating environment in Mali has restricted the capacity of MINUSMA to uphold its civilian protection mandate. The inability of the government to provide adequate protection to vulnerable populations from the threat posed by Islamist armed groups has resulted in the proliferation of ethnic militias and armed self-defense groups. Violence between such groups has been on the rise throughout the Sahel region, including in neighboring Burkina Faso.

The government of Mali, MINUSMA and other forces in Mali are struggling to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

From 2014–2015 Algeria served as a mediator in the conflict in Mali, helping to negotiate the June 2015 "Agreement for Peace and Reconciliation in Mali" (the "Bamako Agreement").

Operation Barkane, a 4,000-member French force, has led the international military response in Mali since January 2013. During July 2017 the G5 Sahel Force was established to combat border insecurity using troops from Mali, Mauritania, Burkina Faso, Niger and Chad. MINUSMA was authorized by the UNSC during April 2013 with a civilian protection mandate and currently has more than 15,000 personnel.

Following a referral by the interim government of Mali, the ICC launched an investigation into the situation in Mali in January 2013. During August 2017 former Ansar Dine leader Ahmad al-Faqi al-Mahdi was sentenced for the war crime of partially destroying the UNESCO World Heritage Site at Timbuktu.

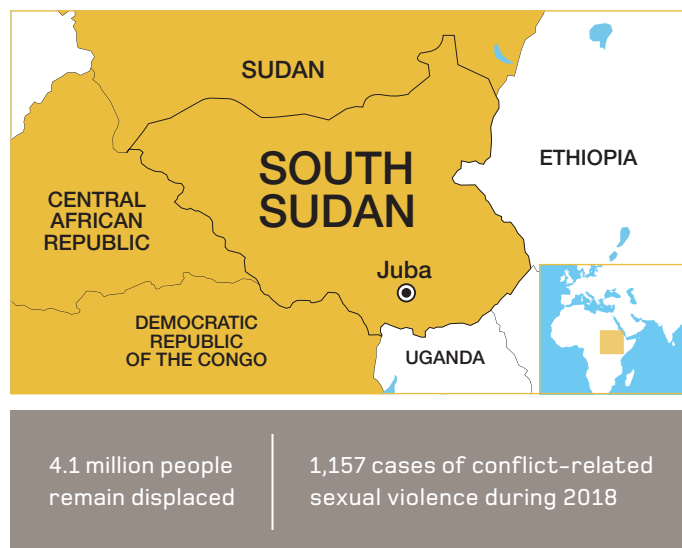
On 5 September 2017 the UNSC imposed targeted sanctions, including asset freezes and travel bans, on individuals obstructing the 2015 peace process or implicated in human rights violations, recruitment of child soldiers and attacks on UN personnel. On 23 January 2018 the UNSC created a Col to investigate violations of IHL and IHRL in Mali between 2012–2018.

On 22–23 March 2019 the UNSC met with leaders in Bamako as part of a visiting mission to the Sahel region. During their visit the Council condemned the massacre in Ogossagou. On 27 March the UN Special Adviser on the Prevention of Genocide issued a statement calling for Malians "to prevent and refrain from stigmatizing entire communities."

NECESSARY ACTION

The government, MINUSMA and Operation Barkane must prioritize the protection of civilians. While countering violent extremism remains crucial for Mali and the Sahel region, additional measures must be undertaken to stem the flow of weapons and the proliferation of militias and armed self-defense groups. Disarmament, demobilization and reintegration efforts need to be focused on areas where atrocity risks are increasing.

The government of Mali, with the support of MINUSMA and OHCHR, should investigate the massacre in Ogossagou and hold all perpetrators accountable. The government should also work with traditional and religious leaders in the Mopti region to develop programs aimed at improving inter-communal relations and reducing recruitment into armed groups.



SOUTH SUDAN

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

BACKGROUND

On 12 September 2018 a Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) was signed by the parties to the conflict – including President Salva Kiir and former Vice President and rebel leader Riek Machar – formally ending the civil war that started during December 2013. Although a ceasefire has largely been maintained and armed violence has reduced, since the beginning of February fighting has taken place in Central Equatoria and Western Bahr el Ghazal states between government forces

and the National Salvation Front, the largest rebel group that refused to sign the R-ARCSS. According to UNHCR, an estimated 5,000 people fled to the DRC and local authorities reported the registration of 14,000 IDPs. During March, hostilities and inter-communal violence in Upper Nile, Unity and the Equatorias also displaced thousands of people.

Despite the signing of the R-ARCSS, the HRC-mandated Commission on Human Rights on South Sudan (CoHR) reported in February that women and girls continue to be victims of rape and sexual violence, including gang rape, sexual exploitation, forced marriage, forced pregnancy, forced abortion and the mutilation of sexual organs. In total, the UN Mission in South Sudan (UNMISS) reported 1,157 cases of sexual violence during 2018 as compared to 196 cases during 2017.

There have been severe delays in implementing crucial components of the R-ARCSS, including the reunification of the armed forces and the demilitarization of Juba. As a result, on 3 May President Kiir and Machar agreed to postpone the establishment of the Transitional Government of National Unity (TGoNU) for six months.

Between December 2013 and August 2015 an estimated 400,000 people in South Sudan were killed as the Sudan People's Liberation Army (SPLA) and armed rebels from the SPLA-IO perpetrated war crimes and crimes against humanity, including widespread extrajudicial killings, torture, child abductions and sexual violence. Both sides targeted civilians as part of their military tactics. Despite the signing of the first peace agreement in August 2015, the CoHR has identified dozens of senior officials and numerous groups responsible for atrocities committed during 2016-2018.

Since December 2013 an estimated 4.15 million South Sudanese have been forced to flee their homes, with 2.3 million refugees spread across neighboring countries. According to OCHA, 6.5 million people remain severely food insecure.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its almost eight years of independence. Despite numerous failed peace agreements, the considerable political investment in the R-ARCSS by the entire region – most notably Uganda, Sudan and Kenya – is cause for cautious optimism. Parties to the R-ARCSS must ensure that tangible progress is made over the next six months on outstanding issues. The establishment of the TGoNU could enable South Sudan to start comprehensively addressing long-term social challenges and political divisions, including recurring inter-communal violence.

Despite an August 2015 agreement calling for the establishment of an independent Hybrid Court for South Sudan to investigate atrocities committed during the conflict, the government has repeatedly delayed its formation. The R-ARCSS includes new timelines for the establishment of transitional justice mechanisms and the Hybrid Court.

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

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

INTERNATIONAL RESPONSE

Several regional actors, including the Intergovernmental Authority on Development (IGAD), Kenya, Sudan and Uganda, facilitated negotiations aimed at reinvigorating the 2015 Peace Agreement. These various efforts culminated in the signing of the R-ARCSS.

On 13 July 2018 the UNSC imposed an arms embargo on South Sudan. The UNSC also subjected two additional senior officials to targeted sanctions, bringing the total number of rebel leaders or government officials on the sanctions list to eight. On 15 March 2019 the UNSC extended the mandate of UNMISS until March 2020, emphasizing that “South Sudan’s government bears the primary responsibility to protect its populations” and expressing concern that despite the signing of the R-ARCSS, violations that may amount to war crimes and crimes against humanity, including rape and sexual violence, continue.

On 21 March 2019 the HRC extended the mandate of the CoHR 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.”

NECESSARY ACTION

Pending the full implementation of the R-ARCSS, the AU, IGAD and neighboring countries should actively assist in imposing and monitoring the arms embargo. The international community must continue to exert sustained diplomatic pressure on the parties to the R-ARCSS to ensure its full implementation following the recent postponement of critical deadlines.

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

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



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

3 million Venezuelans in
neighboring countries

VENEZUELA

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

BACKGROUND

Since President Nicolas Maduro took office during 2013, popular discontent with the Venezuelan government's policies has resulted in widespread protests. Government mismanagement and a catastrophic economic crisis have resulted in hyper-inflation, acute food shortages and the collapse of essential services. The government has routinely responded to protests with disproportionate and deadly force.

During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of crimes against humanity, including 8,292 extrajudicial killings and the arbitrary detention of more than 12,000 people since 2014. According to the OAS, security forces engaged in "widespread and systematic targeting of opponents of the regime or suspected 'enemies of the state,'" including during a violent crackdown on protests during April-June 2017 that resulted in more than 100 people being killed.

Despite an opposition boycott and allegations of electoral fraud, President Maduro was re-elected during May 2018. The start of his second term in January 2019 sparked a diplomatic crisis as dozens of governments, including the United States and many Latin American and European countries, recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President. Anti-government protests during January resulted in at least 40 people being killed.

On 30 April tensions escalated when Guaidó called for a popular uprising in what he announced would be the "final phase" to remove President Maduro from power. Despite violent clashes between some rival groups of soldiers and police, the government announced that it had defeated an "attempted coup." Government security forces used tear gas, rubber bullets

and live ammunition to disperse opposition supporters. Guaidó has continued to call for further anti-government protests.

ANALYSIS

In the midst of an intense and ongoing political struggle between Maduro and Guaidó for control of the state, Venezuelans face a risk of potential atrocity crimes. With the leadership of the armed forces remaining loyal to Maduro, the government has taken steps to isolate itself from international scrutiny, including withdrawing from the OAS. Threats by senior politicians in the United States regarding the possibility of an invasion of Venezuela have complicated attempts to negotiate an end to the political crisis.

The collapse of the health system, widespread food shortages and the spread of preventable diseases has also triggered a complex humanitarian emergency. The politicization of humanitarian aid by parties to the conflict is impeding the mobilization of relief.

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

INTERNATIONAL RESPONSE

Various governments, including OAS member states, have publicly criticized systematic human rights violations and abuses in Venezuela. More than 50 governments recognize Guaidó as interim President of Venezuela. On 9 April 2019 the OAS Permanent Council accepted the appointment of an opposition representative as Ambassador. Following this decision, the Maduro-led government formally withdrew from the OAS.

During November 2017 the EU imposed an arms embargo and other sanctions on Venezuela. The EU has also imposed travel bans and asset freezes on 18 senior government officials. The United States has imposed extensive sanctions on Maduro, his family and senior members of his government.

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

NECESSARY ACTION

The government must immediately end systematic human rights violations and abuses, demobilize auxiliary militias - including "colectivos" - and ensure the security forces refrain from the disproportionate and deadly use of force against protesters.

UN member states should impose targeted sanctions on all government officials responsible for systematic violations and abuses of human rights in Venezuela, including the torture of political detainees. The UN, with the support of Latin American states and the OAS, should help negotiate a peaceful end to the crisis.

Humanitarian relief efforts should be strictly guided by the principles of independence and impartiality, and aid deliveries should be coordinated with UN agencies and other international humanitarian actors.



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