

R2P MONITOR

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

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



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 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. Attacks by the Taliban and other anti-government forces using improvised explosive devices (IEDs) were the leading cause of 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 illegal land mines and explosive remnants during 2018.

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. The government and international military forces were responsible for the majority of civilian deaths from January-March. Throughout Ramadan, from 6 May to 6 June, UNAMA found that anti-government elements targeted civilians, mainly using IEDs, resulting in more than 100 civilian casualties in Kabul.

The conflict has had a significant impact on children. Among civilians killed in 2018 were 927 children, the highest number recorded during the conflict in a single year. Citing the deteriorating security situation, the UN Children's Fund (UNICEF) documented 192 attacks on schools in 2018, three times the number recorded during 2017. By the end of 2018 more than 1,000 schools were closed. Over 500,000 children have been denied an education.

Since December 2018 a United States government delegation has participated in talks with the Taliban in an effort to end the war. The most recent negotiations started on 29 June. The Afghan government has not been officially represented at any of these talks. The Russian government also hosted parallel peace talks during February and May. In addition, the governments of Germany and Qatar hosted an Intra-Afghan Dialogue on 7-8 July that brought together Afghan politicians, civil society and the Taliban.

Despite ongoing talks, the Taliban were responsible for car bombings in Kabul on 1 July and Ghazni on 7 July. Although the bombings targeted a military compound and the National Directorate of Security, hundreds of civilians were also wounded, including dozens of children in nearby schools.

According to the ICC, the Taliban have 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.

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 and targeting the minority Shia population.

According to the UN Refugee Agency (UNHCR), 2.1 million people in Afghanistan are internally displaced and 2.7 million Afghans are refugees – the second largest refugee population in the world.

ANALYSIS

As the Taliban regain territory the number of civilians at risk of possible war crimes and crimes against humanity continues to increase. During their nearly 18-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 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 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. The Intra-Afghan Dialogue is an important first step towards including such groups.

Unless sustained action is taken to improve local governance, 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. On 15 March 2019 the United States government announced it would revoke or deny visas to members of the ICC involved in investigating its personnel. On 12 April the Court rejected the Chief Prosecutor’s request, citing a lack of cooperation from governments involved in the situation. The Chief Prosecutor appealed the decision on 7 June.

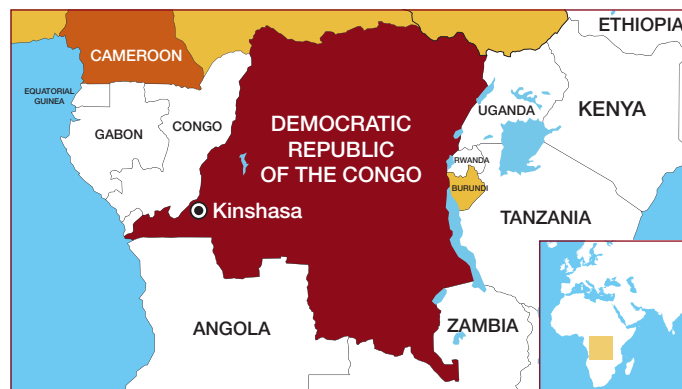
NECESSARY ACTION

The international community should continue to support the Afghan government as it combats the Taliban, ISIL-K and other armed extremist groups. 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). International military forces should strengthen protocols to prevent civilian casualties and ensure transparency regarding the conduct of operations. Increased efforts should be undertaken to ensure the security of vulnerable minorities.

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.



300,000 people displaced
in Ituri during June

At least 80 active armed
groups still operating in
eastern DRC

DEMOCRATIC REPUBLIC OF THE CONGO

Populations in the Democratic Republic of the Congo continue to face mass atrocity crimes committed by various armed groups.

BACKGROUND

Attacks by armed groups operating in the eastern provinces of the Democratic Republic of the Congo (DRC), as well as recurring inter-communal violence in various parts of the country, threaten the lives of vulnerable populations. Despite military offensives conducted by the government’s armed forces (FARDC) with assistance from the UN Peacekeeping Mission in the DRC (MONUSCO) and its Force Intervention Brigade, attacks by armed groups and inter-communal violence continue. According to UNHCR, over 4.5 million Congolese are internally displaced while more than 854,000 refugees have fled to neighboring countries.

Several provinces in eastern DRC – notably North Kivu, South Kivu, Ituri and Tanganyika – have been plagued by recent inter-communal violence and attacks by armed groups. According to the Kivu Security Project, at least 80 armed groups actively operate in the eastern DRC. UNHCR reported that fighting in North Kivu led to the displacement of more than 100,000 people during April. There were reports of rape and sexual violence as well as of children being forcibly recruited into armed groups.

Renewed inter-communal violence in Ituri Province killed more than 117 people between 10-13 June. According to the UN

Joint Human Rights Office (UNJHRO) in the DRC, the majority of victims were from the Hema community who are believed to have been attacked by members of the Lendu community. While investigating several massacres in Djugu and Mahagi territories, UNJHRO documented beheadings and the use of scorched earth tactics to prevent survivors from returning. The violence resulted in more than 300,000 people being displaced by 18 June.

Widespread displacement from Ituri and North Kivu contributes to an already precarious security and humanitarian situation as the international community attempts to confront cholera, measles and Ebola outbreaks that have claimed the lives of thousands of people. Since August 2018 Ebola treatment centers have been subjected to arson attacks by suspected members of the Allied Democratic Forces armed group and forced to close. The World Health Organization (WHO) has documented more than 42 attacks on health facilities in eastern DRC since January, with at least 85 health workers wounded or killed.

Inter-communal violence also remains a threat elsewhere in the DRC. Deadly clashes erupted between the Batende and Banunu communities in Yumbi territory, Mai-Ndombe Province, from 16-18 December 2018. UNJHRO investigated 59 burial sites in the area and 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 at least 16,000 people fled to the Republic of Congo. In addition, despite a decline in armed clashes in the Kasai region since 2017, the Kamuina Nsapu and Bana Mura militias continue to operate and civilians continue to report rapes, summary executions and arbitrary detentions.

ANALYSIS

For more than twenty years various armed groups have exploited the weakness of state authority to perpetrate attacks against civilian populations. 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.

Following intense fighting in Ituri Province that started in the late 1990s, the Hema and Lendu communities have coexisted relatively peacefully since 2007. However, a surge in inter-communal fighting between December 2017 and April 2018 resulted in more than 260 people being killed and 60,000 people fleeing to Uganda. The recent recurrence of inter-communal conflict in Ituri and elsewhere demonstrates the need to hold perpetrators accountable and address the root causes of the violence.

Government repression of the opposition in the lead-up to the December 2018 presidential elections exacerbated political tensions throughout the DRC. The new government has taken steps to reestablish trust between the population and the security sector, but it still needs to demonstrate its institutional commitment to the protection of human rights. Security forces in the DRC have often been complicit in crimes against civilians and have recently been accused of failing to prevent or halt the violence in Ituri Province.

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 the European Union (EU), have also imposed sanctions on government officials who impeded the election process or were deemed responsible for deadly attacks on peaceful demonstrators. On 26 June the UNSC renewed the sanctions regime for an additional year.

On 29 March 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."

On 8 July the ICC found former DRC warlord Bosco Ntaganda guilty of war crimes and crimes against humanity perpetrated in Ituri from 2002-2003.

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 protection of civilians and health centers in North Kivu must remain an integral part of any strategy to combat the Ebola, cholera and measles outbreaks.

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 Ituri and Yumbi and hold the perpetrators accountable.

While protecting populations from the threat of armed groups, the security forces must strictly adhere to IHL. The new government should hold all those who used lethal force against unarmed protesters prior to the 2018 election accountable.



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

MYANMAR (BURMA)

Populations in Myanmar (Burma) face the threat of ongoing mass atrocity crimes.

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 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 perpetrated against the Rohingya minority in Rakhine State. Many of the military units that perpetrated these crimes continue to operate in Myanmar.

Since November 2018 conflict has 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 7 June the Office of the President instructed the military to "to use all necessary force" against the AA. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), more than 35,000 people have been displaced in Rakhine and neighboring Chin State since November. Access to conflict-affected areas has been denied to UN agencies and most humanitarian organizations.

On 29 May Amnesty International reported on war crimes and other human rights violations committed by the military since January, including by military units implicated in past atrocities. According to the UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, "many acts of the Tatmadaw and the Arakan Army violate [IHL] and may amount to war crimes." Special Rapporteur Lee reported on indiscriminate attacks on villages, targeting of civilians and forced disappearances. Since 21 June the government has ordered an internet shut down in several townships in

Rakhine and Chin states, limiting access to information on military operations.

The latest conflict in ignited roughly a year after the government launched so-called "clearance operations" in Rakhine State on 25 August 2017. An estimated 745,000 people – mostly ethnic Rohingya – were forced to flee 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 enabled the commission of atrocity crimes.

On 28 May UNHCR and the UN Development Programme (UNDP) extended its Memorandum of Understanding (MoU) with the government of Myanmar. Despite the signing of the MoU last year, the government 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.

ANALYSIS

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.

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 still 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 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 potential genocide against the Rohingya was 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 EU, Canada, United States, Australia and others have responded to atrocities in Rakhine State, including by imposing an arms embargo as well as targeted sanctions on

senior military officers. A number of countries have recognized the crimes against the Rohingya as constituting genocide.

During 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.”

On 31 May 2019 the Organisation of Islamic Cooperation urged its “ad hoc ministerial committee on human rights violations against the Rohingyas in Myanmar,” led by The Gambia, to bring a case against Myanmar to the International Court of Justice. The Gambia has confirmed its intention to bring a case against Myanmar for failing to uphold its obligations under the Genocide Convention.

On 17 June UN Secretary-General António Guterres accepted an independent report prepared by Gert Rosenthal, the former Minister of Foreign Affairs of Guatemala, that evaluated the UN’s role in Myanmar from 2010-2018. The report emphasized the UN’s failure to adequately respond to warning signs of potential mass atrocities against the Rohingya population.

On 4 July the Chief Prosecutor of the ICC requested authorization to open a formal investigation into the alleged deportation of more than 700,000 Rohingya civilians from Myanmar to Bangladesh.

NECESSARY ACTION

While militarily confronting the AA, Myanmar’s security forces must ensure the protection of civilians and strictly adhere to IHL and IHRL. Access for UN agencies and humanitarian organizations should 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 committed against the Rohingya. 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.

Myanmar’s government must create conditions for the voluntary, safe and dignified repatriation of refugees from Bangladesh, including by repealing or amending all laws that systematically discriminate against the Rohingya.



Over 560,000 people
killed in eight years
of conflict

12 UN Security Council
vetoes blocking action
and accountability

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 6.7 million Syrian refugees and nearly 6.2 million people are internally displaced - the largest number of people forcibly displaced by any conflict in the world. An estimated 12 million Syrians remain in dire need of humanitarian assistance.

On 1 January fighting 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 Idlib. Since 29 April Syrian government and Russian forces have increased their bombardment of Idlib Governorate. According to the Senior Humanitarian Adviser to the UN Special Envoy on Syria, as of 29 June at least 300 civilians, including many children, have been killed since April, with 330,000 people displaced. The WHO has reported 25 attacks on health facilities, some of which had shared their coordinates to ensure protection. There have also been widespread fires across farmlands in the governorate, which could potentially undermine food security.

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

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. In recently liberated areas, the SDF have found numerous mass graves and have called for an international tribunal to deal with hundreds of captured ISIL fighters. The Syrian Observatory for Human Rights (SOHR) reported that ISIL has killed approximately 5,500 civilians in Syria since declaring their so-called caliphate in June 2014.

Since 2012 the HRC-mandated Commission of Inquiry (Col) has reported that government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. According to a report by the UN Secretary-General on children in Syria, between November 2013 and June 2018 at least 3,891 children were killed and over 350 schools and 340 hospitals were attacked by all parties to the conflict. The Col has also reported on 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 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. Airstrikes by the United States-led anti-ISIL coalition have killed 3,640 civilians, including 922 children.

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. The direct participation of Russian and Iranian forces in numerous attacks on civilian-populated areas makes them complicit in alleged war crimes.

Ongoing fighting between rival armed opposition groups and airstrikes on Idlib imperil the lives of millions of civilians. While the governments of Syria and Russia claim that they are targeting HTS in Idlib, the use of indiscriminate weapons in civilian-populated areas and the systematic bombing of medical facilities constitute potential war crimes.

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 continues. The Syrian government, with support from its international allies, continues to utilize its military resources to retain power at all costs. The fracturing and radicalization of the opposition has also compounded the difficulty of negotiating an end to the civil war.

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.

Domestic legislation such as Laws No. 10 and 42 (2018) and Law No. 19 (2012) raise concerns for returning refugees with regards to property rights and persecution. There are also concerns regarding government-run detention facilities, where the Col has documented summary executions 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. Various high-level UN officials, including the Secretary-General, have 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.

The HRC has adopted 28 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population. During March 2019 the HRC extended the mandate of the Col for an additional year.

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 adhere to the Idlib "demilitarized

zone” and de-escalation agreements. All parties must also end attacks on civilians and civilian infrastructure, including hospitals and schools.

The governments of Syria, Turkey and Russia should allow the establishment of a field presence in Idlib for 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 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 with guarantees 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.



16,000+ civilians killed
since March 2015

24 million people in
need of humanitarian
assistance

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 and Houthi representatives since previous talks were suspended in 2016. During the consultations in Sweden parties to the conflict agreed to 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, and on 11 May the Houthis withdrew forces from Saleef, Ras Isa and Hodeidah ports.

Hostilities have intensified elsewhere, however, particularly in Al-Dhale, Hajjah, and Taiz governorates. OCHA has reported more than 250,000 people displaced by fighting this year and there are currently more than 30 active frontlines in Yemen. In addition, during June Houthi forces increased their attacks on targets within Saudi Arabia.

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 HRC-mandated Group of Independent Eminent Experts on Yemen has also reported that grave human rights violations perpetrated by parties to the conflict may amount to war crimes. In August 2018 the Group of Eminent Experts found that coalition airstrikes have caused most civilian casualties. Arbitrary detention, enforced disappearances, and widespread use of torture and sexual violence within both Houthi and government-allied detention centers has also been widely documented.

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. According to the UN Under-Secretary-General for Humanitarian Affairs, Mark Lowcock, the number of incidents that killed or injured children more than tripled between the last quarter of 2018 and the first quarter of 2019. More than 3,000 children were also recruited or used by parties to the conflict between April 2013 and the end of 2018. Schools have been targeted by Houthi and government-allied forces.

The conflict has also been characterized by the obstruction of vital aid by all parties. At least 24 million people are now in need of humanitarian assistance. 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 2,300 deaths, there is a fear of a renewed epidemic with 460,000 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 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. 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.

All parties to the conflict appear manifestly unable or unwilling to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC imposed sanctions on former President Saleh and Houthi leaders in November 2014. On 14 April 2015 the UNSC established 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, 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. Despite votes in the United States Congress calling for an end to military support for the Saudi/UAE-led coalition in Yemen, on 16 April President Donald Trump vetoed the decision. On 20 June the United States Senate voted again to block the sale of weapons to Saudi Arabia and the UAE.

On 21 December 2018 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.

On 20 June the Court of Appeal in London ruled that the government of the United Kingdom had failed to adequately

assess the actions of the Saudi/UAE-led military coalition in Yemen prior to issuing licenses for arms exports to Saudi Arabia. Following the ruling the United Kingdom suspended new arms sales until an appropriate assessment is conducted.

On 8 July the UAE announced that it was in the process of drawing down its military presence in Yemen.

NECESSARY ACTION

All parties to the conflict should uphold the Hodeidah ceasefire and fully implement all the terms of the Stockholm Agreement. Parties to the conflict should extend the ceasefire to other areas, particularly Al-Dhale, Hajjah and Taiz governorates. The UNSC should also adopt targeted sanctions against all those responsible for potential atrocities and the deliberate obstruction of vital humanitarian assistance.

The government of Yemen should allow access to the Group of Eminent Experts and ensure that all potential war crimes and crimes against humanity are properly investigated.

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 of Cameroon. The armed extremist group Boko Haram also poses an ongoing threat.

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 civilians 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 of civilians, and are increasingly attacking hospitals, schools and humanitarian convoys. At least 650 civilians, 235 members of the security forces and nearly 1,000 alleged separatists have been killed as a result of the fighting since October 2017. According to OCHA, 530,000 people have been displaced as a result of the conflict.

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 is also 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 the abduction and killing of civilians. On 9 June at least 16 Cameroonian soldiers and 8 civilians were killed when suspected Boko Haram fighters attacked eight military posts on an island in Lake Chad. During military operations against Boko Haram there have been widespread allegations of the security forces perpetrating extrajudicial killings. As of June 2019, there are 240,000 internally displaced persons (IDPs) in the far north region, bringing the total number of IDPs in the country to more than 770,500.

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 resolving it. According to UNICEF, 1.3 million people are in need of humanitarian assistance in the north-west and south-west. Due to a ban on government education by armed separatists, 80 percent of the schools in the two regions were forced to close and at least 74 have been destroyed.

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 during April 2019 that "there is no mediation, no large relief programme, no media interest and little pressure on the parties to stop attacking civilians."

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

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 for extrajudicial killings, 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 Anglophone 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.

Following a visit to Cameroon, on 6 May 2019 the UN High Commissioner for Human Rights urged the government to hold accountable members of the security forces who commit serious human rights abuses.

On 27 June Switzerland offered to mediate between the government of Cameroon and armed separatists.

NECESSARY ACTION

The security forces and armed separatists 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. Armed separatist groups must immediately stop attacking schools, hospitals and humanitarian convoys.

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.

Separatists and the government should engage with the mediation process proposed by Switzerland and work towards a negotiated political solution to the crisis in the north-west and south-west regions. The African Union (AU) and Economic Community of Central African States should work with Cameroon's government to prevent any further deterioration of the armed conflict.



More than 600 people killed in inter-communal violence in Mali's Mopti region since January 2019

MALI AND BURKINA FASO

Populations in Mali and Burkina Faso are at imminent risk of potential atrocity crimes as a result of growing conflict between ethnic militias and community "self-defense groups." Attacks perpetrated by armed Islamist groups also threaten populations throughout the Sahel.

BACKGROUND

Since 2015 Islamist armed groups have expanded their activities from northern to central Mali, prompting the formation of ethnic militias and armed "self-defense groups" in many communities. Such groups have targeted civilians in attacks that have resulted in hundreds of deaths since March 2018. The violence has included the burning of villages and destruction of food sources. According to the Norwegian Refugee Council, at least 202,000 people have fled violence in Mali so far this year.

Inter-communal violence continues to increase in Mali. In particular, a cycle of reprisal attacks in the Mopti region of central Mali has dramatically increased since January, with more than 600 people killed. Most fighting has taken place between Dozos – traditional hunters mainly from the Dogon ethnic community – and ethnic Bambara fighters, against members of the Fulani community. 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 the predominately Fulani village of Ogossagou. Armed men also killed dozens of civilians in the predominately Dogon villages of Sobane-Kou on 10 June, and Yoro and Gangafani 2 on 17 June. Fulani populations in Saran and Bidi were also attacked on 1 July, with least 23 people killed.

The violence in central Mali is partly a result of a 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 intervention 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 in northern Mali. MINUSMA has frequently been attacked by these groups, with 18 peacekeepers killed in malicious acts so far this year.

The porous border between Mali and neighboring Burkina Faso has facilitated the expanded activities of Islamist armed groups throughout the region. Since mid-2018 groups operating in Burkina Faso, particularly Ansaroul Islam, have perpetrated atrocities against populations in Soum Province, near the Mopti region of Mali. More than 60 civilians were killed in a series of inter-communal clashes on 31 March and 1 April near the village of Arbinda, Soum Province. There were also a growing number of deadly attacks on Christians during May.

More than 1,100 schools have been forced to close in Burkina Faso as a result of this growing violence. Counter-terrorism operations by the Burkinabè security forces have also led to grave human rights abuses perpetrated against civilians presumed to be sympathetic to Islamist armed groups.

ANALYSIS

Mali's 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. Militias and self-defense groups continue to target civilian populations on the basis of their ethnic and/or religious identity.

Any security response in Mali and Burkina Faso must take mass atrocity risks into consideration, in addition to fighting terrorism and countering violent extremism. Weak state institutions, porous borders and arms proliferation have exacerbated conflict in both countries.

Historically, the Dogon, Bambara and Fulani communities have clashed over access to land, water and grazing rights. However, recent fighting in central Mali and neighboring areas of Burkina Faso has been exploited by armed Islamist groups who have targeted young Fulani men for recruitment. The inability of Mali's government to provide adequate and equal protection to all vulnerable populations has accelerated the recruitment into rival armed groups and ethnic militias.

The governments of Burkina Faso and Mali are struggling to uphold their responsibility to protect.

INTERNATIONAL RESPONSE

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

Following a referral by the interim government of Mali, the ICC launched an investigation into the situation 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.

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. On 28 June the UNSC renewed MINUSMA for an additional year.

On 23 January 2018 the UNSC authorized the creation of a Col to investigate violations of IHL and IHRL in Mali between 2012–2018. On 20 December the UNSC authorized targeted sanctions, including asset freezes and travel bans, on three individuals for obstructing the peace process and violations of human rights, including recruitment of child soldiers and attacks on UN personnel. The Council added five additional people to the sanctions list on 10 July 2019.

On 23–24 March 2019 the UNSC met with leaders in Mali and Burkina Faso as part of a visiting mission to the Sahel. 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." The Special Adviser released a second statement, together with the Special Advisers on the Responsibility to Protect and on Children and Armed Conflict, on 10 June condemning atrocities perpetrated against civilians in the Mopti region.

NECESSARY ACTION

Both governments, MINUSMA, Operation Barkane and the G5 Sahel Force must prioritize the protection of civilians. While countering violent extremism remains crucial for Mali and Burkina Faso, it is essential that both governments also ensure that their efforts do not further exacerbate inter-communal tensions and are undertaken in strict compliance with IHRL.

Additional measures must be implemented to stem the flow of weapons and end the proliferation of militias and self-defense groups. Disarmament, demobilization and reintegration efforts need to be focused on areas where atrocity risks are increasing in both Mali and Burkina Faso.

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



Approximately 112 people were killed in Khartoum by armed paramilitaries and security forces on 3 June

SUDAN

Populations in Sudan face an imminent risk of mass atrocity crimes due to ongoing political instability and violence against civilians committed by the security forces and affiliated militias.

BACKGROUND

Following months of mass demonstrations against President Omar al-Bashir's government, on 11 April the Sudanese military overthrew and arrested Bashir, installing a Transitional Military Council (TMC). Following Bashir's removal, protesters demanded the transfer of power to a civilian-led government. On 3 June the TMC ordered the Rapid Support Forces (RSF) to bring an end to a peaceful sit-in outside the Army Headquarters in Khartoum, where demonstrators had been encamped since 6 April. During the violent crackdown by the RSF and security forces, at least 112 people were killed. On 30 June tens of thousands of people took to the streets across the country again, protesting against the TMC and demanding accountability for the massacre.

On 5 July the TMC and the opposition movement finally reached agreement on a power-sharing arrangement. The agreement includes a joint military-civilian authority – the Sovereign Council – consisting of 11 members (five civilians, five military officers and one independent member) that will govern Sudan during an interim period of 39 months, with a rotating leadership. Parties also agreed to an independent investigation into the 3 June massacre. On 11 July the TMC reported that it had foiled an attempted coup by sections of the military.

Since mass demonstrations broke out in December more than 200 people have been killed and thousands arrested. Since 6 April Sudan's security forces have fractured, with some low-ranking army officers protecting the protesters against the National Intelligence and Security Service and the RSF. Demonstrations against the TMC also broke out in Darfur, leading to the killing of 47 civilians between 11 April and 12 June.

During his 30-year rule, Bashir and other government officials allegedly committed crimes against humanity, war crimes and

genocide against civilians while fighting armed groups in South Kordofan, Blue Nile, Darfur and elsewhere. During 2016 the Sudanese government and some armed groups signed the AU High Level Implementation Panel's "Roadmap" agreement aimed at ending the armed conflicts in South Kordofan, Blue Nile and Darfur, but failed to agree on a permanent cessation of hostilities.

ANALYSIS

While the 5 July power-sharing agreement has brought an end to the standoff between the military and civilian protesters, the risk of further violence remains high unless the TMC strictly adheres to the terms of the agreement.

Impunity continues for perpetrators of past atrocities in Sudan, including Bashir and the former governor of South Kordofan, Ahmed Haroun, who are both wanted by the ICC. Some members of the TMC are also implicated in atrocity crimes committed in Sudan since 2003. Mohamed Hamdan "Hemedti" Dagolo, former commander of militias responsible for atrocities in Darfur, South Kordofan and Blue Nile States and deputy head of the TMC, had command over the RSF during the Khartoum massacre.

While violence has generally decreased in Sudan, clashes between the Sudanese Armed Forces and the Sudan Liberation Army-Abdul Wahid faction have continued in the Jebel Marra area of Darfur. The current political instability may also affect how the AU-UN hybrid peacekeeping force in Darfur (UNAMID) is able to uphold its civilian protection mandate.

Sustained international support and pressure is necessary to ensure that the Sovereign Council upholds their responsibility to protect.

INTERNATIONAL RESPONSE

The UNSC has adopted at least 58 resolutions on Sudan since 2004, most of which have not been fully implemented. The UNSC has imposed an arms embargo on Darfur since 2004 and travel ban and asset freeze against six individuals since 2006. Following a UNSC referral, between 2007-2014 the ICC issued arrest warrants for three Sudanese government officials, including Bashir and Haroun, and two anti-government militia leaders, for atrocities perpetrated in Darfur, including war crimes, crimes against humanity and genocide. All suspects remain at large.

Since the demonstrations started in December, multiple states and regional organizations have called upon the Sudanese authorities to respect human rights and ensure a peaceful transfer of power. On 27 June the AU and Ethiopia mediated between the TMC and opposition and proposed the power-sharing deal.

On 29 June 2018 the UNSC adopted Resolution 2429, mandating the phased drawdown of UNAMID with an exit deadline for June 2020. Given the current circumstances, on 27 June 2019 the UNSC "temporarily and exceptionally" extended the mission's drawdown period for four months and will reconsider the situation on 31 October.

NECESSARY ACTION

The newly-established Sovereign Council should fully implement the agreed upon power-sharing agreement and launch credible investigations into the killing of peaceful protesters. During the transitional period, the Sovereign Council should negotiate a comprehensive peace agreement with armed groups in Darfur, Blue Nile and South Kordofan. The Sovereign Council should also sign a Memorandum of Understanding with OHCHR to immediately establish a fully-mandated country office.

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.



1.2 million Central Africans have fled their homes since 2013

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 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 conflict in the Central African Republic (CAR). Despite the peace process, the security situation remains fragile and populations remain at risk. On 21 May members of the 3R (Retour, Réclamation et Réhabilitation) armed group attacked three villages in the Ouham-Pendé region, northwestern CAR, killing at least 42 civilians.

Endemic violence in CAR has been fueled by 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 targeted civilians, humanitarian workers and peacekeepers,

Following the reconfiguration of UNAMID, the UNSC must closely monitor the precarious security situation in Darfur.

The Sovereign Council, with the support of the UNSC and the international community, should actively support efforts to bring ICC indictees to justice, especially former President Bashir and Haroun.

committed sexual and gender-based violence, and perpetrated attacks on 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.

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 – opened its first session on 22 October 2018. The SCC is currently engaged in three ongoing investigations.

An estimated 1.2 million Central Africans – more than a quarter of the population – have fled their homes since 2013. The dangerous operating environment also threatens the provision of life-saving humanitarian aid for an estimated 2.9 million people and has had disastrous consequences for the delivery of health care and education. Nearly two thirds of schools remain closed.

ANALYSIS

Despite a general decrease in violence since February, some non-state armed groups, including some signatories to the peace agreement, continue to attack civilians and peacekeepers, commit sexual violence and engage in illegal "taxation" of humanitarian aid.

In keeping with the terms of the agreement, on 22 March the government announced a new cabinet, assigning multiple government positions to members of various armed groups.

However, the promotion of leaders of armed groups responsible for past atrocity crimes into senior governmental roles potentially undermines the credibility of the justice process.

Governmental control remains extremely limited outside the capital, Bangui, while large swathes of the country are 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.

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 populations in CAR. 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. Following the signing of the peace agreement, the UNSC announced it would establish benchmark criteria for a possible suspension of the 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 to 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 imminent threats to the civilian population, MINUSCA must strengthen its preventive capacity by bolstering local disarmament and reintegration efforts. MINUSCA should also continue to support local community peace and reconciliation committees.

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. Signatories to the peace deal should fully participate in the follow-up mechanisms established under the February agreement.

The UNSC and AU should closely monitor implementation of the peace agreement and impose targeted sanctions on any individuals or groups that breach its key provisions. Criteria for the suspension of the arms embargo must focus on the successful reintegration of former fighters and on halting the illicit trafficking of weapons by armed groups.



At least 106 civilians have been killed
and over 104,000 displaced since 4 April

LIBYA

Civilians in Libya face possible war crimes as a result of ongoing fighting between rival armed groups and competing governmental authorities.

BACKGROUND

On 4 April 2019 Field Marshal Khalifa Haftar ordered his self-proclaimed Libyan National Army (LNA) to launch an offensive against the UN-backed Government of National Accord (GNA) based in Tripoli. According to OCHA, heavy artillery fire in residential areas has blocked emergency services and aid from reaching vulnerable civilians and has prevented people from fleeing to safety. At least 106 civilians have been killed and over 104,000 displaced since 4 April. UNICEF has warned that an estimated 500,000 children in Tripoli are at a "direct risk" as the fighting moves into heavily-populated residential areas.

The current political crisis is a result of the 2011 overthrow of the Libyan government by various rebel forces. Despite the 2015 signing of the Libyan Political Agreement, which led to the creation of the GNA, Haftar and the LNA continue to contest its legitimacy. Various armed militias also continue to commit extrajudicial killings, torture, abductions and have indiscriminately attacked civilian areas. The UN Support Mission in Libya (UNSMIL) and OHCHR have emphasized that such acts constitute potential war crimes.

Armed militias in Libya also facilitate human trafficking and the enslavement of migrants and asylum seekers attempting to cross the Mediterranean Sea to Europe. As of April 2019 the International Organization for Migration estimated that more than 663,000 migrants and asylum seekers were in detention in Libya, where many are subject to a range of abuses, including sexual violence. On 3 July 53 people, including six children, were killed in an LNA airstrike on a detention center for migrants and asylum seekers.

ANALYSIS

Since 2011 various transitional governing bodies have failed to restore peace and stability to the country. While the conflict has been presented as a battle between secular, moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances.

The UN-facilitated peace process faces many obstacles and delays. The most recent LNA offensive on Tripoli resulted in the cancellation of a national conference to determine a timeline for democratic elections.

Armed groups on all sides have violated IHL and IHRL. There is also evidence that competing regional and international powers have provided arms and air support to parties to the conflict, despite a UN-mandated arms embargo.

The GNA needs urgent and sustained international assistance in order to end violations of IHL, establish the rule of law and uphold its responsibility to protect.

INTERNATIONAL RESPONSE

On 26 February 2011 the UNSC passed Resolution 1970, calling upon the former Libyan government to cease attacks on civilians and uphold its responsibility to protect. Resolution 1973 of 17 March 2011 called upon UN member states to take "all necessary measures" to protect civilians and led to an international military intervention. Libyan rebel forces overthrew the government and murdered the former dictator, Muammar al-Qaddafi, in October 2011. Following the end of Libya's 2011 civil war, international engagement to assist in rebuilding government institutions waned.

During June 2011 the ICC issued arrest warrants for Saif al-Islam al-Qaddafi and Abdullah al-Senussi for the alleged commission of crimes against humanity, but a subsequent disagreement over jurisdiction between Libya and the ICC ensued. On 28 July 2015 Libyan courts operated by the transitional government sentenced both men to death, although neither sentence has been carried out. On 15 August 2017 the ICC issued an arrest warrant for Major Mahmoud Mustafa Busayf al-Werfalli of the LNA for alleged war crimes committed during 2016 and 2017.

On 7 June 2018 the UNSC imposed targeted sanctions on six individuals accused of people smuggling in Libya. On 10 June 2019 the UNSC adopted Resolution 2473 renewing the arms embargo against Libya for a year.

NECESSARY ACTION

The UNSC should impose sanctions against all individuals and political forces who actively seek to subvert the peace process, including Haftar and the LNA. All armed groups need to uphold their obligations under IHL and immediately cease military operations conducted in heavily-populated areas. Regional powers need to act in accordance with the arms embargo reaffirmed under UNSC Resolution 2473 of June 2019.

All those responsible for mass atrocities during the 2011 civil war, as well as those responsible for war crimes committed during the current conflict, should be held accountable for their crimes.



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 risk of mass atrocity crimes.

BACKGROUND

Multiple security threats continue to place civilians in Nigeria 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.

Conflict in Nigeria's "Middle Belt," rooted in historical grievances between herders and farming communities, has escalated over the past two years. 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 in Nassarawa and Adamawa states.

Since the beginning of 2019 there has also been an increase in armed banditry in Zamfara and Katsina states despite efforts by the security forces to neutralize such groups since 2016. Between March and June more than 200 civilians were killed by bandits in attacks on villages in Zamfara State.

Despite claims by the government that it had defeated Boko Haram, the armed extremist 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). On 16 June at least 30 people were killed when three suicide bombers attacked a busy market outside Konduga, Borno State. According to OCHA, there are 1.4 million IDPs in Borno State and an additional 400,000 IDPs in Adamawa and Yobe states as a result of insecurity caused by Boko Haram.

ANALYSIS

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

Although the MNJTF has made significant progress, the ongoing threat posed by Boko Haram and ISWA leaves civilians at risk of terrorist attacks and identity-based violence. Nigerian security forces have also been implicated in human rights abuses during operations against Boko Haram, ISWA and other armed groups.

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

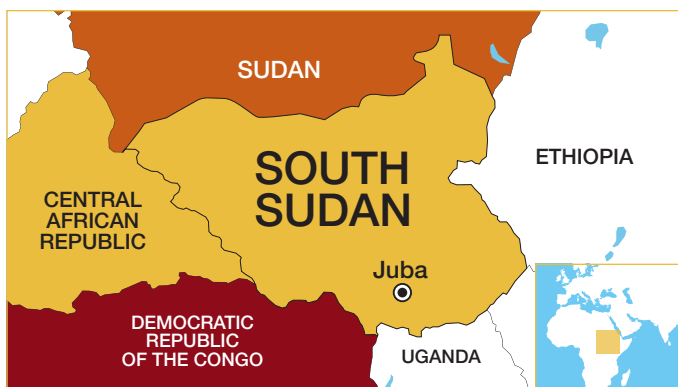
INTERNATIONAL RESPONSE

The regional MNJTF has led efforts to combat Boko Haram since 2015. On 19 August 2018 the UN Secretary-General called for “the international community to increase support to regional efforts in the fight against Boko Haram in the Lake Chad Basin.” During February 2019 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. The government should work with local civil society to ameliorate long-standing grievances between herding and settled communities. Utilizing the Early Warning System of the Economic Community of West African States, the government should increase police and military deployments to vulnerable areas. The government should also implement the “National Policy on Climate Change and Response Strategy” and accelerate 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.



4.1 million people
remain displaced

1,157 cases of conflict-related
sexual violence during 2018

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 Riek Machar – formally ending the civil war that started during December 2013. Although a ceasefire has largely been maintained and armed violence has reduced, clashes between government forces and rebel groups that refused to sign the R-ARCSS, including the National Salvation Front (NAS), continues to pose a threat to civilians.

On 3 July the UN Mission in South Sudan (UNMISS) reported that between September 2018 and April 2019 government forces and armed groups who are not signatories to the R-ARCSS attacked at least 30 villages in Central Equatoria, leading to the unlawful killing of 104 civilians and the abduction of 187 others. Additionally, 99 women and girls were raped or suffered other sexual violence during this period. During May 2019 renewed fighting between the government and the NAS, as well as inter-communal violence, displaced thousands of civilians in Western Bahr el Ghazal, Unity and Jonglei states.

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. Despite the signing of a peace agreement in August 2015, atrocities continued between 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 the UN World Food Programme, 7 million people remain severely food insecure and more than 20,000 people are on the brink of a famine.

ANALYSIS

Political instability and armed conflict have been pervasive in South Sudan for the majority of its 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. The establishment of the TGoNU could enable South Sudan to start addressing long-term social challenges and political divisions, including recurring inter-communal violence.

Despite an August 2015 agreement calling for 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.

Sexual violence has been used as a tactic by all parties to the conflict. 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 combined efforts culminated in the signing of the R-ARCSS.

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 R-ARCSS, violations that may amount to war crimes and crimes against humanity continue. On 30 May the UNSC extended South Sudan’s sanctions regime, including the arms embargo imposed in 2018.

On 21 March 2019 the HRC extended the mandate of the Commission on Human Rights in South Sudan for another year, emphasizing that the government has “the responsibility to protect all of its population in the country from genocide, war crimes, ethnic cleansing and crimes against humanity.”

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 postponement of critical deadlines.

As the army continues to clash with the NAS and other armed groups outside of the peace agreement, it must strictly adhere to IHL and IHRL. 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. All perpetrators of such crimes should be held accountable, regardless of their affiliation or position.



Over 8,300 extrajudicial killings and
12,000 people arbitrarily detained
since 2014

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 government has led to widespread protests. A catastrophic economic crisis has resulted in hyper-inflation, food shortages and the collapse of essential services. The government has routinely responded to mass protests with disproportionate and deadly force as well as the mobilization of auxiliary militias, so-called “colectivos.” During 2018 a panel of independent experts mandated by the Organization of American States (OAS) accused the government of crimes against humanity.

The Venezuelan government has reported that 6,856 people have been killed in "security operations" since January 2018. From 19–21 June the UN High Commissioner for Human Rights undertook her first official visit to Venezuela, raising alarm about an "unusually high" number of suspected extrajudicial killings. The High Commissioner has also reported on the arbitrary detention of government opponents and their family members, often accompanied by allegations of torture, ill-treatment and/or sexual and gender-based violence. Following her visit, the government agreed to the presence of human rights officers mandated to monitor the situation.

Despite an opposition boycott and allegations of electoral fraud, President Maduro was re-elected in May 2018. The start of his second term in January 2019 sparked a diplomatic crisis as the United States and many Latin American and European countries recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President. Amnesty International reported that anti-government protests during January resulted in at least 47 people being killed.

On 30 April Guaidó called for a popular uprising in what he announced would be the "final phase" to remove Maduro from power. Government security forces used tear gas, rubber bullets and live ammunition to disperse protesters. Following the failed uprising, the government accused legislators from the opposition-controlled National Assembly of treason and conspiracy.

While the government of Norway has facilitated mediation between the government and opposition, no progress has been achieved thus far.

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.

Current mediation efforts constitute an important opportunity, but it remains unclear whether the rival parties are willing to work together to resolve the political conflict. Political violence has created an environment which facilitates the commission of serious violations and abuses of human rights, some of which may amount to crimes against humanity.

Although the government has agreed to some humanitarian relief provided by the UN and other neutral actors, access restraints continue. According to OCHA, an estimated 7 million people, 25 percent of the population, are in need of urgent assistance.

The government is failing to uphold its responsibility to protect all Venezuelans regardless of political affiliation.

INTERNATIONAL RESPONSE

Various governments, including the majority of OAS member states, have publicly criticized systematic human rights violations and abuses in Venezuela, and more than 50 governments now recognize Guaidó as interim President.

During November 2017 the EU imposed an arms embargo on Venezuela. The EU has also imposed travel bans and asset freezes on 18 senior government officials. The United States has also 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 the persecution of its political opponents, demobilize auxiliary militias, ensure impartial investigations of all extrajudicial killings, and lift unreasonable restrictions on humanitarian relief. The government should uphold its expressed commitment to grant OHCHR full access to detention centers and release all those who have been arbitrarily detained.

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 mediation process led by Norway should also be supported.

The HRC, during its 42nd session in September, should request OHCHR to enhance its monitoring and reporting on the situation in Venezuela, with a view to ensure accountability for possible crimes against humanity.

R2P MONITOR

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