

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.

Syria {p. 2}
Sudan {p. 4}
DR Congo {p. 6}

Kenya {p. 9}

Burma/Myanmar {p. 11}
South Sudan {p. 12}
Nigeria {p. 13}
Central Africa/LRA {p. 15}

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



SYRIA

Populations in Syria continue to face mass atrocity crimes committed by state security forces and affiliated militias. The increasingly sectarian nature of the civil war puts civilians at even greater risk.

BACKGROUND

After twenty-two months of internal conflict in Syria, civilians remain the primary victims of the violence as government forces continue to fight an armed opposition that is gaining in strength and territory. The UN Human Rights Council (HRC)-mandated Commission of Inquiry (CoI) reported on 20 December that “civilians have borne the brunt of escalating armed confrontations as the front lines between Government forces and the armed opposition have moved deeper into urban areas.”

On 2 January the UN Office of the High Commissioner for Human Rights (OHCHR) released a report detailing 59,648 deaths, with an average of 5,000 people now being killed every month. While the Syrian government continues to target opposition strongholds using helicopters and fighter jets, it is also indiscriminately shelling and bombing residential areas, in some cases with cluster munitions. Allied “shabiha” militias have also previously been deployed to attack communities, committing large-scale massacres in several towns.

Disparate armed opposition groups continue to attack government forces and pro-government militias. In some cases these groups have not only been implicated in kidnappings, torture and extrajudicial killings of security forces, but also in abuses committed against civilian supporters of the government in a conflict that the CoI described on 20 December as becoming “overtly sectarian in nature.” The growing Salafist influence amongst the opposition has also caused friction between rebel groups

competing for influence within the country and for external support.

The CoI has reported that government forces and “shabiha” continue to commit crimes against humanity, war crimes and gross violations of international humanitarian law (IHL) as a matter of state policy. The CoI also reported that armed opposition groups have committed war crimes, albeit on a smaller scale than that of the government and its affiliated forces.

International actors continue to vie for influence in shaping the outcome of the conflict, which UN Secretary-General Ban Ki-moon has described as a “proxy war, with regional and international players arming one side or the other.” Seeking greater legitimacy and external financial support, various members of the Syrian political opposition unified under the new National Coalition for Syrian Revolutionary and Opposition Forces (National Coalition) on 11 November 2012. Several states have formally recognized the National Coalition as the legitimate representative of the Syrian people and are providing it with funding, while Saudi Arabia and Qatar are reportedly providing arms to rebel groups.

In contrast, Russia, Venezuela and Iran have criticized international efforts to undermine President Bashar al-Assad’s government. Russia has supplied Syria with arms, while Venezuela has said it will continue to ship fuel to help circumvent the effects of sanctions. According to the UN, Iran has provided funds and weapons to the government in clear violation of UN Security Council (UNSC) Resolution 1747, banning Iranian arms exports.

Sporadic sectarian fighting in Lebanon has led to its destabilization and aggravated tensions with Syria. On 2 December Lebanese troops clashed with Syrian rebels near the border between the two countries for the first time. Friction between Syria and Turkey continues to escalate, leading to the deployment of NATO surface-to-air missile defense systems near the Turkish border on 4 January.

On 19 December the UN Office for the Coordination of Humanitarian Affairs (OCHA) said the humanitarian crisis in Syria was “dramatically deteriorating.” According to the Office of the High Commissioner for Refugees (UNHCR) the violence has displaced 2.5 million Syrians internally. As of 11 January there were over 612,000 Syrian refugees in neighboring countries, with the number growing by an estimated 3,000 people daily.

During December and January the UN-League of Arab States (Arab League) Joint Special Envoy, Lakhdar Brahimi,

intensified his diplomatic campaign to negotiate a political solution to the conflict, including traveling to Damascus to meet with President Assad. On 6 January Assad dismissed any suggestion of dialogue with the Syrian opposition and made clear his intention to retain power. Brahimi described the speech as “narrow,” “sectarian” and “uncompromising,” saying that Assad should not be part of a future Syrian government. The Syrian government denounced the Special Envoy as “fragrantly biased.”

ANALYSIS

With each side in Syria committed to an outright military victory, the conflict threatens to further destabilize the region and imperil the lives of countless more civilians. As the government’s grip on the country weakens, it appears determined to utilize security forces, “shabiha” and Syria’s dwindling financial resources to retain power at all costs.

The armed opposition, now receiving greater external support, has made significant territorial gains, including in several major cities. Civilians, however, continue to bear the brunt of government reprisals against rebel-held areas. The threat of sustained cross-border conflict with Turkey, destabilization of Lebanon and increasing refugee flows are aggravating regional tensions.

Although the government has experienced a significant number of defections to the Sunni-dominated opposition, Alawites still form the core of the command structure of the regime’s security apparatus and, along with other minorities, have largely remained supportive. As sectarian divisions become more pronounced, violence worsens. The need to ensure the safety and security of minorities remains critical to the resolution of the conflict.

External political influence upon the Syrian government via the UN and regional actors remains weak. Sanctions have had limited success as Syria’s few remaining allies have continued to provide crucial economic insulation. The UNSC, handicapped by the resistance of Russia and China to any coercive measures, remains divided over Syria, emboldening President Assad in his assault on the armed opposition and civilian population.

Despite significant bilateral, regional and multilateral efforts to resolve the crisis, the UNSC stalemate has allowed the situation to deteriorate to the point where few options for a peaceful solution exist. On 2 January UN High Commissioner for Human Rights Navi Pillay said the failure of the UNSC to take action to stop the bloodletting “shames us all.” Special Envoy Brahimi warned of Syria’s potential collapse and an exponential growth in civilian deaths if meaningful negotiations were not immediately initiated. Despite his diplomatic efforts, a political solution to the conflict remains more elusive than ever.

The government of Syria has not only failed to uphold its Responsibility to Protect, it bears primary responsibility for the ongoing commission of war crimes and crimes against humanity.

INTERNATIONAL RESPONSE

Following the outbreak of violence in March 2011, the international community responded by censuring the Syrian government for its widespread violations of human rights. [For responses prior to November 2012, [see GCR2P’s Timeline of International Response to the Situation in Syria.](#)]

The HRC has adopted seven resolutions on Syria. The latest, passed on 28 September, condemned ongoing violence against civilians and called upon the Syrian authorities to meet their Responsibility to Protect.

On 27 November the UN General Assembly (UNGA) adopted a resolution, with 132 votes in favor, noting the commission of crimes against humanity in Syria and condemning the government and its allied forces for widespread human rights abuses, massacres and “the use of heavy weapons, aerial bombardments and force against civilians.” It also condemned abuses by armed opposition groups. In a 30 November briefing to the UNGA, the UN Secretary-General called for greater international efforts to bring an end to the conflict, in particular by the UNSC.

While the UNSC has condemned violence against civilians and previously sent UN observers to Syria, it has been unable to agree upon further action aimed at halting the conflict. During the last week of December Special Envoy Brahimi traveled to Moscow to discuss ways of ending the crisis with Russian Foreign Minister Sergei Lavrov.

On 3 December the UN announced it would withdraw all non-essential staff from Syria, citing the deteriorating security situation.

In the absence of coercive measures mandated by the UNSC, several Western and Arab countries have severed diplomatic relations with the Syrian government and imposed sanctions. More than 80 governments and organizations constituting the “Friends of Syria” formally recognized the new National Coalition as the legitimate representative of the Syrian people during a 12 December meeting.

On 14 January 57 states wrote to the UNSC urging the immediate referral of the Syrian situation to the ICC.

NECESSARY ACTION

The Syrian government and armed opposition groups must adhere to IHL.

The UNSC needs to take immediate steps to halt mass atrocity crimes in Syria. It must impose an arms embargo

and authorize targeted sanctions against those within or associated with the Syrian government who are responsible for mass atrocity crimes. It should also immediately refer the situation to the ICC for investigation and support the work of the Col.

War crimes and crimes against humanity in Syria should be thoroughly investigated and the perpetrators, regardless of their affiliation, brought to justice by the international community. Donor countries should allocate funds for additional UN-sanctioned human rights monitors on the Syrian border in order to collect evidence for prosecutions.

Donor countries should deny funding or support for any armed opposition groups who commit war crimes or target Alawites, Christians, Kurds and other minorities for reprisals. The international community and regional powers should enhance inclusive messaging to these communities and increase efforts to find a political solution to the crisis.

MORE INFORMATION

- » [UNGA Resolution A/C.3/67/L.52](#), 27 November 2012
- » [UN Secretary-General's Statement](#), 18 December 2012
- » [HRC Periodic Update of the Commission of Inquiry](#), 20 December 2012
- » [OHCHR Press Release](#), 2 January 2013
- » [GCR2P Populations at Risk: Syria](#)



SUDAN

Crimes against humanity and war crimes continue to be perpetrated by the Sudanese Armed Forces in the Republic of Sudan states of South Kordofan and Blue Nile.

BACKGROUND

For the past nineteen months in South Kordofan and sixteen months in Blue Nile, the Sudanese Armed Forces (SAF) have conducted a counterinsurgency campaign against the Sudan People's Liberation Movement-North (SPLM-N), a rebel group that fought alongside forces associated with the new government of South Sudan during the civil war. With attention focused on border tensions between Sudan and

South Sudan, the international community has failed to comprehensively address the protracted conflicts in South Kordofan and Blue Nile, where mass atrocity crimes continue to be perpetrated.

Populations in South Kordofan and Blue Nile have endured systematic violence and collective punishment by the SAF and their allied paramilitaries, the Popular Defense Forces (PDF). The SAF has carried out indiscriminate aerial bombardments of populated areas and according to Human Rights Watch has also used cluster munitions. Ground attacks by the SAF and the PDF have resulted in extra-judicial killing, arbitrary arrest, forced displacement and the perpetration of sexual violence against civilians.

The SPLM-N has also perpetrated war crimes, albeit on a smaller scale than that of the government, including the forced recruitment of civilians living in South Sudanese refugee camps. Fighting between the SAF and SPLM-N has led to the displacement of over 695,000 civilians while more than 204,400 people have fled to South Sudan and Ethiopia.

Despite the government of Sudan and the SPLM-N's acceptance of the 9 February UN, Arab League and African Union (AU) "tripartite plan" to permit humanitarian access to SPLM-N controlled areas in the two states, they have failed to agree on the subsequent "action plan" for aid distribution. The government of Sudan has also denied access to independent monitors and the media, limiting verification of the impact of the conflict upon the civilian population.

The SAF has increased the intensity of aerial bombardments on civilian populated areas in rebel-held zones across South Kordofan since early September. The SPLM-N alleges that over 230 bombs were dropped during December alone. The SAF and its allied militias also reportedly used "scorched earth" tactics to raze 13 villages between 17 and 22 November.

On 20 November the SAF launched a 3-day air bombardment campaign, resulting in over 3,000 people displaced inside Northern Bahr el-Ghazal, South Sudan. The government of Sudan claims that it was targeting rebel groups and that the airstrikes were confined to Sudanese territory.

The conflicts in South Kordofan and Blue Nile are inextricably linked to border tensions between Sudan and South Sudan. Sudan alleges that South Sudan supports the SPLM-N and allows it to use its territory to attack Sudan.

On 27 September, under the auspices of the AU High Level Implementation Panel on Sudan (AUHIP), both governments signed cooperation agreements addressing contentious issues, including oil transit fees and the status of citizens in the other's territory. They also agreed to demarcate

their borders and established a safe demilitarized border zone to be jointly monitored with the UN peacekeeping force in Abyei (UNISFA) as part of the Joint Border Verification Monitoring Mechanism (JBVMM).

The presidents of Sudan and South Sudan, alongside AU mediator Thabo Mbeki, held direct talks on 4 January 2013 and agreed to implement the September cooperation agreements. The two parties also agreed upon temporary administrative and security arrangements for Abyei, a disputed area which witnessed significant fighting between the two countries in May 2011.

The security situation in Darfur also continues to deteriorate. The Sudan Liberation Army/Minni Minawi rebel group attacked the city of El Fasher on 18 November while the Sudan Liberation Army/Abdel Wahid rebel group announced it fought with SAF troops in the same region on 23 November. Further clashes between the SAF and armed rebel groups in Jebel Marra started on 24 December and intensified during January.

Violent inter-communal clashes have also been reported between the Beni Hussein and Abbala communities in Jebel Amer, North Darfur. The fighting started on 5 January and according to the UN has resulted in an unknown number of casualties as well as the displacement of thousands of civilians. The UN-AU hybrid peacekeeping mission in Darfur (UNAMID) urgently deployed patrols to the area on 7 January in order to monitor the situation.

ANALYSIS

The situations in South Kordofan and Blue Nile are dire. Increased aerial bombardment of rebel-held areas and renewed military offensives by the SAF and the SPLM-N have heightened the risk to civilians. The government and the SPLM-N continue to seek a military solution to the conflict with neither party willing to enter meaningful negotiations.

The government of Sudan has a history of perpetrating atrocities in Darfur and during its civil war with the south. It has consistently defied external pressure to halt mass atrocity crimes. Similar crimes are currently being committed by the SAF in South Kordofan and Blue Nile, where patterns of violence specifically targeting civilians have been witnessed for more than a year. Attacks in South Kordofan and Blue Nile, particularly indiscriminate bombings, demonstrate the continued failure of the government of Sudan to distinguish between combatants and civilians, actions that are a grave violation of IHL and which may amount to crimes against humanity.

The SPLM-N's presence in South Sudanese refugee camps violates IHL and risks retaliation by the SAF, as was witnessed in attacks on camps during November 2011.

China has major investments in Sudan and can potentially influence the Sudanese government's behavior. The United States maintains a close relationship with the government of South Sudan, which continues to have influence upon the SPLM-N.

Despite the signing of cooperation agreements on 27 September, the failure to resolve outstanding issues from the 2005 Comprehensive Peace Agreement (CPA) enhances the possibility of renewed conflict between Sudan and South Sudan and threatens the long-term security of civilians.

Despite the presence of UNAMID, the security situation in Darfur remains precarious. Recent inter-communal violence and the continuing operations of various armed groups places civilians at ongoing risk of mass atrocity crimes.

Crimes against humanity continue to be committed with impunity in South Kordofan and Blue Nile, demonstrating Sudan's failure to uphold its primary Responsibility to Protect.

INTERNATIONAL RESPONSE

President Omar al-Bashir and the current governor of South Kordofan, Ahmad Haroun, were indicted by the ICC for war crimes and crimes against humanity committed in Darfur. President Bashir was also indicted in 2010 for perpetrating genocide in Darfur. [For responses prior to October 2012, [see GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States.](#)]

Former President of South Africa Thabo Mbeki, acting under the auspices of the AUHIP, has facilitated negotiations on cross-border issues. Mbeki delivered a report on the status of negotiations to the AU Peace and Security Council (PSC) on 24 October. The AU PSC adopted a communiqué on 14 December noting its concern that Sudan and South Sudan have failed to implement the 27 September agreement. The AU PSC requested a final report from the AUHIP on all unresolved issues between the two countries.

UN peacekeeping missions currently exist in Darfur (UNAMID) and in Abyei (UNISFA). UNSC Resolution 2075, passed on 16 November, extended UNISFA's mandate for an additional 6 months.

The UN Secretary-General and the "Sudan Troika," consisting of Norway, the United Kingdom and the United States, released statements welcoming the 4 January presidential meeting and calling upon both parties to determine the final status of Abyei.

On 9 January Aichatou Mindaoudou, the AU-UN Acting Joint Special Representative, condemned recent violence

in Darfur and called upon all sides to adhere to IHL and human rights law.

NECESSARY ACTION

The government of Sudan and the SPLM-N must engage in direct negotiations in order to enable humanitarian aid to be delivered to South Kordofan and Blue Nile. The AU and UNSC must hold both parties accountable for further non-compliance with the provisions of UNSC Resolution 2046 relating to humanitarian access. The UNSC should expand the arms embargo that currently applies to Darfur to also include South Kordofan and Blue Nile.

Crimes against humanity and war crimes perpetrated by all parties in South Kordofan, Blue Nile, Abyei and Darfur should be thoroughly investigated by a credible and independent body authorized by the UN.

Sudan and South Sudan must continue negotiations to resolve outstanding issues from the CPA, especially regarding the status of Abyei. The governments of Sudan and South Sudan must immediately operationalize the JBVM and stop the illicit flow of weapons to rebel groups operating in the other's territory.

The government of South Sudan must uphold its responsibility to ensure the inviolability of refugee camps within its territory and end the recruitment of refugees by the SPLM-N.

Members of the international community with influence over the government of Sudan and the SPLM-N should use their position to push for an end to mass atrocity crimes in South Kordofan and Blue Nile.

The UN should help facilitate a political solution between the government of Sudan and various Sudanese rebel groups operating in South Kordofan, Blue Nile and Darfur.

MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [AU PSC Communiqué PSC/MIN/COMM/1\(CCCXXXIX\)](#), 24 October 2012
- » [UNSC Resolution S/RES/2075](#), 16 November 2012
- » [AU PSC Communiqué PSC/PR/COMM\(CCCXLIX\)](#), 14 December 2012
- » [GCR2P Populations at Risk: Sudan](#)



DEMOCRATIC REPUBLIC OF THE CONGO

Crimes against humanity are being perpetrated by armed groups operating in the eastern Democratic Republic of the Congo.

BACKGROUND

Populations in the Democratic Republic of the Congo (DRC) regions of North Kivu and South Kivu remain at grave risk of mass atrocity crimes. Insecurity caused by fighting between the Congolese military and a group of army defectors has allowed armed groups to carry out attacks upon the civilian population. More than 800,000 civilians have fled their homes since April 2012, contributing to the more than 2.4 million internally displaced persons (IDPs) in the DRC.

During April the defection of hundreds of ex-members of the National Congress for the Defense of the People (CNDP), a group mainly comprised of ethnic Tutsi rebels that had been integrated into the Armed Forces of the DRC (FARDC), resulted in the formation of the March 23 (M23) rebel movement. M23 asserts that the government has failed to fulfill the 23 March 2009 agreement that led to their integration into the military in the eastern DRC. Clashes between M23 and the FARDC occurred intermittently between May and October.

M23 launched a major offensive during November occupying Sake on 17 November and Goma, the regional capital of North Kivu, on 21 November. These attacks resulted in the displacement of more than 140,000 civilians over five days and the retreat of FARDC troops and police from Goma. The UN stabilization mission in the DRC (MONUSCO) aided the FARDC as it attempted to prevent M23 from capturing the city.

The international community responded swiftly to M23's occupation of Goma with the UNSC and the International Conference for the Great Lakes Region (ICGLR) both demanding their immediate withdrawal. On 1 December

M23 withdrew from the city, allowing police and the FARDC to return.

Negotiations between representatives from M23 and the DRC government began in Kampala on 8 December with support from Uganda's government, but both sides failed to reach an agreement. Uganda's Minister of Defense commenced separate consultations with the two parties on 5 January. While M23 initially threatened to pull out of talks if the government failed to sign a ceasefire agreement, the group unilaterally declared its own ceasefire on 9 January and stated it would continue negotiations even if the government refused to make a similar gesture.

The final report of the UN Group of Experts on the DRC, which was released on 15 November, contains evidence that members of the Rwandan government have provided weapons and recruited soldiers for M23 and other armed groups operating in the DRC. The November report provides details regarding support from Uganda as well. The Rwandan and Ugandan governments continue to vehemently deny these allegations.

The UN has reported on human rights violations committed by M23 as well as the FARDC. M23's attacks upon the civilian population have included summary executions, gender-based violence and large scale recruitment and use of child soldiers, actions which may amount to crimes against humanity. On 21 December the OHCHR released a statement condemning atrocities committed by both sides following the occupation of Goma, including more than 126 documented cases of rape committed by the FARDC.

In the security vacuum created by the abandonment of army posts by defectors and the redeployment of FARDC troops to confront M23, armed groups that have been operating within the DRC for more than a decade – namely the Democratic Forces for the Liberation of Rwanda (FDLR), the Lord's Resistance Army (LRA) and Mayi-Mayi militias – have increased their attacks upon civilians in the eastern DRC.

A group called Raia Mutomboki claims to be protecting local populations by attacking FDLR combatants and their families. Witnesses have reported to UN investigators that Raia Mutomboki assaults have taken on an increasingly inter-communal dimension, with Kinyarwanda speakers and ethnic Hutus being at particular risk. These attacks have resulted in a cycle of retaliation by Raia Mutomboki and the FDLR upon populations perceived to be affiliated with the other group.

According to the UN Joint Human Rights Office in DRC (UNJHRO), Raia Mutomboki, the FDLR and other armed groups arbitrarily executed at least 264 civilians, including 84 children, during more than 75 attacks on villages in

North Kivu between April and September. In a 14 November joint press release with UNJHRO, UN High Commissioner for Human Rights Navi Pillay noted that, "the systematic human rights violations committed by these armed groups, including the slaughter of so many children, are the most serious we have seen in recent times in the DRC." MONUSCO also reported an increase in ethnic-based incidents in Masisi between other Hutu and Hunde affiliated Mayi-Mayi groups since September, resulting in more than 40 deaths.

ANALYSIS

The weakness of government structures undermines attempts to prevent atrocities and protect civilians in the DRC. This is particularly evident in the east where the government has lost control of several areas to M23 and has historically been incapable of controlling movement across its borders. Populations in the eastern DRC and neighboring governments also fault the DRC government for its failure to halt FDLR operations over the past decade.

More than ten years of security sector reform (SSR) has been slow to produce results. Mass atrocity crimes committed by ex-CNDP while serving in the FARDC and their recent defections highlight the consequences of an incomplete military integration and reform process. While the FARDC fights M23, it continues to incorporate other local militias in the eastern DRC into its ranks. Without comprehensive SSR, the DRC government risks a recurrence of crimes committed against populations by its own military.

The abandonment of military posts in North Kivu has left nearby populations particularly vulnerable. UNJHRO has noted that "many armed groups have taken advantage of the security vacuum left by the redeployment of army units to expand their own areas of influence, often carrying out violent attacks against civilians and exacerbating inter-ethnic tension, already heightened by the M23."

While members of the international community have condemned the crimes committed by M23, the focus on Rwanda and Uganda's involvement has hindered the development of broader strategies for ending the current violence and preventing future mass atrocity crimes. Resolution of the current political situation may become further complicated by Rwanda's two-year term on the UNSC, which started on 1 January 2013.

The government of the DRC has struggled to uphold its Responsibility to Protect and in some cases has actually been complicit in crimes against humanity and war crimes.

INTERNATIONAL RESPONSE

There has been a UN force in the DRC since 1999. MONUSCO is responsible for more than 19,000 UN personnel operating under a civilian protection mandate. Prior to the recent violence, MONUSCO had facilitated a significant reduction

in membership of various armed groups through its Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) program.

The UNSC issued Press Statements on the crisis in the eastern DRC on 3 May, 15 June, 6 July, 16 July and 2 August. The UNSC also issued a Presidential Statement on 19 October condemning the activity of M23 and other armed groups. The UNSC adopted Resolution 2076 on 20 November demanding the immediate withdrawal of M23 from Goma.

On 28 November the UNSC adopted a resolution extending the sanctions regime until February 2014 and requesting the Secretary-General extend the mandate of the Group of Experts. Currently, the UNSC subjects 9 entities and 31 individuals, including several M23 leaders, to the enforcement of travel bans and asset freezes. On 31 December the sanctions committee added M23 and the FDLR to its targeted sanctions list.

Several major donor countries have withdrawn development aid from Rwanda in response to allegations of their involvement with M23.

During a 15 July Extraordinary Summit ICGLR members signed a declaration directing the organization to work with the AU and UN to establish a "Neutral International Force to eradicate M23, FDLR and all other Negative Forces in Eastern DRC and patrol and secure the Border Zones." The ICGLR held a summit on 24 November and issued a declaration demanding that M23 withdraw from Goma. Under the auspices of the ICGLR, Uganda has been serving as a mediator between M23 and the DRC government.

On 8 December the South Africa Development Community (SADC) authorized the deployment of 4000 troops to help stabilize the situation in the eastern DRC. Tanzania and Zimbabwe have agreed to contribute to the force.

NECESSARY ACTION

The government of the DRC and MONUSCO must ensure that the protection of populations remains a priority as they address the military threat posed by various armed groups operating in the DRC. M23 must cease hostilities against the FARDC in civilian areas, and both parties must adhere to international humanitarian and human rights law.

The UNSC should fulfill the Secretary-General's requests to provide MONUSCO with additional resources to fulfill its protection of civilians mandate, particularly through the deployment of additional helicopters.

The government should immediately train newly integrated groups within the FARDC in the protection of civilians, respect for human rights and IHL. International donors need to coordinate their programs for SSR to ensure that

the government of the DRC implements critical reforms and increases its capacity to protect civilians, particularly in the east.

UNJHRO must continue to investigate groups committing ethnically-motivated crimes and the HRC, UNSC and other key actors should take action in response to their findings. All perpetrators of mass atrocity crimes in the DRC, including members of the FARDC, need to be held accountable.

External actors must cease providing support to armed groups operating in the DRC. The AU, ICGLR and SADC should continue to lead international efforts to halt the operation of armed groups in the eastern DRC and ensure that states in the region work together to devise an achievable peace plan.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Presidential Statement](#), 19 October 2012
- » [UNSC Resolution 2076](#), 20 November 2012
- » [List of Individuals and Entities Subject to the Measures Imposed by Paragraphs 13 and 15 of UNSC Resolution 1596](#)
- » [GCR2P Populations at Risk: DRC](#)

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.



KENYA

Recent clashes raise concerns about a potential recurrence of widespread ethnic violence as Kenya prepares for elections scheduled for March 2013.

BACKGROUND

Throughout 2012 populations in several regions of Kenya experienced a significant increase in inter-communal violence. According to OCHA this violence resulted in the death of at least 400 people and the displacement of over 112,000.

In August and September 2012 over 100 people were killed in a cycle of attacks between the Orma and Pokomo communities in the Tana River delta. The government responded by deploying the Kenya Defense Forces to quell the violence, ordering the establishment of a judicial commission of inquiry to investigate the causes of the attacks and charging the Assistant Livestock Minister, Dhadho Godhana, with inciting inter-communal violence.

Despite these measures and an attempt by security forces to disarm the two communities, on 21 December at least 45 Orma were killed and their homes destroyed in an attack by Pokomo assailants on Kipao village. The government has since arrested 56 suspects and deployed additional police officers to continue disarming communities in the region. Nevertheless, violence continued with at least 18 people, including 5 children, killed in “revenge attacks” between 9 and 10 January.

A number of incidents of inter-communal conflict have also occurred across the Eastern, North Eastern, Rift Valley

and Coast provinces. The Kenya National Commission on Human Rights has accused government security personnel of repeatedly using excessive force against local residents during security operations aimed at pacifying these communities.

Kenya has a history of politicians inciting inter-communal violence for electoral purposes. Violence between ethnic Kikuyu, Luos and Kalenjin following the December 2007 election left 1,133 people dead and over 663,000 people displaced in Kenya. The Kenyan government has since implemented institutional reforms to prevent a repeat of the post-election violence of 2007, including the adoption of a new constitution in 2010.

On 3 December two senior Kenyan politicians who have been indicted by the ICC for their role in the 2007 violence, Uhuru Kenyatta and William Ruto, formed a political alliance for the 2013 presidential election. On 23 December the “Jubilee Alliance” endorsed Kenyatta as its presidential candidate and Ruto as his running-mate.

ANALYSIS

The rise in inter-communal violence can be partly attributed to a long-standing pattern of rivalry between ethnic communities over land and resources that is being exploited by political actors trying to consolidate power ahead of the March 2013 elections. Post-election mediation led to a power-sharing government in 2008, but tensions remain high and politicians continue to use ethnic mobilization as a campaign tool.

While the Kenyan government has implemented reforms intended to improve accountability and transparency, since 2007 the government has struggled to ensure the safety and security of its population. This has contributed to the ominous growth of ethnic-based militias and the proliferation of small arms.

Violence in the Tana River delta and Coast province are indicative of significant underlying ethnic and political conflicts. In particular, the violence in the Tana River delta appears to be linked to competition over grazing rights, farm land and water access as well as the redrawing of electoral boundaries in advance of the March elections.

The security forces have been slow to respond to early warning of imminent attacks in the Tana River delta and in

remote parts of the country. Resource shortages raise further concerns regarding the ability of the government to respond to potential security threats in the period surrounding the upcoming elections.

The Kenyan government has expressed its commitment to upholding its Responsibility to Protect, but recent violence has highlighted gaps in its capacity to protect civilians.

INTERNATIONAL RESPONSE

In 2007 the international community, led by the AU and former UN Secretary-General Kofi Annan, responded quickly and in keeping with the Responsibility to Protect. After the conclusion of a successful mediation, international engagement with Kenya waned.

On 23 January 2012 the ICC confirmed charges against four suspects, including Kenyatta and Ruto, who allegedly bore the greatest responsibility for inciting the violence in 2007. Following the ruling the ICC Prosecutor called upon the Kenyan government to avoid any action that may precipitate a return to violence in the lead up to the 2013 elections. On 22 October the ICC Prosecutor visited Kenya to meet victims of the 2007 violence. Trials are set to commence in April 2013.

In early December Annan, in his capacity as a member of the AU Panel of Eminent African Personalities, visited Kenya to encourage nationwide voter registration and deter further ethnic violence as the election approaches.

On 10 January the UN Resident Coordinator in Kenya expressed his concern over increased violence in advance of the elections.

NECESSARY ACTION

The Kenyan government must put in place further measures to prevent the recurrence of widespread inter-communal violence during the 2013 elections. The government must urge candidates to engage in responsible campaigning and stress that anyone that incites or perpetrates violence will be held accountable. The government must also urgently address protection and intelligence gaps, including through adequately resourcing the security forces in regions at particular risk of inter-communal violence.

The government must complete an investigation into the attacks in the Tana River delta and hold perpetrators accountable.

The AU and UN should assist the Kenyan government in efforts aimed at strengthening the rule of law, demobilizing militias and building inter-communal dialogue, particularly by involving local civil society actors and supporting early warning mechanisms.

MORE INFORMATION

- » [“Kenya: Investigate All Politicians in Tana River Violence,”](#) Human Rights Watch, 13 September 2012
- » [East Africa Humanitarian Bulletin](#), United Nations Office for the Coordination of Humanitarian Affairs, November 2012
- » [GCR2P Populations at Risk: Kenya](#)

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.

**BURMA/MYANMAR**

Despite ongoing reforms implemented by the government, ethnic minorities in Burma/Myanmar face a risk of further mass atrocity crimes.

BACKGROUND

During June 2012 longstanding tensions between Rakhine Buddhists and stateless Rohingya Muslims in Arakan/Rakhine state erupted into inter-communal violence. The violence displaced 80,000 people and according to the government killed 78. However, many claim that the number is higher. The violence was followed by what UN High Commissioner for Human Rights Navi Pillay described as “a crackdown targeting Muslims, in particular members of the Rohingya community.” Security forces tasked with restoring order are accused of committing human rights violations themselves.

Sectarian violence reignited on 21 October leaving 89 people dead and an additional 32,321 displaced, while thousands of homes were razed. Most of the victims were Rohingya. In Sittwe, the capital of Rakhine state, violence effectively segregated the Buddhist and Muslim populations, as many Rohingya fled to displacement camps. President Thein Sein told the UNHCR during July that these camps were the “only solution” and asserted that Burma/Myanmar will not take responsibility for Rohingya because they are “not our ethnicity.”

Anti-Rohingya sentiment has since risen across the country. Buddhist monk organizations have demonstrated in support of the deportation of Rohingya and have attempted to block the delivery of humanitarian assistance to displacement camps. The approximately 800,000 Rohingya also continue

to face discriminatory state policies. On 1 November Burma/Myanmar’s Information Minister acknowledged that “Rohingyas are denied citizenship by Myanmar and as a consequence the rights that go with it.”

Elsewhere in the country conditions for other ethnic minorities remain grave. After sixty years of civil war between the former military government and a number of Burma/Myanmar’s ethnic minorities, the government has reached ceasefire agreements with 10 ethnic armed groups. Despite this, fighting continues in Kachin, Karenni/Kayah, Karen/Kayin, Chin and Shan states. The UN has recorded violations committed by the government’s armed forces (Tatmadaw) including extrajudicial killing, sexual violence, arbitrary arrest and detention, internal displacement, recruitment of child soldiers, forced labor and use of landmines, possibly amounting to war crimes and crimes against humanity. OCHA has said the government continues to block parts of Kachin and Shan states from access to humanitarian relief for those affected by fighting.

During December and January the Tatmadaw launched airstrikes against Kachin rebel positions, demonstrating that President Thein Sein’s calls for the military to cease offensive operations in Kachin state have gone unheeded. However, the country’s constitution exempts the Tatmadaw from prosecution for any act carried out “in the execution of their respective duties” and grants it autonomy to manage its own affairs.

ANALYSIS

While President Thein Sein’s government is committed to political reform, widespread abuses against many of Burma/Myanmar’s minorities demonstrate that the government has made minimal progress towards ending ethnic conflicts.

The government’s failure to condemn incitement against Rohingya has been perceived as tacit endorsement of their persecution. The government’s refusal to grant Rohingya citizenship enables ongoing violations of their human rights.

In Kachin state attacks by the Tatmadaw pose a grave threat to already vulnerable civilians and demonstrate that the military’s commitment to reform remains questionable. With a pervasive culture of impunity, the military has not been held accountable for previous mass atrocity crimes.

The government of Burma/Myanmar is struggling to uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

Following decades of political isolation, recent reforms have contributed to rapprochement between Burma/Myanmar and the international community, including the lifting of sanctions by a number of countries.

The UNGA adopted a 26 November resolution on the human rights situation in Burma/Myanmar, expressing concern about ongoing violations and calling upon the government “to address the continuing armed conflict in Kachin State and the outbreak of deadly violence in Rakhine State, and the discrimination and human rights violations affecting ethnic minorities, especially the Rohingya.”

On 28 November the Association of Southeast Asian Nations Inter-Parliamentary Caucus released a statement welcoming the UNGA resolution and warning that the government’s refusal to recognize the Rohingya could exacerbate inter-communal tensions and the spread of violence.

On 2 January the UN Secretary-General called upon the Burma/Myanmar government to desist from any action that could endanger the lives of civilians living in Kachin State or further intensify the conflict in the region.

NECESSARY ACTION

The government of Burma/Myanmar must uphold its Responsibility to Protect all populations, regardless of ethnicity. The Tatmadaw must immediately cease attacks on civilians.

The government must address the endemic discrimination against Rohingya, including the denial of citizenship. It must hold accountable all those who incite ethnic and religious hatred. In Rakhine state, the government should not allow the permanent segregation of Rohingya and must facilitate the safe return of all displaced persons to their communities. Neighboring countries should also offer protection to Rohingya asylum seekers.

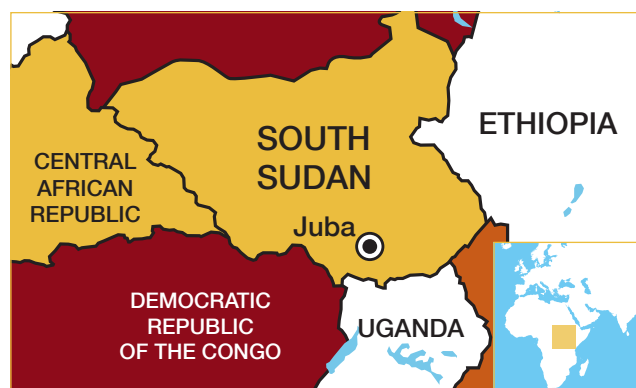
The international community must press the government of Burma/Myanmar to prioritize the development of a comprehensive plan to engage ethnic minorities in an inclusive reconciliation process. Remaining sanctions should only be lifted following demonstrable and sustainable change, including the cessation of armed violence.

A central component of the government’s reform process must include developing an independent judiciary as a means of safeguarding human rights and tackling the culture of impunity regarding previous mass atrocity crimes.

MORE INFORMATION

- » [Report of the Special Rapporteur on the situation of human rights in Myanmar](#), 25 September 2012

- » [UNGA Resolution A/C.3/67/L.49/Rev.1](#), 26 November
- » [Statement by the UN Secretary-General on Air Strikes in Myanmar](#), 2 January 2013
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



SOUTH SUDAN

The threat of inter-communal violence in the Republic of South Sudan leaves populations, particularly those in Jonglei state, at serious risk of mass atrocity crimes.

BACKGROUND

Populations in Jonglei state face a heightened risk of mass atrocity crimes following the start of the dry season in late November. Inter-communal violence in the state follows a cyclical pattern with increases in cattle raids and competition for natural resources during the seasonal migration of populations. In recent decades this violence has intensified in scale and scope due in part to the proliferation of arms. Increasingly, women and children are being targeted for abduction and sexual violence. A large-scale attack by armed Lou Nuer youth on Murle communities during December 2011 and retaliatory attacks that continued until March 2012 resulted in at least 888 civilian deaths.

According to the UN, a cattle raid in Jonglei state on 29 November 2012 left 7 people dead and over 2,600 displaced. Violent inter-communal clashes have also been reported outside of Jonglei state. Armed youth from the Dgok Dinka community clashed with cattle herders of the Dinka Rek on 5 December in Lakes state, resulting in over 30 fatalities. Additional inter-communal cattle raids occurred during late December and early January.

The risk to civilians is further exacerbated by forces loyal to rebel leader David Yau Yau. Clashes between Yau Yau’s militias and the Sudan People’s Liberation Army (SPLA) have been reported since late August, resulting in over 100 SPLA deaths. Yau Yau continues to recruit youth from his own community, the Murle, to fight and is also allegedly

arming Lou Nuer youth to attack the SPLA. Civilians are often caught in the cross-fire of resulting clashes and over 5,500 people have been displaced by the recent violence.

Since last year's dry season the government of South Sudan has taken several measures to prevent renewed inter-communal violence. These include launching a disarmament campaign in Jonglei state and facilitating a peace accord between traditional Lou Nuer and Murle leaders. The accord made a number of recommendations, including the establishment of protective buffer zones between ethnic communities.

These initiatives, however, have failed to eliminate the risk to populations in Jonglei state. The UN peacekeeping mission in South Sudan (UNMISS) has also reported serious human rights violations perpetrated by the SPLA - largely against the Murle - during the disarmament campaign, including extrajudicial executions, torture and rape.

On 9 December the SPLA killed 10 civilian protestors in Wau, Western Bahr el Ghazal. Ensuing ethnic violence between the victims' families and pro-government groups resulted in 5,000 civilians seeking refuge in an UNMISS compound. The SPLA also accidentally shot down an UNMISS helicopter in Jonglei state on 21 December, killing four UN personnel.

ANALYSIS

The situation in Jonglei state and ongoing cattle raids leave civilians at heightened risk of a recurrence of large scale inter-communal violence. The conflict's root causes have not been fully addressed. Yau Yau's distribution of arms is undermining the government's disarmament efforts.

The SPLA's increased deployment throughout Jonglei state and UNMISS' presence has helped to improve security by deterring the large scale mobilization of armed youth. However, the SPLA's recent focus on the threat posed by Yau Yau has diminished its capacity to effectively prevent outbreaks of inter-communal violence. Moreover, the SPLA's own human rights violations undermine its credibility and exacerbate ethnic tensions.

According to UNMISS, the government of South Sudan was slow to respond to early warnings of widespread ethnic violence in Jonglei state during December 2011 and January 2012 due to capacity and logistical issues. The inadequate response and human rights violations by the SPLA demonstrate the need for urgent SSR.

The government of South Sudan requires ongoing international assistance to ensure security throughout the country and uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

The UNSC established UNMISS on 9 July 2011 through Resolution 1996. On 5 July 2012 the UNSC adopted

Resolution 2057, extending the mandate of UNMISS through 15 July 2013.

NECESSARY ACTION

If widespread inter-communal violence recurs, the SPLA and UNMISS should prioritize the protection of civilians by rapidly deploying troops to halt attacks. The government must hold all perpetrators of inter-communal violence accountable.

The government of South Sudan, with UNMISS' assistance, should enhance reconciliation initiatives by implementing all provisions of the peace accord to ensure the root causes of inter-communal violence are addressed.

UNMISS must be adequately resourced with the appropriate air and riverine assets to reach civilians at risk. In addition, UNMISS must be equipped with the requisite civilian capacities to complement the military and police components of the mission.

MORE INFORMATION

- » [UNMISS Website](#)
- » [UN Secretary-General's Report S/20120/820](#), 8 November 2012
- » [GCR2P Populations at Risk: South Sudan](#)



NIGERIA

Attacks by Boko Haram and inter-communal violence are creating a deadly dynamic that puts populations at heightened risk of crimes against humanity in northern Nigeria.

BACKGROUND

Since 2009 an estimated 2,800 people have been killed in attacks by Boko Haram, an extremist Islamist group committed to overthrowing Nigeria's secular government, or in clashes between Boko Haram and government security forces. In the first 9 months of 2012 over 815 Nigerians were killed in 275 bombings and gun attacks carried out by Boko Haram. These attacks exacerbate existing inter-

communal and religious tensions, increasing the risk of widespread violence.

According to the OHCHR, between 1999 and 2010 more than 13,500 Nigerians were killed in inter-communal violence, primarily in the north and in the “middle-belt” region that straddles the predominantly Muslim north and Christian south. On 26 November the ICC Prosecutor released a report stating that there was a “reasonable basis” to believe that since July 2009 Boko Haram has committed acts constituting crimes against humanity.

As part of Boko Haram’s expanded terrorist campaign, Christians have increasingly been singled out for attack and church bombings have become a regular occurrence. Despite the government deploying additional security forces in advance of the Christmas holiday, on 24 December twelve people were killed in attacks on two churches in Yobe and Borno states. At least 60 more people were reportedly killed in various Boko Haram attacks between 25 December and 1 January. This follows similar attacks in November and October that triggered violent reprisals against Muslims, causing several deaths.

ANALYSIS

While Boko Haram uses terrorism and incites inter-communal violence as a tactic to destabilize the Nigerian state, their threat must be understood through the lens of the Responsibility to Protect. The violence stems from a number of sources, including poverty, discriminatory policies towards Nigerians regarded as “settlers” and the manipulation of religious and ethnic identities to serve political and economic interests. Boko Haram has successfully exploited these tensions and facilitated the spread of inter-communal violence beyond the north and middle-belt to central and southern Nigeria.

In recent months Boko Haram has increased the frequency of its attacks and broadened the range of states in which it operates. The government continues to lack the material resources necessary to protect populations from the scale of the combined threat posed by terrorist attacks and inter-communal violence. Furthermore, the security forces’ acts of arbitrary detention and extra-judicial killing of suspected Boko Haram members are reportedly being used by the group to secure recruits. As fighting escalates between the security forces and Boko Haram, the indiscriminate use of force is contributing to a rising number of civilian deaths.

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

INTERNATIONAL RESPONSE

The threat posed by Boko Haram has been viewed internationally as part of the “war on terror” and has

elicited a stronger response than the persistent inter-communal violence. The UNSC issued statements on 27 December 2011 and 25 January 2012 reaffirming the “need to combat by all means ... threats to international peace and security caused by terrorist attacks” in Nigeria.

On 22 June the OHCHR warned that Boko Haram and other groups could be held responsible for crimes against humanity if they are “judged to have committed widespread or systematic attacks against a civilian population,” or “deliberate acts leading to population ‘cleansing’ on grounds of religion or ethnicity.” The ICC is currently assessing whether Nigerian authorities are “conducting genuine proceedings in relation to those who appear to bear the greatest responsibility for such crimes, and the gravity of such crimes.”

NECESSARY ACTION

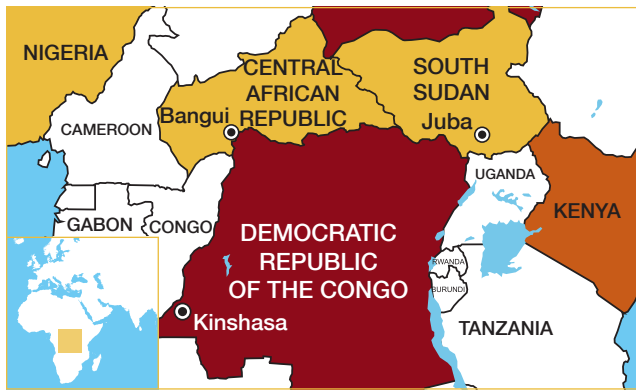
The Nigerian government must continue to deploy security forces to protect vulnerable communities in the middle-belt and north. Those who incite or perpetrate mass atrocity crimes must be held accountable.

With international assistance, the government should advance SSR to ensure that the security forces, in particular the police, are trained to prevent atrocities while respecting human rights.

The Economic Community of West African States, the AU, the UN and states with significant ties to Nigeria, including the United Kingdom, should assist the government in addressing the underlying causes of inter-communal violence and strengthening the rule of law.

MORE INFORMATION

- » [UNSC Press Statement SC/10507](#), 27 December 2011
- » [UNSC Press Statement SC/10530](#), 25 January 2012
- » [GCR2P Populations at Risk: Nigeria](#)



CENTRAL AFRICA

The Lord's Resistance Army

Populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan remain at risk of attack by the Lord's Resistance Army, which has perpetrated crimes against humanity for more than twenty years.

BACKGROUND

Started by Joseph Kony in northern Uganda during 1987 as a religiously-inspired militia group, the LRA has perpetrated crimes against humanity across central Africa, including in the Central African Republic (CAR), the DRC and South Sudan. No attacks have been reported in Uganda since 2006 and there were no reported attacks within South Sudan during 2012, but the group remains an active threat to civilians in the DRC and CAR.

Though its numbers are estimated at fewer than 300 combatants, the LRA still poses a formidable threat while operating across remote regions that lack a significant presence of security personnel. More than 5,500 people fled LRA attacks in 2012, adding to the more than 445,000 people who have been displaced since 2008. The LRA has shown a trend over the past year of looting remote villages and committing short-term abductions of civilians to help transport goods.

According to the LRA Crisis Tracker, during 2012 the LRA conducted more than 230 attacks in the north-eastern DRC and CAR, which resulted in at least 50 civilian fatalities and 430 abductions. The majority of these attacks occurred within the DRC. While the first half of the year saw an increase in LRA activity compared to 2011, there were fewer than 45 LRA attacks between July and September.

ANALYSIS

While the LRA committed fewer mass atrocities in 2012 than in the past, the group remains a serious concern for populations in LRA-affected countries. The lack of early warning capabilities undermines attempts to protect civilians in such a vast region since the LRA can attack and flee before local authorities respond.

The DRC government has redeployed FARDC troops from LRA-affected areas to address the M23 conflict, leaving populations there especially vulnerable to attacks. The large number of refugees fleeing to South Sudan also has a destabilizing effect upon an already fragile country.

The recent conflict between rebel groups and the government of the CAR also puts populations in LRA-affected areas of that country at heightened risk. Increasing levels of displacement resulting from the rebels' advance and the recruitment of child soldiers by both sides has resulted in further instability and diminished the CAR government's support for protection efforts in LRA-areas.

The cross-border movement of the LRA has hampered operations to halt its activity. The governments of Uganda and the DRC have failed to form agreements for the movement of troops across borders in pursuit of the LRA, allowing combatants to maintain safe havens within the DRC. Allegations that Uganda may be providing support to M23 rebels in the DRC will further reduce the DRC government's willingness to permit entry to Ugandan forces.

The governments of LRA-affected countries are struggling to uphold their Responsibility to Protect and need further international assistance.

INTERNATIONAL RESPONSE

The UN has a limited number of peacekeepers from MONUSCO and UNMISS stationed in LRA-affected areas. MONUSCO has enticed some LRA fighters to leave the group through its DDRRR program. Uganda's Amnesty Commission had reintegrated more than 12,000 former fighters and abductees under the Amnesty Act prior to the government allowing the Declaration of Amnesty portion of the law to lapse in May 2012.

There has been an unprecedented level of UNSC engagement regarding the LRA since 2011. Following briefings from the Special Envoys for the AU and the UN Regional Office for Central Africa on the UN Regional Strategy for the LRA, the UNSC issued Presidential Statements on 29 June and 19 December supporting the initiative and emphasizing the "primary responsibility of States in LRA-affected regions to protect civilians."

As part of the implementation of the AU-led Regional Cooperation Initiative for the Elimination of the LRA (RCI-LRA), on 18 September the governments of Uganda, the CAR and South Sudan deployed more than 2,500 troops to serve in the Regional Task Force (RTF).

NECESSARY ACTION

The government of the DRC needs to coordinate with other LRA-affected countries to agree upon cross-border operations to eliminate LRA safe havens. The AU needs to

ensure that the RTF troops receive adequate training in mass atrocity prevention and respect for IHL.

The UN and AU need to ensure that the UN Regional Strategy is implemented and heed the recommendations in the joint civil society report "Getting Back on Track: Implementing the UN Regional Strategy on the Lord's Resistance Army." This is of particular importance with regard to the protection of civilians, the expansion of DDRRR efforts and the development of stronger institutions for the rule of law and human rights in LRA-affected countries.

Donors should help the LRA-affected states build capacity for local early-warning mechanisms, such as providing

villages with high frequency radio and mobile phone capabilities. The UN, AU and donors should ensure that all elements of the RCI-LRA are adequately resourced to fulfill their mandate.

MORE INFORMATION

- » [ICC Situation Page: LRA](#)
- » [LRA Crisis Tracker](#)
- » ["Getting Back on Track: Implementing the UN Regional Strategy on the Lord's Resistance Army,"](#) 5 December 2012
- » [UNSC President Statement S/PRST/2012/28](#), 19 December 2012
- » [GCR2P Populations at Risk: Central Africa \(LRA\)](#)

ACCOUNTABILITY WATCH

Bosnia and Herzegovina:

On 4 December the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia (ICTY) affirmed the life sentence of Serbian paramilitary leader Milan Lukić, for committing crimes against humanity. On 12 December the ICTY sentenced Zdravko Tolimir, former Chief for Intelligence and Security of the Bosnian Serb Army, to life imprisonment for genocide, crimes against humanity and war crimes. In the 19 years since its inception the court has indicted 161 people and concluded proceedings against 130 of them.

Libya:

The ICC and the government of Libya continue to discuss the proper venue for the trials of Abdullah al-Senussi and Saif al-Islam Gaddafi, indicted for crimes against humanity. The ICC has requested that Libya provide evidence by 23 January demonstrating that "proper and concrete" preparations for a domestic trial are ongoing. More than 7,000 detainees from the 2011 conflict remain imprisoned awaiting screening in Libya.

Democratic Republic of the Congo:

The ICC issued its second verdict on 18 December acquitting Mathieu Ngudjolo Chui on charges of war crimes and crimes against humanity committed in Ituri, DRC during 2002-2003. On 19 December the Office of the Prosecutor appealed the decision.

Rwanda:

The International Criminal Tribunal for Rwanda (ICTR) issued its final judgment, excluding appeals, on 20 December. The ICTR found Augustin Ntirabatware, a former Planning Minister, guilty of "genocide, direct and public incitement to commit genocide and rape as a crime against humanity" and sentenced him to 35 years imprisonment.

Timor-Leste:

On 11 December the Dili District Court sentenced three members of the "Besi Merah Putih" militia for crimes against humanity committed during 1999. One of the men, Faustino Filipe de Carvalho, was found guilty of forcefully displacing the civilian population from Ulmera.



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