

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}

Libya {p. 8}
Nigeria {p. 9}
Côte d'Ivoire {p. 10}
Burma/Myanmar {p. 11}
South Sudan {p. 12}
Somalia {p. 13}
Central Africa/LRA {p. 15}

See GCR2P [Populations at Risk](#) webpage for updates.

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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. Growing internal armed conflict puts civilians at even greater risk.

BACKGROUND

June was the deadliest month so far in the Syrian conflict with an estimated 1,771 civilian deaths. Despite government claims to be implementing reforms, security forces and allied “shabiha” militias have been intensifying their attacks, reflected in the 6 June massacre of at least 78 people in the village of Mazraat al-Qubeir and the 25 May massacre of 108 people in Houla, 49 of whom were children under the age of 10. Up to 200 people were killed in Tremseh on 12 July after government forces attacked the village with helicopter gunships and tanks.

These killings are part of a pattern of coordinated attacks throughout the country that have claimed an estimated 15,000 lives over the last sixteen months. Security forces continue to use tanks, combat helicopters, artillery and other heavy weapons against centers of anti-government protest.

The conflict has become increasingly militarized as internal armed opposition groups have responded to ongoing state and “shabiha” violence by increasing their attacks on pro-government forces.

The UN Human Rights Council (HRC)-mandated independent Commission of Inquiry (CoI) on Syria has detailed a “widespread and systematic pattern of gross violations committed by State forces” constituting crimes against humanity, including the unlawful killing, arbitrary arrest and torture of adults and children. Human Rights Watch also reported on a pattern of torture in detention centers run by Syrian intelligence agencies that indicates a “state policy

of torture and ill-treatment.” According to the Office of the UN High Commissioner for Refugees (UNHCR), as of 21 June 86,293 Syrian refugees have registered in neighboring countries, while 500,000 Syrians remain internally displaced.

Security forces temporarily observed a 12 April ceasefire as part of the six-point peace plan proposed by the Joint UN-League of Arab States (Arab League) Special Envoy, Kofi Annan. The plan also required the withdrawal of troops and tanks from cities, the provision of humanitarian assistance to besieged civilians and the initiation of a political negotiation process led by Syrians. On 21 April the UN Security Council (UNSC) established a 90-day, 300-person UN supervision mission (UNSMIS) to monitor the ceasefire and implementation of the six-point plan.

UNSMIS suspended its activities on 16 June due to the intensification of armed violence. General Robert Mood, head of the mission, described the “push towards advancing military positions” as causing increasing civilian casualties and posing a significant threat to UNSMIS observers. General Mood reported that as the suffering of Syrian civilians worsens, the resumption of UNSMIS activities would require a significant change in the situation.

Sectarian violence is also increasing with some armed opposition groups committing human rights abuses against Alawite communities due to their perceived support for the government. Heightened inter-communal tensions have also triggered several deadly Sunni-Shia clashes in neighboring Lebanon since mid-May. Cross-border incidents also continue, including artillery fire directed across the Lebanese border by Syrian security forces on 7 July.

Regional strains were also exacerbated on 22 June when Syrian military forces shot down a Turkish military plane that briefly entered Syrian airspace. In response Turkey requested a NATO meeting on 26 June and deployed extra armored units to the Turkish-Syrian border.

Opposition groups, which are comprised primarily of those from the Sunni majority, have been unable to politically coalesce. The Syrian National Council, based in Turkey, has become the main political interlocutor with the international community despite rivalries among its members and an inability to build substantial support within Syria.

Faced with unrelenting government assaults, on 4 June the Free Syrian Army declared that it would no longer adhere to a ceasefire. Despite the growing sophistication of their armed campaigns, civilians and military defectors who have formed multiple armed groups have not yet demonstrated an ability to work under unified leadership.

The UNSC has condemned the violence against civilians, but has been unable to agree on appropriate action. Several Western and Arab countries have severed diplomatic ties with the Syrian government, and many of them have also imposed oil embargoes and asset freezes. In contrast, Russia, China, Venezuela and Iran have maintained relations with Syria's government and have criticized international efforts to undermine President Bashar al-Assad. Russia has continued to supply Syria with arms, while Venezuela has shipped fuel to help circumvent the effects of sanctions.

During a 30 June meeting of the "Action Group" for Syria, which includes the permanent members of the UNSC, members agreed that the "unacceptable nature and magnitude of the crisis demands a common position and joint international action" to secure a cessation of violence.

ANALYSIS

President Assad continues to utilize the security forces and Syria's dwindling financial resources to retain power at all costs. The degree to which the government directs the "shabiha" militias remains unclear, but the intensification of their attacks poses a grave threat to all civilians.

Special Envoy Annan's six-point plan still represents the best opportunity to broker a peaceful solution to the crisis. The ability of UNSMIS to fulfill its mandate hinged upon a sustained ceasefire and unfettered access to all areas of Syria, which government obstruction and increasingly violent conditions have prevented. Syria failed to fully abide by any of the plan's terms.

Divisions within the UNSC regarding Syria have emboldened President Assad in his assault on the civilian population. As a result, the violence has escalated, deepening the sectarian divide and accelerating the drift towards civil war. Regional tensions are being exacerbated by increasing refugee flows and the threat of intensified cross-border conflict in both Lebanon and Turkey.

Mounting sectarian divisions are also complicating the prospects for uniting disparate opposition groups. The safety and security of Alawites, Kurds, Christians and other Syrian minorities is critical to the resolution of the conflict.

External political influence upon the Syrian government via the UN and regional actors remains weak. The UNSC has been handicapped by the resistance of Russia and China to any coercive measures. Unilateral and regional sanctions have had limited success as Syria's few remaining allies have continued to provide crucial economic insulation. A growing number of high-level defections may indicate that the internal cohesiveness of the regime is weakening.

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

INTERNATIONAL RESPONSE

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

Following two successive vetoes by Russia and China (4 October 2011 and 4 February 2012), the UNSC passed Resolution 2042 on 14 April supporting Special Envoy Annan's six-point plan and establishing a preliminary team of ceasefire monitors. On 21 April the UNSC passed Resolution 2043 establishing UNSMIS. The mission's activities were suspended on 16 June and the mandate expires on 20 July.

Following Russia and China's second UNSC resolution veto, a group of more than 80 states and regional organizations formed the "Friends of Syria" to seek an alternate solution to the crisis. The "Friends of Syria" have met four times to consider options for collective international action and are now assisting the opposition with political, financial and material support. Their most recent meeting occurred on 6 July in Paris.

On 27 May the UNSC released a Press Statement in response to the massacre in Houla, condemning the "outrageous use of force" against civilians. The statement demanded that the Syrian government immediately cease the use of troops and heavy weapons against population centers. At the same time, thirteen states expelled senior Syrian diplomats from their capitals.

The UN HRC has adopted six resolutions, including one mandating the independent Col to investigate reports of human rights abuses. The most recent resolution was passed on 6 July. On 1 June the UN HRC condemned the government's use of force against civilians in Houla, urged Syria to uphold its Responsibility to Protect and called for the Col to conduct a comprehensive investigation into the killings.

The UN Special Advisers to the Secretary-General on the Prevention of Genocide and the Responsibility to Protect issued a statement on 14 June underscoring the Syrian government's manifest failure to protect its population. The Special Advisers urged the UNSC to consider the request of the UN High Commissioner on Human Rights to refer the situation to the ICC.

On 30 June Special Envoy Annan's Action Group for Syria met in Geneva and identified steps that all parties to the conflict must take to secure full implementation of the six-point plan. The group included the permanent members of the UNSC in addition to Iraq, Kuwait, Qatar and Turkey, as well as representatives of the UN, the European Union (EU) and the Arab League.

NECESSARY ACTION

The Syrian government must immediately cease attacks on civilians and adhere to the six-point plan.

Russia and China should end their opposition to attempts to hold accountable those responsible for crimes against humanity in Syria.

The UNSC 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. The UNSC should authorize the addition of human rights monitors to UNSMIS if it resumes its activities.

The UNGA should consider further diplomatic action highlighting ongoing mass atrocity crimes in Syria.

The international community and all members of the opposition must ensure the safety of Syrian minorities, and should enhance inclusive messaging to those communities.

MORE INFORMATION:

- » [UNSC Resolution S/RES/2043](#), 21 April 2012
- » [UNSC Press Statement SC/10658](#), 27 May 2012
- » [HRC Resolution A/HRC/RES/S-191](#), 1 June 2012
- » [HRC Oral Update of the Commission of Inquiry A/HRC/20/CRP.1](#), 26 June 2012
- » [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

Populations in Sudan continue to suffer from mass atrocity crimes perpetrated by the Sudanese Armed Forces (SAF), including regular aerial bombardments of civilian areas. Recent efforts by the African Union (AU) and the UNSC have focused primarily on preventing inter-state violence between Sudan and the Republic of South Sudan, but less

attention has been afforded to the ongoing commission of mass atrocity crimes in South Kordofan and Blue Nile.

For the past thirteen months in South Kordofan and ten months in Blue Nile, the SAF has employed systematic violence and collective punishment against civilians as a strategy to weaken support for the Sudan People's Liberation Movement-North (SPLM-N), a rebel group traditionally aligned with the south. The conflict started in South Kordofan over disputed security arrangements outlined in the 2005 Comprehensive Peace Agreement (CPA) before spilling into neighboring Blue Nile.

Since that time the SAF has conducted armed raids and aerial bombardments, committed extra-judicial killings, looted and arbitrarily arrested individuals. The UN Secretary-General's Report on Children and Armed Conflict noted that during 2011 the SAF and the SPLM-N both recruited children in South Kordofan and Blue Nile.

Indiscriminate airstrikes by SAF bombers have resulted in an estimated 300,000 civilians seeking refuge in the Nuba Mountains while more than 211,700 people have fled into neighboring South Sudan and Ethiopia. While agreeing in principle to a 9 February 2012 "Tripartite proposal" by the UN, Arab League and AU to permit humanitarian access to rebel-held areas in the two states, Sudan has made the delivery of vital aid to civilians conditional upon a ceasefire by the SPLM-N. The rebel group has accepted the terms of the Tripartite proposal, but the government of Sudan continues to prevent the UN from delivering crucial humanitarian assistance to SPLM-N controlled areas.

The Sudanese government has alleged that South Sudan continues to support the SPLM-N and other rebel groups operating in Sudan. A dispute over oil transit fees has contributed to growing tensions, which escalated when the Sudan People's Liberation Army (SPLA), the army of South Sudan, with support from the Sudan Revolutionary Front (SRF), an alliance of rebel groups, occupied the Heglig oilfields in South Kordofan on 10 April. After ten days of occupation and a large scale military confrontation between Sudan and South Sudan, the SPLA withdrew from Heglig.

The AU Peace and Security Council released a comprehensive "Roadmap" on 24 April demanding a complete cessation of violence by all parties within 48 hours, an end to support for proxy forces operating in the other's territory and a resumption of peace talks within two weeks with a goal of concluding them within three months. Despite a 2 May UNSC resolution supporting the Roadmap, reported provocations by both sides continued until mid-May.

In Darfur, the risks to civilians also remain high. Violent clashes between the SRF and the SAF were reported across the region throughout June. The new UN Independent Expert on the situation of human rights in Sudan, Mashood Adebayo Baderin, was denied access to Darfur by Sudanese authorities on his first trip to the country on 14 June.

ANALYSIS

The government of Sudan has a history of perpetrating mass atrocity crimes in Darfur and during its civil war with the south. Similar crimes are currently being committed by the SAF in South Kordofan and Blue Nile. Patterns of violence that specifically target civilians have been witnessed over the past year. The government of Sudan has prohibited access to South Kordofan and Blue Nile, and is systematically preventing aid from reaching populations that are now at risk of starvation.

The government of Sudan has defied external pressure to halt mass atrocity crimes and hold perpetrators accountable. Ahmad Haroun, indicted by the ICC for 20 counts of crimes against humanity and 22 counts of war crimes committed in Darfur, is presently the governor of South Kordofan. Members of the SPLM-N have also perpetrated war crimes, including the forced recruitment of civilians living in refugee camps in Upper Nile State, South Sudan.

The continued failure to resolve outstanding issues from the 2005 CPA enhances the possibility of renewed armed conflict between Sudan and South Sudan and threatens the long-term security of civilians who live on both sides of the disputed border.

China and members of the Arab League, who have major investments in Sudan and South Sudan, can potentially influence both governments' behavior. Following South Sudan's decision to stop oil production, China dispatched its special envoy to the two countries in mid-May to assist with mediation efforts. China, a permanent member of the UNSC, has deep historical ties to the Sudanese government. So far it has not used its position to push for an end to mass atrocity crimes in South Kordofan and Blue Nile.

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

Sudan has been the subject of various UNSC resolutions (eight in 2011 and three so far during 2012). President Omar al-Bashir was indicted by the ICC for war crimes, crimes against humanity and genocide for crimes he oversaw in Darfur. UN peacekeeping missions currently exist in Darfur (UNAMID, a joint mission with the AU) and in Abyei (UNISFA). [For responses prior to May 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 AU High-level Implementation Panel on Sudan, has continued to engage in shuttle diplomacy between Sudan and South Sudan. During the past two months, Mbeki met with representatives from both countries three times (29 May–9 June, 21–28 June

and 5–7 July) for AU-sponsored talks in Addis Ababa. Talks resumed on 12 July.

The Arab League Secretary-General, Nabil al-Araby, visited Khartoum on 22 May and voiced the organization's support for Sudan following the Heglig crisis.

The UNSC passed Resolution 2046 on 2 May endorsing the AU's Roadmap and calling upon both sides to implement all provisions or face sanctions. The resolution also strongly urged Sudan and the SPLM-N to accept the Tripartite proposal for the provision of aid to civilians in South Kordofan and Blue Nile. UNSC Resolution 2047, which extended UNISFA's mandate for an additional 6 months, reiterated the call for both sides to fully implement the AU's Roadmap.

The UNSC released a Press Statement on 18 June welcoming progress made during talks between Sudan and South Sudan, but expressed concern over the "rapidly worsening humanitarian situation" in South Kordofan and Blue Nile.

The AU released a Press Statement on 29 June welcoming Sudan's acceptance of the Tripartite proposal. Valerie Amos, UN Under-Secretary-General for Humanitarian Affairs, voiced concerns that Sudan's acceptance came with operational conditions which will prevent the delivery of aid to rebel-held areas in South Kordofan and Blue Nile.

NECESSARY ACTION

The government of Sudan should allow immediate and unhindered humanitarian access to all areas of South Kordofan and Blue Nile.

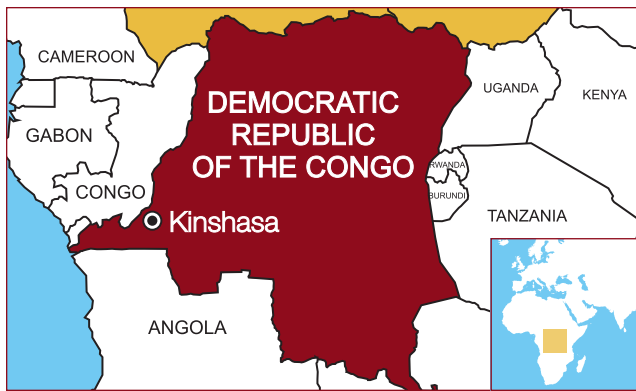
Crimes against humanity and war crimes perpetrated in South Kordofan, Blue Nile, Abyei and Darfur should be thoroughly investigated by a credible and independent body authorized by the UN.

The UNSC should take further action in the event that either Sudan or South Sudan fails to comply with the terms of the AU Roadmap and UNSC Resolution 2046.

The UNSC should push Sudan and South Sudan to establish a safe demilitarized border zone. This should be monitored by UNISFA alongside teams from the SAF and the SPLA, as part of the Joint Border Verification Monitoring Mechanism. The AU and the UNSC should continue to assist Sudan and South Sudan in achieving a long-term comprehensive resolution to their border conflict.

MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [UN Secretary-General's Report A/66/782-S/2012/261](#), 26 April 2012
- » [UNSC Resolution S/RES/2046](#), 2 May 2012
- » [UNSC Resolution S/RES/2047](#), 17 May 2012
- » [GCR2P Populations at Risk: Sudan](#)



DEMOCRATIC REPUBLIC OF THE CONGO

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

BACKGROUND

Populations in the eastern and north-eastern regions of the Democratic Republic of the Congo (DRC) remain at grave risk of mass atrocity crimes. The situation continues to deteriorate as fighting between the Congolese military and a group of army defectors has increased insecurity in North Kivu. Armed groups have used the instability to carry out attacks upon the civilian population throughout North Kivu, South Kivu and Orientale Province. More than 200,000 civilians have fled their homes in the past four months, contributing to the more than 2 million internally displaced persons (IDPs) and hundreds of thousands of refugees in neighboring countries.

In early April 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), defected from the military with their leader, Bosco Ntaganda. While many of the troops who initially defected returned to the FARDC, a second wave of defections resulted in the formation of the March 23 (M23) rebel movement. The defectors assert that they left the FARDC as a result of the government's failure to fulfill the 23 March 2009 agreement that led to their integration into the Congolese military. Defections from the FARDC to M23 continued throughout June.

The defections of Ntaganda and M23 resulted in fears of renewed mass atrocity crimes throughout North Kivu. The UN High Commissioner for Human Rights, Navi Pillay, noted on 19 June that the M23 leadership "figure among the worst perpetrators of human rights violations in the DRC." Ntaganda is wanted by the ICC for crimes committed in Ituri during 2002-2003, while other M23 leaders have an established record of perpetrating mass atrocity crimes

while serving as FARDC commanders. M23 has reportedly recruited children into armed conflict.

M23 started fighting with FARDC troops in late April and took control of towns in Masisi territory. According to the UN more than 200,000 people have been displaced internally and close to 50,000 others have fled to Uganda and Rwanda since April. Fighting between M23 and the FARDC continued in the Rutshuru territory near the Ugandan and Rwandan borders throughout June. On 6 July fighting in Bunagana resulted in the death of a UN peacekeeper and 600 FARDC troops fleeing with civilians into Uganda. On 12 July the FARDC and the UN peacekeeping mission in the DRC (MONUSCO) used helicopter gunships to try and halt the M23 advance on Goma.

Between 28 May and 3 June news reports emerged that MONUSCO and Human Rights Watch had evidence linking the Rwandan military to M23. Following a 15 June Press Statement from the UNSC urging the full investigation of "credible reports" of outside support to armed groups, the UN Group of Experts on the DRC submitted an addendum to their interim report on 27 June. The addendum contained evidence that members of the Rwandan government had provided weapons and recruited soldiers for M23 and other armed groups operating in the DRC. The Rwandan government has vehemently denied these allegations.

The security vacuum created by fighting between M23 and the FARDC has allowed armed groups, namely the Democratic Forces for the Liberation of Rwanda (FDLR) and Mayi-Mayi militias, which have been committing atrocities against populations in eastern DRC for more than a decade, to carry out new attacks. In North Kivu and South Kivu the FDLR has committed atrocities in IDP camps and remote villages, including torturing and killing civilians. Following the CNDP defections President Joseph Kabila suspended all FARDC operations against the FDLR on 11 April.

In the absence of military supervision, Mayi-Mayi militias have initiated their own violent attacks against the FDLR. One such group, the Raia Mutomboki, has carried out attacks against the families of FDLR combatants. Some of these attacks have been motivated by general hostility towards Kinyarwanda speakers. MONUSCO reported that between 5 and 25 May fighting between the FDLR and Raia Mutomboki resulted in the death of 98 civilians. Attacks have taken on an increasingly inter-communal dimension with witnesses to the violence reporting to UN investigators that victims have been targeted because of alleged ethnic affiliation. High Commissioner Pillay expressed concern regarding the increase in atrocities committed by the FDLR and Mayi-Mayi groups including evidence that armed groups were killing and raping civilians, as well as mutilating corpses.

ANALYSIS

The weakness of government structures undermines attempts to prevent atrocities and protect civilians in

the DRC. More than ten years of security sector reform (SSR) has been slow to produce results. The ex-CNDP defections from the FARDC highlight the consequences of an incomplete military reform process. The UN Secretary-General's Special Representative to the DRC, Roger Meece, warned the UNSC that the mutiny "now threatens a general destabilization of the Kivus and region, and dramatically increases the general threat to millions of civilians."

Prior to integrating into the FARDC, the CNDP was responsible for gross human rights violations in North Kivu. The UN and other sources have also documented patterns of ex-CNDP troops within the FARDC committing mass atrocity crimes while serving in the military. Reports indicate that M23 members continue to perpetrate mass atrocity crimes while fighting against the FARDC.

The abandonment of military posts in North Kivu because of military defections has left nearby populations particularly vulnerable to attack. The LRA, FDLR and Mayi-Mayi also have a history of committing crimes against humanity in the DRC. In the absence of adequate security personnel, armed groups operate with impunity. Populations in areas where the FDLR and Mayi-Mayi have recently clashed are also at a growing risk of violence based upon perceived ethnicity.

In her 31 May statement, High Commissioner Pillay noted that "there has been little effective State response" to the violence being committed against civilians by various armed groups. 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 currently responsible for almost 19,000 UN personnel operating under a civilian protection mandate that was renewed on 26 June via UNSC Resolution 2053. The new mandate includes specific reference to protecting civilians from M23. 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 three Press Statements on the deteriorating situation in the eastern DRC on 3 May, 15 June and 6 July. A UNSC sanctions regime is also in place, subjecting 26 individuals, including several M23 leaders, and 6 entities to the enforcement of travel bans and asset freezes. During June the Group of Experts for the DRC delivered its interim report for 2012 to the UNSC.

The ICC has been involved in the DRC since 2004. The ICC delivered its first verdict on 14 March 2012, convicting Thomas Lubanga Dyilo of war crimes. Lubanga was sentenced to 14 years imprisonment on 10 July.

In a 28 June statement the International Conference on the Great Lakes Region (ICGLR) urged "all armed groups and other negative forces operating in the Eastern part of the DRC to immediately put an end to war crimes and crimes against humanity." The ICGLR convened a Regional Inter-ministerial Committee meeting on the security situation in eastern DRC on 12 July and agreed to a plan to eradicate armed groups in the region.

The UN High Commissioner for Human Rights delivered statements on 31 May and 19 June asserting that every effort must be made to hold M23 "accountable for human rights violations committed against civilians – both for crimes committed within the context of the current mutiny and also for offenses committed previously."

On 15 July the Presidents of the DRC and Rwanda met at the AU Summit and agreed to work with the AU to better police their shared border.

NECESSARY ACTION

The government of the DRC and MONUSCO need to ensure that the protection of populations remains a priority as they address the military threat posed by M23. The government of the DRC urgently needs to redeploy forces to combat the FDLR and suppress ethnically motivated attacks by Mayi-Mayi groups. International humanitarian law must be adhered to by the FARDC at all times.

International donors need to coordinate their programs for SSR to ensure that the government of the DRC immediately implements critical reforms and increases its capacity to protect civilians. Support should immediately be given to MONUSCO for implementing SSR protocols associated with their new mandate.

In addition to military reform, the government of the DRC must improve the credibility and transparency of the domestic judicial process. All perpetrators of mass atrocity crimes in the DRC need to be held accountable and judicial authorities need to promptly investigate crimes being committed by armed groups.

Neighboring countries must not provide armed groups operating in the DRC with shelter or support. The governments of the DRC and Rwanda need to continue to use diplomatic channels to address allegations of Rwanda's assistance to armed groups within the DRC.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [ICC Situation Page: DRC](#)
- » [UNSC Resolution S/RES/2053](#), 27 June 2012
- » [UN Addendum to the interim report of the Group of Experts on the Democratic Republic of the Congo \(S/2012/348\)](#), 27 June 2012
- » [GCR2P Populations at Risk: DRC](#)

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.

**LIBYA**

Despite Libya holding its first free elections in 60 years, ongoing activity by armed militias poses a threat to populations. The perpetrators of crimes against humanity and war crimes committed during the 2011 uprising and civil war should be held accountable for their actions.

BACKGROUND

From March to October 2011 an international intervention mandated under UNSC Resolution 1973 halted mass atrocity crimes committed by the former Libyan government. Several challenges remain for Libya in the post-conflict period, including protecting populations from ongoing fighting between militias and ensuring accountability for crimes committed during the civil war.

Militia groups, originally formed to resist government forces during the uprising and civil war, still threaten populations in several areas of the country, including the cities of Sabha, Kufra and Zuwara. Conflict among rival tribes and militia groups resulted in the death of over 300 people between February and April 2012. From 11 through 17 June 105 people were killed and 500 wounded in violent clashes between militias in western Libya. The violence only stopped after the interim government declared the area a “military zone” and authorized armed troops to use all necessary force to protect civilians.

Militia groups also continue to oversee many unofficial detention centers where people are still arbitrarily detained on suspicion of being former Qaddafi loyalists. On 10 May the UN Special Representative for Libya stated that approximately 4,000 detainees were still in custody and that cases of torture continue. On 4 July Amnesty International reported that it had investigated more than 20 torture-

related deaths of people who were detained by militias since August 2011.

Libya passed a new law on 2 May that effectively granted immunity from prosecution to anti-Qaddafi militias for crimes committed during the uprising and civil war. Meanwhile, the trial of foreign intelligence chief Burzeid Dorda, the first former government official to be tried for perpetrating mass atrocity crimes during the civil war, started on 5 June. On 24 June Tunisia extradited the former Libyan Prime Minister al-Baghdadi Ali al-Mahmoudi to Libya, making him the first senior official to be returned for trial.

On 7 July Libya held national elections with the assistance of the UN Mission in Libya (UNSMIL). Although there were reports of isolated acts of violence in eastern Libya, the elections appear to have been a success.

ANALYSIS

Despite democratic elections and the presence of UNSMIL, the rule of law remains weak throughout much of Libya. Complex local conflicts still have the potential to quickly deteriorate into violence and regional authorities continue to act independently of the central government. The interim government expressed support for international human rights obligations and attempted to resolve disputes among rival armed groups. During April, the interim government integrated 70,000 former rebel fighters into the Ministry of Interior. However, the treatment of detainees, immunity granted for war crimes and the struggle to control rival militias leaves Libyans at risk of further violence. These represent massive challenges that the incoming government must confront and overcome.

Libya’s new democratic government requires ongoing international assistance in its efforts to rebuild, ensure security, end impunity and uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

On 12 March 2012 the UNSC extended the mandate for UNSMIL until 16 March 2013. The new mandate includes an important human rights monitoring role and “underscores the Libyan authorities’ primary responsibility for the protection of the Libyan population.”

During June 2011 the ICC issued a warrant for the arrest of Saif al-Islam al-Qaddafi and Abdullah al-Senussi, former head of military intelligence, for the alleged commission of crimes against humanity. On 30 April Libya presented an admissibility challenge to the ICC in the cases of Qaddafi

and Senussi. The ICC is still considering the request of the Libyan authorities to hold the trials in the national courts.

On 10 July the UNSC issued a Press Statement congratulating Libya on its successful elections, “while strongly condemning the isolated incidents of violence that occurred.”

NECESSARY ACTION

The new Libyan government must intensify efforts to demobilize and disarm militias in order to ensure security throughout the country. All Libyans must be afforded adequate protection and due process under the law. All detention facilities must be moved under direct governmental control. All actors within Libya must adhere to international human rights law, including the prohibition of torture. The Libyan government should investigate mass atrocity crimes committed by all forces during the 2011 uprising and civil war and hold perpetrators accountable.

MORE INFORMATION

- » [UNSMIL Website](#)
- » [ICC Situation Page: Libya](#)
- » [HRC Report A/HRC/19/68](#), 2 March 2012
- » [GCR2P Populations at Risk: Libya](#)



NIGERIA

Attacks by the extremist Islamist group Boko Haram and rising inter-communal violence is creating a deadly dynamic that puts populations at heightened risk of crimes against humanity in northern Nigeria.

BACKGROUND

In the first half of 2012 Boko Haram, an extremist Islamist group committed to overthrowing Nigeria’s secular government, has killed over 450 Nigerians in bombings and gun attacks. Boko Haram’s attacks are contributing to rising inter-communal tensions and a risk of widespread violence.

According to the UN Office of the High Commissioner for Human Rights (OHCHR), since 1999 more than 13,500 Nigerians have been killed in inter-communal violence, primarily in the north and “middle-belt” region that straddles the predominantly Muslim north and Christian south. Attacks escalate rapidly and often lead to reprisal killings in other parts of Nigeria.

As part of Boko Haram’s expanded terrorist campaign, Christians have increasingly been singled out for attack. On 2 January 2012 Boko Haram announced that Christians had three days to leave the north of the country. Since then, church bombings have become a regular occurrence, exacerbating existing inter-communal tensions. During June churches in the north were targeted on three Sundays in a row. A 17 June bombing resulted in the death of 19 people and triggered reprisal killings of Muslims in Kaduna and Yobe state that left 90 people dead. The government has deployed additional police and military to the already heavily militarized north and established curfews.

Over the weekend of 7-8 July attacks on two Christian villages and a funeral procession in Plateau State left almost 100 people dead, including two senior politicians.

ANALYSIS

These atrocities are part of a pattern of attacks and reprisals that manifest themselves along ethnic and religious lines, although the violence stems from a number of sources. These include poverty, discriminatory policies towards Nigerians regarded as “settlers,” a distinction that has resource allocation implications, and the manipulation of religious and ethnic identities to serve political and economic interests.

While Boko Haram uses terrorism and incites inter-communal violence as a tactic to achieve its goal of destabilizing the Nigerian state, their threat must be understood through the lens of the Responsibility to Protect. The government’s deployment of additional forces in the north has helped in certain cases, yet they appear ill-equipped to protect populations from the scale of the combined threat posed by terrorist attacks and inter-communal violence. The intelligence services have failed to respond effectively to early warnings.

The government of Nigeria is struggling to uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

The threat posed by Boko Haram has elicited a stronger international response than the rising 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.”

On 22 June the UN OHCHR released a statement warning 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.”

NECESSARY ACTION

The Nigerian government must continue to deploy security forces to protect vulnerable communities and hold those who incite or perpetrate ethnic or sectarian violence accountable. The government should urge religious and ethnic leaders to ensure that their institutions are not used to inflame hatred and take steps to facilitate reconciliation.

With international assistance, the government must advance SSR to ensure that 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, key donors and influential states should assist the government in addressing the underlying causes of inter-communal violence and strengthen 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](#)



CÔTE D'IVOIRE

Violence perpetrated by armed groups on the border between Côte d'Ivoire and Liberia puts populations at renewed risk of mass atrocity crimes. Perpetrators of crimes against humanity committed in Côte d'Ivoire following the disputed election of November 2010 must be held accountable.

BACKGROUND

Populations in western Côte d'Ivoire are facing the threat of mass atrocity crimes following a series of cross-border

attacks near Liberia that were allegedly committed by supporters of the former President, Laurent Gbagbo.

During November 2010–April 2011, following the country's presidential election, security forces and militias loyal to Gbagbo attacked civilians perceived to be supporters of current President Alassane Ouattara on the basis of their ethnic affiliation. An estimated 3,000 people were killed. While most atrocities were committed by pro-Gbagbo government forces, Ouattara supporters also committed massacres of perceived ethnic and political enemies in Duékoué and several other villages.

Recent attacks against civilians have occurred along the border between Liberia and Côte d'Ivoire. These attacks have allegedly been committed by armed elements who fled to Liberia following Gbagbo's removal. Such groups target civilians from ethnic groups that predominately supported Ouattara.

On 6 June Human Rights Watch released a report documenting four major cross-border attacks that resulted in more than 40 civilian casualties since July 2011. Attacks on villages near the town of Tai occurred between 8 and 12 June 2012, resulting in the death of 22 people, including 7 UN peacekeepers. According to the UN Office for the Coordination of Humanitarian Affairs, more than 13,000 people fled their homes in June. Following a meeting in Abidjan between the governments of Liberia and Côte d'Ivoire, along with representatives from the UN peacekeeping missions in each country, a joint communiqué was issued regarding stabilizing the border region and tightening extradition procedures.

President Ouattara has initiated policies directed towards post-conflict reconciliation and accountability, including the creation of a Commission on Dialogue, Truth and Reconciliation via a 13 July 2011 Presidential decree. He has also demonstrated a willingness to engage with the UN and other international agencies. While former President Gbagbo was handed over to the ICC on 30 November 2011, many individuals who perpetrated mass atrocity crimes have not yet been held accountable.

ANALYSIS

Côte d'Ivoire has a history of civil war in which atrocities were committed by all sides. The underlying ethnic and political tensions that exacerbated the outbreak of electoral violence in 2010–2011 remain, posing a risk to populations throughout Côte d'Ivoire. Although President Ouattara has taken steps to start a reconciliation process, impunity threatens the long-term stability of the country.

The recent cross-border attacks highlight the gravity of these tensions in the western regions of Côte d'Ivoire where ethnically-motivated attacks have been perpetrated for more than a decade. In the west, disputes over land rights and political affiliation are intrinsically linked to ethnic

affiliation. Renewed violence could potentially ignite a wider conflict in which mass atrocity crimes might occur again.

The government of Côte d'Ivoire still requires international assistance to rebuild, end impunity for past crimes and uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

The UNSC has passed nine resolutions on Côte d'Ivoire since the crisis began in late 2010, with the key resolution being 1975 at the peak of the crisis in March 2011 when the Responsibility to Protect was invoked. A UN peacekeeping mission, UNOCI, was originally authorized under resolution 1528 (2004) with a protection of civilians mandate. Resolution 2045, which was passed on 26 April 2012 to extend the mandate of the Group of Experts on Côte d'Ivoire, expressed the UNSC's concern that UNOCI and the mission in Liberia (UNMIL) assist both governments in halting cross-border raids.

The UN Secretary-General, the UNSC and other UN officials issued statements strongly condemning recent attacks on peacekeepers and civilians. On 13 June the UN Independent Expert on the human rights situation in Côte d'Ivoire urged the international community to maintain support for the reconciliation process.

Gbagbo was indicted by the ICC for four charges relating to crimes against humanity committed between 16 December 2010 and 12 April 2011. He is currently incarcerated at The Hague and his trial is scheduled to begin on 13 August.

NECESSARY ACTION

In order to prevent the future commission of mass atrocity crimes it is essential to break the culture of impunity in Côte d'Ivoire and bring perpetrators of crimes against humanity to justice, regardless of their previous position or current allegiances. The ICC should continue to investigate crimes perpetrated in Côte d'Ivoire and call upon all concerned parties to assist with this process.

With the assistance of UNOCI, the government of Côte d'Ivoire needs to create a Disarmament, Demobilization and Reintegration Commission with a special focus on the western and border regions of the country. The government of Côte d'Ivoire needs continued support for the implementation of its reconciliation process.

MORE INFORMATION:

- » [ICC Situation Page: Côte d'Ivoire](#)
- » [UNOCI Page](#)
- » [UNSC Resolution S/RES/2045](#), April 2012
- » [GCR2P Populations at Risk: Côte d'Ivoire](#)



BURMA/MYANMAR

Despite significant political reforms, ethnic minorities continue to face crimes against humanity and war crimes perpetrated by the armed forces of Burma/Myanmar.

BACKGROUND

Since the end of military rule in mid-2011, Burma/Myanmar's new civilian government under President Thein Sein has embarked upon a series of democratic and economic reforms. After more than sixty years of civil war, the government has secured ceasefire agreements with at least 13 ethnic armed groups.

Despite these reforms, ethnic minorities, who make up one-third of Burma/Myanmar's population, continue to be the target of crimes against humanity and war crimes perpetrated by government armed forces (Tatmadaw). On 25 May Amnesty International reported that the Tatmadaw had directly attacked ethnic minority civilians during conflicts in Kayin, Shan, Kachin, Kayah and Mon States over the past year.

Violence in Kachin State erupted following the breakdown of a ceasefire between the Tatmadaw and the Kachin Independence Army (KIA) in June 2011. Despite President Thein Sein's order late last year that the Tatmadaw cease its offensive against the KIA, clashes are ongoing and have displaced approximately 75,000 Kachin people. In a 15 May 2012 letter to the UN Secretary-General, the Chairman of the Kachin Independence Organization (KIO) requested that the UN intervene before the conflict escalates.

On 10 June President Thein Sein declared a state of emergency in Rakhine State after deadly clashes between Buddhists and ethnic Rohingya Muslims broke out. The Rohingya, a stateless group of approximately 800,000 individuals, described by the UN as one of the world's most persecuted minorities, continue to be denied citizenship by Burma/Myanmar's government. On 19 June the UN World Food Programme reported that the violence had displaced 90,000 people and that the situation "remains fragile."

While the government formed a National Human Rights Commission (NHRC) in September 2011, its chairman said in March 2012 that the NHRC would not yet pursue

investigations in “conflict areas.” In addition, the country’s constitution still exempts Burma/Myanmar’s forces from prosecution for any act carried out “in the execution of their respective duties” and grants the Tatmadaw autonomy to manage its own affairs.

ANALYSIS

President Thein Sein’s government appears dedicated to political reform, but the military’s commitment to a change of policy remains questionable. Reforms have not yet translated into demonstrable improvements in ending the systematic discrimination and violence perpetrated against Burma/Myanmar’s ethnic minorities. Longstanding discrimination puts the Rohingya at particular risk of further violence. 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 primary Responsibility to Protect and in some cases the Tatmadaw have been complicit in mass atrocity crimes.

INTERNATIONAL RESPONSE

Recent reforms have contributed to rapprochement between Burma/Myanmar and the international community following decades of political isolation. The EU and a number of countries, including the United States (US) and Australia, quickly agreed to relax sanctions before the establishment of clear benchmarks outlining how the government will address ethnic conflict.

On 3 April the ASEAN Inter-Parliamentary Myanmar Caucus, a group of legislators from the Association of Southeast Asian Nations (ASEAN) that advocates for human rights and democratic reform in Burma/Myanmar, cautioned against allowing democratic developments to overshadow the continued violence and human rights abuses against ethnic minorities. On 17 May, in response to the KIO’s letter, the UN Secretary-General called upon all parties in “conflict areas” to cease offensives and seek a peaceful resolution to ongoing conflicts. On 27 June Burma/Myanmar and the UN signed an Action Plan to prevent the recruitment and use of children by the Tatmadaw.

Following ethnic violence in Rakhine State, the UN Secretary-General’s Special Adviser for Myanmar, Vijay Nambiar, called for a full, transparent and impartial investigation into the events.

NECESSARY ACTION

The Tatmadaw must immediately cease attacks on civilians. The government and Tatmadaw must uphold their Responsibility to Protect all populations, regardless of ethnic identity.

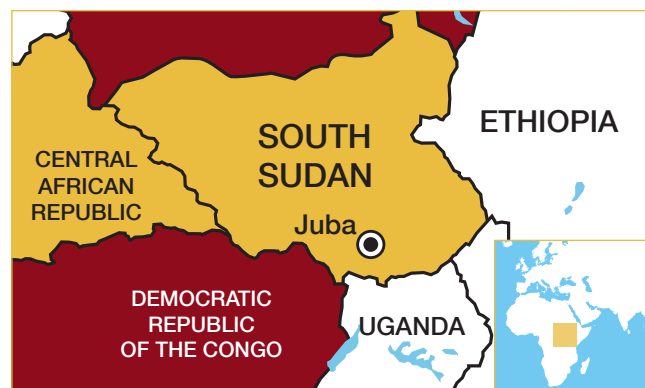
The international community must press the government of Burma/Myanmar for the development of a comprehensive plan to engage ethnic minorities in an inclusive reconciliation process. Remaining sanctions should only

be lifted following demonstrable and sustainable change, including the cessation of armed violence. The government of Burma/Myanmar must cease discrimination against ethnic minorities and address the issue of citizenship for the Rohingya.

A central component of the 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. The scope of the NHRC’s work should be expanded to include all conflict areas where abuses continue.

MORE INFORMATION

- » [HRC Report A/HRC/19/67](#), 7 March 2012
- » [Myanmar Annual Report](#), Amnesty International, 25 May 2012
- » [Bangladesh asked to show traditional hospitality to people from Myanmar](#), UNHCR, 15 June 2012
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



SOUTH SUDAN

Ethnic violence in the Republic of South Sudan leaves populations at risk of a recurrence of mass atrocity crimes.

BACKGROUND

Following South Sudan’s independence on 9 July 2011 the country has been affected by serious internal and external violence. While the conflict with the Republic of Sudan puts civilians living along the border at risk, populations in Jonglei State continue to face the threat of mass atrocity crimes stemming from inter-communal violence. [On cross-border conflict, see Sudan section]

A large-scale attack during December 2011 by an estimated 8,000 armed Lou Nuer youth on Murle communities in Pibor County and subsequent retaliatory attacks, which continued until early March 2012, resulted in at least 888 civilian deaths with thousands more displaced. According to the UN peacekeeping mission in South Sudan (UNMISS) the government of South Sudan was slow to respond to early warnings due to capacity and logistical issues.

On 12 March the government of South Sudan launched a disarmament campaign in Jonglei State and deployed approximately 10,000 Sudanese People's Liberation Army (SPLA) troops to ensure the safety of communities. While the heavy SPLA presence has helped to reduce inter-communal violence, UNMISS has reported serious human rights violations perpetrated by the SPLA, including 6 killings and 33 incidents of torture. The government has promised to launch an investigation.

Parallel to the disarmament campaign, the government held a peace conference in Jonglei State on 1 May. The conference concluded on 5 May with a peace accord which recommended a number of steps to be taken on the local and national level, including establishing protective buffer zones between Lou Nuer and Murle communities and empowering traditional leadership.

ANALYSIS

The government of South Sudan's initial response to widespread ethnic violence in Jonglei State during December 2011 and January 2012 demonstrates the need for urgent SSR to improve efficiency when responding to internal crises. In addition, UNMISS was unable to adequately fulfill its civilian protection mandate effectively due to a lack of resources. If the current disarmament campaign fails to address the root causes of the conflict, inter-communal violence could resume and result in further mass atrocity crimes. The inability of security forces to adequately respond to early warning leaves civilians vulnerable to further attacks.

The government of South Sudan requires ongoing international assistance to ensure security for all ethnic communities in Jonglei State and uphold its Responsibility to Protect.

INTERNATIONAL RESPONSE

In a statement to the UN HRC on 18 June, the UN High Commissioner for Human Rights, Navi Pillay, expressed concerns over "persistent inter-communal violence" in South Sudan, but commended the government's efforts to address human rights issues. The UN Secretary-General issued a report on 26 June which presented benchmarks to measure UNMISS' implementation of its mandate. The first benchmark identifies whether the government of South Sudan has "developed sufficient capacity to prevent, mitigate and resolve conflicts and effectively carry out its responsibility to protect civilians." The UNSC extended the mandate of UNMISS on 5 July.

NECESSARY ACTION

The international community still has a vital role to play by assisting the government of South Sudan with SSR. Additional human rights awareness training of police and SPLA soldiers by UNMISS needs to be adequately resourced. The deployment of SPLA troops in permanent buffer zones between Murle and Lou Nuer communities in Jonglei

State will improve their ability to respond rapidly to inter-communal violence before it escalates. UNMISS should be given the requisite resources, in particular military utility helicopters, to adequately support the government of South Sudan's efforts to protect civilians.

International assistance should be provided to tackle the root causes of the conflict by ensuring that all provisions of the 5 May peace accord are implemented. The government of South Sudan needs to hold SPLA personnel accountable for any human rights violations committed during the disarmament campaign.

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UNMISS Report 'Incidents of Inter-communal Violence in Jonglei State,' 25 June 2012](#)
- » [UN Secretary-General's Report S/2012/486, 26 June 2012](#)
- » [UNSC Resolution S/RES/2057, 5 July 2012](#)
- » [GCR2P Populations at Risk: South Sudan](#)



SOMALIA

There is a serious risk of war crimes and crimes against humanity being perpetrated by militias and various other armed forces operating in Somalia.

BACKGROUND

After more than 20 years of conflict, recurring famine and the collapse of the Somali state, the upcoming transition from the Transitional Federal Government (TFG) offers an opportunity for Somalis to rebuild their country. However, ongoing armed conflict between the extremist Islamist armed group Al-Shabaab, which is affiliated with al-Qaeda, and a range of domestic and international forces continues to pose a serious threat to civilians.

The conflict in Somalia has been characterized by reckless disregard by all sides for the safety and security of the civilian population. Those currently fighting Al-Shabaab include the TFG, with support from the AU Mission in Somalia

(AMISOM) and several allied militias, and the armies of Ethiopia and Kenya.

On 27 May the AU announced the completion of Operation Free Shabelle, which took towns within the Afgoye corridor from Al-Shabaab. The corridor links Mogadishu with Afgoye and provides refuge for an estimated 400,000 IDPs, whom Al-Shabaab had prevented humanitarian aid from reaching prior to the operation. On 30 May AMISOM forces seized control of the town of Afmadow. TFG and AMISOM troops captured Lanta-Buro, another Al-Shabaab base, on 10 July.

The battles of the last year have seriously weakened Al-Shabaab, but have also displaced thousands of civilians. More than 300,000 Somali refugees fled the country in 2011 alone, and the UNHCR estimates that more than 18,000 people were displaced by fighting in Afgoye.

Officials and elders within Somalia have been preparing for the conclusion of the TFG mandate on 20 August 2012. In September 2011 leaders in Somalia signed a “Roadmap for the End of Transition in Somalia” delineating measures for creating a new government. Signatories to the Roadmap met again in late May and agreed upon priorities for the final 90 days of transition. On 20 June the signatories agreed to a proposed constitution. Key measures include the creation of a National Constituent Assembly, which will vote on the proposed constitution, and the formation of a National Security and Stabilization plan for developing Somalia’s justice and security sector.

ANALYSIS

It is crucial that the international community views the situation in Somalia through the lens of the Responsibility to Protect and not just as an exercise in state building, an opportunity to fight piracy or another battleground of the “war on terror.” While Al-Shabaab has been driven from Mogadishu and other major towns, armed violence continues to put civilians at serious risk of mass atrocity crimes.

Parties on all sides of the conflict have previously been responsible for mass atrocity crimes and have indiscriminately used mortar, rocket and artillery fire in civilian areas. In areas controlled by Al-Shabaab the denial of aid to people facing famine may also constitute crimes against humanity.

All parties to the conflict in Somalia, including those who have intervened to end the threat posed by Al-Shabaab, have a Responsibility to Protect civilians from war crimes and crimes against humanity.

INTERNATIONAL RESPONSE

AMISOM, which was established by the AU during 2007 in order to provide security for the TFG, operates with UN support. On 22 February 2012 the UNSC adopted Resolution 2036, increasing the ceiling for AMISOM to 17,731 troops. The AU and Kenya signed a Memorandum of Understanding

on 2 June recognizing Kenya as a troop and resource contributing country to AMISOM.

On 31 May–1 June Turkey hosted an international conference attended by more than 54 countries and the UN Secretary-General where participants discussed international support for Somalia’s transition.

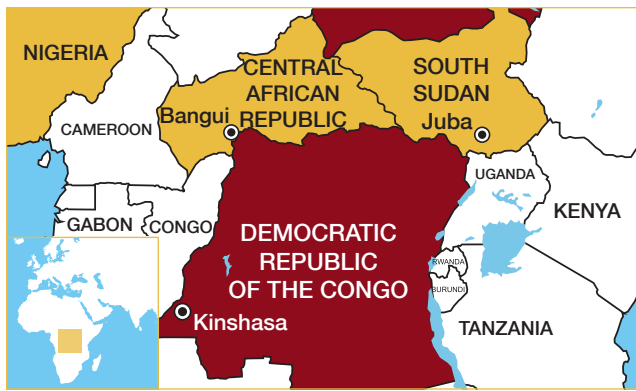
Following its 3–4 July meeting in Rome, the International Contact Group (ICG) on Somalia issued a communiqué raising concerns regarding missed deadlines in the transitional roadmap and “reiterating its firm determination” that the transitional arrangements end upon the agreed date. The ICG also called upon all actors to ensure the protection of civilians, with particular attention to women and children. During the meeting, the TFG’s Minister of Defense/Deputy Prime Minister and the UN Special Representative of the Secretary-General for Somalia signed an Action Plan to end the recruitment and use of children by the Somali National Armed Forces.

NECESSARY ACTION

AMISOM, the TFG, Kenya, Ethiopia and their respective allied militias must ensure that their military campaign against Al-Shabaab is carried out in accordance with international humanitarian law. Support is needed to implement more comprehensive rules of engagement and to improve civilian harm mitigation efforts. Allegations of mass atrocity crimes must be investigated and perpetrators held accountable. Somalia needs ongoing international assistance to implement the transitional roadmap.

MORE INFORMATION:

- » [UNSC Resolution S/RES/2036](#), 22 February 2012
- » [Somalia: Pro-Government Militias Executing Civilians](#), Human Rights Watch, 28 March 2012
- » [UNSC Press Statement S/C/10649](#), 15 May 2012
- » [International Contact Group on Somalia Final Communiqué](#), 3 July 2012
- » [GCR2P Populations at Risk: Somalia](#)



CENTRAL AFRICA

The Lord's Resistance Army

Populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan continue to be 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 Lord's Resistance Army (LRA) has perpetrated crimes against humanity across central Africa, including in the Central African Republic (CAR), the DRC and South Sudan. Though the group remains an active threat to civilians in these states, no attacks have been reported in Uganda since 2006. The LRA's tactics include the deliberate maiming of civilians, abducting children and forcing them to kill their families, and using young girls as sex slaves.

Though their 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. The LRA's mobility within these remote regions has made combatants, including Kony, difficult to track. As of June 2012 Kony is reportedly located in southern Darfur with a group of LRA fighters. The Ugandan army has accused the government of Sudan of harboring him.

During the first 6 months of 2012 the LRA has conducted more than 75 attacks in north-eastern DRC and the CAR, which have resulted in civilian fatalities and more than 100 abductions. The group has shown a trend over the past year of looting remote villages and committing short-term abductions of civilians to help transport goods. More than 4,200 people have fled LRA attacks so far this year, adding to the more than 440,000 people who have been displaced since 2008.

The UN Secretary-General released a report on 25 May documenting six "grave violations" committed by the LRA against children in the CAR, the DRC and South Sudan from July 2009 through February 2012. Violations included

"recruitment and use, killing and maiming, sexual violence, abductions, attacks on schools and hospitals and denial of humanitarian access."

ANALYSIS

The LRA's recent campaign of attacks in north-eastern DRC and the CAR represents a significant surge in activity. The lack of early warning capabilities undermines attempts to provide adequate protection to civilians in such a vast region. A number of villages in the DRC have acquired long-range radio capacity, but in the CAR their availability is extremely limited.

The governments of Uganda and the DRC have consistently failed to form agreements for the movement of troops across borders in pursuit of the LRA, allowing the LRA to maintain safe havens within the DRC. The large number of refugees fleeing to South Sudan after LRA attacks in the CAR and the DRC also has a destabilizing effect upon an already fragile country.

Over the past year renewed international interest from the UNSC, the AU, and the US has resulted in several positive developments. Ugandan forces captured Caesar Acellam, a high-level LRA commander, on 12 May in the CAR, representing a significant loss for the group.

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 and since 2000 Uganda's Amnesty Commission has reintegrated more than 12,000 former fighters and abductees under the Amnesty Act. On 25 May the Ugandan government allowed the Declaration of Amnesty portion of the law to lapse, effectively removing the exemption from criminal prosecution extended to defectors who renounce the LRA and hand over their arms.

The AU and the UN Office on Central Africa (UNOCA) announced on 24 March the launch of the operational phase of the AU-led Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), which aims to better coordinate troops from the four LRA-affected states. The RCI-LRA Joint Coordinating Mechanism met for the first time in May to create a timeline for RCI-LRA actions and to organize financial and logistical support aimed at its implementation.

There has been an unprecedented level of UNSC engagement on the LRA since 2011, largely under the leadership of Portugal. On 27 June the Special Envoys for UNOCA and the AU presented a UN Regional Strategy for the LRA to the UNSC. The UNSC issued a Presidential Statement on 29 June welcoming the new regional initiatives and emphasized the

“primary responsibility of States in LRA-affected regions to protect civilians.”

NECESSARY ACTION

The government of the DRC needs to coordinate with the governments of other LRA-affected countries to agree on cross-border operations to eliminate LRA safe havens. The AU should lead efforts to diplomatically engage the government of Sudan and ensure that Kony does not secure sanctuary within its borders. International donors should support MONUSCO's DRRR program to reduce the number of LRA combatants. There is an urgent need to undertake similar DRRR efforts in the CAR. Donors

should help the LRA-affected states to build capacity for local early-warning mechanisms, such as providing villages with high frequency radio and mobile phone capabilities, and provide resources to help the RCI-LRA fulfill its mandate.

MORE INFORMATION

- » [ICC Situation Page: LRA](#)
- » [LRA Crisis Tracker](#)
- » [Report of the Secretary-General S/2012/365](#), 25 May 2012
- » [Statement by the Security Council S/PRST/2012/18](#), 29 June 2012
- » [GCR2P Populations at Risk: Central Africa \(LRA\)](#)

ACCOUNTABILITY WATCH

Guatemala:

In late February a Guatemalan judge denied Efraín Ríos Montt, the country's leader during 1982-1983, an extension of his amnesty from being tried on charges of genocide. Ríos Montt was then charged for mass atrocity crimes committed under his leadership against indigenous Mayans as part of the country's long civil war. On 21 May Guatemala's Supreme Court of Justice ruled that he could also be prosecuted for the authorization of a 1982 massacre in Dos Erres.

Bosnia and Herzegovina:

The UN International Criminal Tribunal for the former Yugoslavia (ICTY) temporarily suspended the trial of Ratko Mladić due to disputes over the submission of evidence, but resumed proceedings on 9 July. Mladić is a former Commander of the Bosnian Serb Army accused of genocide and other crimes committed against civilians in Bosnia from 1992 through 1995. On 28 June the ICTY dismissed a motion by Radovan Karadžić for an acquittal on 10 out of 11 counts of genocide, crimes against humanity and other violations committed against civilians during the Bosnian war.

Sierra Leone:

The UN-backed Special Court for Sierra Leone at The Hague sentenced former Liberian President Charles Taylor to fifty years in prison on 30 May. Taylor was convicted of crimes against humanity and war crimes for his role in mass atrocities committed by Sierra Leone's Revolutionary United Front between November 1996 and January 2002.

Rwanda:

The UN International Criminal Tribunal for Rwanda (ICTR) convicted Callixte Nzabonimana of genocide and crimes against humanity on 31 May. Nzabonimana was Rwanda's youth minister during the 1994 genocide and was sentenced to life imprisonment. The first branch of the Residual Mechanism, which will replace the ICTR after it closes in 2014, opened on 1 July. On 18 June Rwanda's 'gacaca' genocide courts finished their operations after 10 years of service in which more than 1.5 million people were tried by the community courts.



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