

# 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. 8}  
Burma/Myanmar {p. 10}  
Mali {p. 11}  
South Sudan {p. 12}  
Nigeria {p. 14}  
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 two years of internal conflict in Syria, civilians remain the primary victims of the violence as the fighting continues to move deeper into urban areas. On 11 March the UN Human Rights Council-mandated Commission of Inquiry (CoI) said, “a failure to resolve this increasingly violent conflict will condemn Syria, the region and the millions of civilians caught in the crossfire to an unimaginably bleak future.”

With an average of 5,000 people now being killed every month, the UN estimates that the violence has claimed at least 70,000 lives. On 6 March UN High Commissioner for Refugees António Guterres said the humanitarian situation was “spiraling towards a full-scale disaster” with 1 million Syrian refugees outside the country and approximately 7,000 fleeing daily. The violence has internally displaced 3 million Syrians.

While the Syrian government continues to target opposition strongholds using helicopters and fighter jets, it is also indiscriminately shelling residential areas, in some cases with cluster munitions. On 26 February Human Rights Watch reported government forces launched four ballistic missiles at Aleppo, killing at least 141 people, including 71 children. Government-allied militias have also been deployed to attack communities, committing large-scale massacres in several towns. On 29 January at least 65 corpses were found in Aleppo with their hands bound, reportedly the victims of extrajudicial killings committed by pro-government forces.

The CoI has reported that government forces and affiliated militias continue to commit crimes against humanity, war crimes and gross violations of international humanitarian law (IHL) as a matter of state policy. Armed opposition groups have also committed war crimes, albeit on a smaller scale than that of the government and affiliated militias. On 5 February the CoI said that armed opposition groups “continue to endanger the civilian population by positioning military objectives inside civilian areas.”

In some cases armed opposition 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 as becoming “overtly sectarian in nature,” some armed groups have deliberately attacked and desecrated Shia religious sites. The growing Salafist influence amongst the opposition has caused friction between rebel groups competing for influence within the country and for external support.

Seeking greater international legitimacy and financial support, various groups from the Syrian political opposition unified to form the National Coalition for Syrian Revolutionary and Opposition Forces (National Coalition) on 11 November 2012.

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.” 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 some rebel groups.

In contrast, Russia, Venezuela and Iran have criticized international efforts to undermine President Bashar al-Assad’s government. Venezuela promised to ship fuel to help circumvent the effects of sanctions. Russia’s state arms trader affirmed on 13 February that it will continue to fulfill existing arms contracts with Syria. 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.

An influx of Syrian refugees and sporadic sectarian fighting in Lebanon has led to its destabilization. Ongoing friction between Syria and Turkey influenced NATO’s deployment of surface-to-air missile defense systems near the Turkish border on 26 January.

During December and January UN-League of Arab States (Arab League) 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. Speaking at the World Economic Forum on 24 January, the UN Secretary-General said it was essential for the UNSC to overcome the deadlock on Syria and uphold its Responsibility to Protect.

## 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 continues to weaken, it appears determined to utilize security forces, militias and Syria's dwindling financial resources to retain power at all costs. The threat of sustained cross-border conflict with Turkey, destabilization of Lebanon and increasing refugee flows are aggravating regional tensions.

With greater external support, the armed opposition has made significant territorial gains. Despite these advances, rebels and government troops remain locked in a military stalemate inside major cities. Civilians continue to bear the brunt of government reprisals against rebel-held areas.

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 violence worsens, sectarian divisions have become more pronounced. 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 continue 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 ongoing assault on the armed opposition and civilian population.

Notwithstanding significant bilateral 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 political solution exist.

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

regime 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](#).]

On 27 November the UN General Assembly 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.

While the UNSC has condemned violence against civilians and previously sent UN observers to Syria, it has been unable to agree upon action aimed at halting the conflict.

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

On 30 January the UN Secretary-General chaired an international donor conference in Kuwait, raising over \$1.5 billion for humanitarian assistance to civilians affected by the conflict.

On 6 March the Arab League offered the National Coalition Syria's seat within the regional grouping.

## NECESSARY ACTION

Syrian government forces 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.

Russia, Iran and Venezuela must cease arming and enabling the crimes of the Syrian government. Similarly, countries opposed to the rule of President Assad should deny 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

- » [UN Secretary-General's Statement](#), 24 January 2013
- » [Report of the independent international commission of inquiry on the Syrian Arab Republic A/HRC/22/59](#), 5 February 2013
- » [Oral Update of the independent international commission of inquiry on the Syrian Arab Republic A/HRC/22/CRP.1](#), 11 March 2013
- » ["Syria: Unlawful Missile Attacks Kill More Than 140,"](#) Human Rights Watch, 26 February
- » [GCR2P Populations at Risk: Syria](#)



## SUDAN

*Populations in the Sudanese states of South Kordofan and Blue Nile continue to face mass atrocity crimes perpetrated by the Sudanese Armed Forces and their affiliated militias.*

### BACKGROUND

Since 5 June 2011 the Sudanese Armed Forces (SAF) have conducted a counterinsurgency campaign in South Kordofan against the Sudan People's Liberation Movement-North (SPLM-N), a rebel group that fought alongside forces associated with the government of South Sudan during the civil war. Three months later the conflict expanded into neighboring Blue Nile. While populations in South Kordofan and Blue Nile have endured mass atrocity crimes perpetrated by the SAF and SPLM-N, the UNSC and African Union (AU) have failed to comprehensively address these protracted conflicts during the process of resolving border tensions between Sudan and South Sudan.

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 also reportedly used cluster munitions. During their ground attacks the SAF and

PDF have committed extra-judicial killing, arbitrary arrest, forced displacement and sexual violence against civilians. The SPLM-N has also perpetrated war crimes, including the alleged forced recruitment of civilians living in South Sudanese refugee camps.

Fighting between the SAF and SPLM-N has led to the internal displacement of over 695,000 civilians while more than 217,500 people have fled to South Sudan and Ethiopia. The government of Sudan and the SPLM-N accepted the UN, Arab League and AU's "tripartite plan" to permit humanitarian access to SPLM-N controlled areas on 9 February 2012. Despite agreeing on modalities for aid delivery last August, the plan has not been implemented and the government of Sudan continues to block humanitarian access to rebel-held areas.

The government has consistently failed to honor AU-brokered treaties and UNSC resolutions, including the 28 June 2011 Framework Agreement and the 2 May 2012 UNSC Resolution 2046, which called for an immediate cessation of hostilities in South Kordofan and Blue Nile. 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.

Since October 2012 the SAF has intensified the aerial bombardment of civilian-populated areas in rebel-held zones across South Kordofan. On 14 February thousands of civilians were displaced after the SAF launched a major offensive using heavy artillery and tanks in Muffa, Blue Nile. Heavy fighting was also reported in the city of Kurmuk on 20 February.

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. 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 establish a safe demilitarized border zone (SDBZ) to be monitored by the UN peacekeeping force in Abyei (UNISFA) as part of the Joint Border Verification Monitoring Mechanism (JBVMM).

Former President of South Africa Thabo Mbeki, acting under the auspices of the AUHIP, delivered a report on the status of ongoing negotiations to the AU Peace and Security Council (PSC) on 25 January, noting that the failure to resolve the conflicts in South Kordofan and Blue Nile jeopardizes the possibility of Sudan and South Sudan normalizing relations. On 8 March the governments of Sudan and South Sudan, with assistance from the AUHIP,

signed a border security agreement intended to result in the withdrawal of both armies from the disputed border and the creation of a SDBZ by 14 March.

The security situation in Darfur also remains highly volatile. Inter-communal violence has been reported in Jebel Amer, North Darfur, between the Beni Hussein and Abbala communities. The confrontation, which started on 5 January over the ownership of a local gold mine, has resulted in over 200 civilian fatalities and the displacement of at least 100,000 people.

## 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 18 months. Indiscriminate bombings demonstrate the continued failure of the government of Sudan to distinguish between combatants and civilians, actions that violate IHL and which may amount to crimes against humanity.

For over a year the government of Sudan and SPLM-N have failed to implement the proposed tripartite plan to allow humanitarian access, depriving civilian populations in South Kordofan and Blue Nile of food, education and medical supplies. These actions may amount to crimes against humanity.

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

Despite the signing of Cooperation Agreements on 27 September, the failure to resolve outstanding issues from the 2005 Comprehensive Peace Agreement (CPA) threatens the possibility of renewed conflict between Sudan and South Sudan and undermines the long-term security of civilians in both states.

Despite the presence of a UN peacekeeping force (UNAMID), the security situation in Darfur remains volatile. Recent inter-communal violence and the continuing operations of various armed groups have heightened the risk of mass atrocity crimes.

Not only is the government of Sudan manifestly failing to uphold its Responsibility to Protect, it is responsible for perpetrating mass atrocity crimes in South Kordofan and Blue Nile.

## 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 January 2012, see [GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States](#).]

The AUHIP was established in March 2009 to address the situation in Darfur, but was re-mandated in October 2009 to assist in the implementation of the CPA. Acting on behalf of the AUHIP, since July 2011 Mbeki has held regular talks between the governments of Sudan and South Sudan. Mbeki negotiated the 27 September 2012 Cooperation Agreements and 8 March 2013 border security agreement between the two states.

Mbeki also helped negotiate the 20 June 2011 Framework Agreement between the SPLM-N and government of Sudan. The AUHIP invited the government and the SPLM-N to hold direct negotiations on 15 February and 5 March, but the parties have failed to meet.

## NECESSARY ACTION

The government of Sudan and the SPLM-N must engage in direct negotiations, agree on a cessation of hostilities and address the underlying causes of the conflict. The UNSC should ensure that the provisions of Resolution 2046, relating to humanitarian access, are enforced. The UNSC should expand the arms embargo that currently applies to Darfur to also include South Kordofan and Blue Nile.

The UNSC and AU must ensure that all provisions of the Framework and Cooperation Agreements are rigorously implemented.

States with major investments in Sudan, including China, Qatar and Saudi Arabia, should use their leverage to press the government to fulfill its commitments under the Framework and Cooperation Agreements.

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

Crimes against humanity and war crimes perpetrated by all parties in South Kordofan, Blue Nile and Darfur must be thoroughly investigated by a credible and independent

body. The UNSC should mandate the establishment of an international commission of inquiry for South Kordofan and Blue Nile.

Sudan and South Sudan must continue negotiations to resolve outstanding issues from the CPA. The governments of Sudan and South Sudan should immediately establish the SDBZ, operationalize the JBVMM and stop the illicit flow of weapons to armed groups operating in the other's territory.

## MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [UNSC Resolution S/RES/2046](#), 2 May 2012
- » [AU PSC Communiqué PSC/AHG/COMM/1\(CCCLIII\)](#), 25 January 2012
- » [GCR2P Populations at Risk: Sudan](#)



## DEMOCRATIC REPUBLIC OF THE CONGO

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

### BACKGROUND

Populations in the eastern regions of the Democratic Republic of the Congo (DRC) continue to face mass atrocity crimes. Insecurity caused by fighting between the Armed Forces of the DRC (FARDC) and a group of army defectors, known as the March 23 (M23) rebel movement, has allowed armed groups to continue attacks upon the civilian population. More than 900,000 civilians have fled their homes since April 2012, contributing to the more than 2.6 million internally displaced persons (IDPs) in the DRC.

Armed groups that have been operating within the DRC for more than a decade – namely the Democratic Forces for the Liberation of Rwanda (FDLR) and various local Mayi-

Mayi militias – have been attacking populations in the eastern DRC with increasing frequency. In a 14 November press release with the UN Joint Human Rights Office in DRC (UNJHRO), UN High Commissioner for Human Rights Navi Pillay noted that the systematic violations committed by these armed groups over the past year “are the most serious we have seen in recent times in the DRC.”

One such group, Raia Mutomboki, claims to be protecting local populations in South Kivu by attacking FDLR combatants and their families. The FDLR is mainly comprised of ethnic Hutus, many of whom are associated with the 1994 Rwandan genocide. Raia Mutomboki assaults have taken on an increasingly inter-communal dimension, with Kinyarwanda speakers being at particular risk, and have resulted in a cycle of retaliation upon populations perceived to be affiliated with the other group. Since December 2012, Raia Mutomboki has also engaged in fighting with the FARDC over control of mining sites in Maniema, displacing more than 80,000 people.

Another armed group, the ethnic Hunde dominated Alliance of Patriots for a Free and Sovereign Congo (APCLS), started attacking ethnic Tutsi IDPs in Kitchanga on 24 February. Several days of fighting between APCLS and the FARDC resulted in more than 80 people killed and nearly 120,000 displaced with more than 5,000 of them seeking refuge at a base for the UN Stabilization Mission in the DRC (MONUSCO).

These armed groups have increased their operations in a security vacuum created by the abandonment of army posts by defectors and the redeployment of FARDC troops to confront their mutiny. The April 2012 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 FARDC, resulted in the formation of M23. 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.

While clashes between M23 and the FARDC occurred intermittently between May and October 2012, M23 launched a major offensive during November, resulting in the capture of Goma, the regional capital of North Kivu. More than 140,000 civilians were displaced by the fighting. Following demands made by the UNSC and the International Conference for the Great Lakes Region (ICGLR), M23 retreated from Goma on 1 December.

Negotiations between M23 and the DRC government began in Kampala on 8 December, but a formal agreement has not been reached. Meetings are scheduled to resume on 15 March, but may be compromised by the 27 February division of M23 into two rival factions. The split reportedly occurred as a result of diverging views on the negotiations.

The rival factions immediately began battling for control of M23 strongholds.

The UN has reported on M23 committing human rights violations against civilians, including summary executions, gender-based violence and large scale recruitment and use of child soldiers, actions which may amount to crimes against humanity. The FARDC has also been implicated in attacks upon civilians, including more than 126 documented cases of rape committed at the time of M23's occupation of Goma. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported on 13 February that FARDC troops have also been threatening civilians in Maniema on the basis of their ethnic identity during their assault on Raia Mutomboki.

## 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 other rebel groups and has historically been incapable of controlling movement of people and resources across its borders. Local populations and neighboring governments also fault the DRC government for its failure to halt FDLR operations over the past decade.

FARDC troops have routinely committed crimes against populations they have been deployed to protect. Following the CNDP defections, the FARDC has continued to incorporate other local militias into its ranks, a practice that can exacerbate divisions within the military and potentially put civilians at risk. Prior to their assault on Tutsi IDPs, for example APCLS combatants were reportedly in Kitchanga negotiating possible integration into the FARDC.

UNJHRO has reported that following FARDC redeployments to other regions, armed groups have tried to expand their own areas of influence, "carrying out violent attacks against civilians and exacerbating interethnic tension." Underlying conflict between communities that consider themselves "indigenous" and those with alleged Rwandan ancestry contributes to the pervasiveness of armed violence. Ethnic Hutus and Tutsis remain at particular risk of targeted killing by Raia Mutomboki and the APCLS who perceive them as supportive of the FDLR or M23.

Recent fighting between M23 factions also raises the possibility of crimes being perpetrated against civilians as these elements compete for territory. Other armed groups attempting to take advantage of these divisions have also attacked M23 strongholds, leaving populations in these areas particularly vulnerable.

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

## INTERNATIONAL RESPONSE

MONUSCO is responsible for more than 19,000 UN personnel operating under a civilian protection mandate. Prior to the 2012 escalation of violence, MONUSCO had facilitated a significant reduction in membership of various armed groups through its Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) program.

During 2012 the UNSC issued four Press Statements and a Presidential Statement on the crisis in the eastern DRC, 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.

The UNSC currently 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.

Since a 15 July Extraordinary Summit, ICGLR members have debated the establishment of a "Neutral International Force to eradicate M23, FDLR and all other Negative Forces in Eastern DRC and patrol and secure the Border Zones." On 24 February eleven neighboring countries signed the Peace, Security and Cooperation Framework for the DRC and the Region, designed to provide a comprehensive solution to conflict. The UN, AU, ICGLR and South African Development Community (SADC) agreed to serve as guarantors of the Framework.

The UNSC issued a Press Statement on 25 February supporting the Framework. UN Secretary-General Ban Ki-moon briefed the UNSC on 5 March announcing his intention to appoint a Special Envoy for the Great Lakes Region and recommending the establishment of an "intervention brigade" under MONUSCO's command.

## NECESSARY ACTION

The government of the DRC and MONUSCO need to ensure that the protection of civilians remains a priority as they address the military threat posed by various armed groups operating in the DRC.

The government should immediately train newly integrated groups within the FARDC in the protection of civilians, respect for human rights and IHL. The FARDC must not permit individuals who have previously committed atrocities to join their forces.

UNJHRO must continue to investigate groups committing ethnically-motivated crimes and the Human Rights Council, 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.

The government of the DRC, with support from MONUSCO, should seek to address local grievances and support peace building at local and national levels in order to prevent future violence.

The AU, ICGLR and SADC should continue to lead international efforts to halt the operation of armed groups in the eastern DRC. Together with the UN, these organizations must ensure that the signatories to the Peace, Security and Cooperation Framework for the DRC and the Region fulfill their commitments.

## MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Press Statement](#), 25 February 2013
- » [List of Individuals and Entities Subject to the Measures Imposed by Paragraphs 13 and 15 of UNSC Resolution 1596](#)
- » [Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 24 February 2013
- » [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.



won by Uhuru Kenyatta who secured 50.07 percent of the vote, successfully garnering more than the minimum 50 percent needed to avoid a run-off with his main rival, Prime Minister Raila Odinga. Odinga has alleged “massive tampering” with the results and declared his intention to appeal to the Supreme Court. President-elect Kenyatta is due to be sworn in on 26 March, but the ceremony may be delayed pending the outcome of Odinga’s appeal.

Kenyatta and his running mate, William Ruto, have been indicted by the ICC for their role in the 2007 post-election violence.

## KENYA

*Kenya held peaceful elections on 4 March, but serious concerns remain regarding a possible recurrence of mass atrocity crimes while some candidates dispute the final results.*

### BACKGROUND

On 4 March Kenyans voted in the country’s first general elections since violence following the December 2007 presidential election left 1,133 Kenyans dead and over 663,000 displaced. Although isolated incidents of violence took place in some parts of the country, the elections were generally peaceful. An exception was in Mombasa where an estimated 200 armed youth ambushed police. At least 13 people were killed, including 6 police officers.

In addition to local and provincial election outcomes, on 9 March it was announced that the presidency had been

Since 2007 the Kenyan government has successfully implemented institutional reforms to prevent a recurrence of widespread ethnic violence, including the adoption of a new constitution in 2010. Nevertheless, prior to the 2013 elections populations in several regions of Kenya, including Eastern, North Eastern, Rift Valley and Coast provinces, 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 during 2012.

In one notable flashpoint, the Tana River delta, over 100 people were killed in a cycle of attacks between the Orma and Pokomo communities in August and September 2012. Despite the government deploying the Kenya Defense Forces and ordering the establishment of a judicial commission of inquiry, inter-communal violence continued with at least 60 people killed in reprisal attacks during December and January.

## ANALYSIS

Although there were few incidents of violence during the election, political tension over ICC indictments and localized inter-communal conflict continue to threaten a recurrence of widespread political and ethnic violence in Kenya. There is still a potential for supporters of defeated candidates to violently contest the outcome rather than using legal channels. This risk is particularly acute while Prime Minister Odinga disputes the outcome of the presidential ballot.

The recent rise in inter-communal violence can be partly attributed to a long-standing pattern of rivalry between ethnic communities over land and resources that was exploited by political actors trying to consolidate power ahead of the March 2013 elections. The violence in the Tana River delta, for example, appears to be linked to competition over grazing rights, farm land and water access, as well as the redrawing of electoral boundaries. Following the election these risks have diminished, but the government still needs to address the root causes of inter-communal conflict.

While the Kenyan government has implemented significant political and constitutional reforms, it has struggled to ensure the safety and security of its population, especially in remote parts of the country. Capacity and resource issues also raise concerns regarding the ability of the government to respond to security threats that may arise if disputes over election results are not handled in a transparent and timely manner.

The Kenyan government's conduct during the recent elections demonstrates its determination to uphold its Responsibility to Protect, but recent inter-communal violence has highlighted potential gaps in its ability to protect civilians.

## INTERNATIONAL RESPONSE

On 23 January 2012 the ICC confirmed charges against four suspects, including Kenyatta and Ruto, who allegedly bore the greatest responsibility for inciting violence in 2007. Ruto's trial is due to begin at The Hague on 28 May, while Kenyatta's is scheduled for 9 July. The case against Francis Mathaura, an ally of Kenyatta, was dropped on 11 March.

Some 23,000 observers including 2,600 international monitors were present in Kenya for the election on 4 March. On 5 March the UN Secretary-General urged Kenyans to "remain peaceful and provide a credible conclusion to Kenya's presidential election."

On 11 March the AU released a statement congratulating Kenyatta on his victory and commending the Kenyan people for conducting a peaceful election.

## NECESSARY ACTION

The government needs to ensure that the Kenyan public understands the legal avenues available to dispute election results. Candidates and government officials should continue to urge calm as the judicial process unfolds. The Independent Electoral and Boundaries Commission and Kenyan judiciary should be safeguarded from interference by the executive branch.

The government must address protection and intelligence gaps, including through adequately resourcing the security forces in regions at ongoing risk of inter-communal violence, particularly Eastern, North Eastern, Rift Valley and Coast provinces. It should complete its investigation into the attacks in the Tana River delta and hold perpetrators accountable.

The government must reaffirm its commitment to ensure that all Kenyans, including government officials and security forces, will be held responsible for inciting, aiding or perpetrating mass atrocity crimes.

The AU and UN need to assist the Kenyan government in long-term 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 and conflict management mechanisms.

## MORE INFORMATION

- » ["High Stakes: Political Violence and the 2013 Elections in Kenya,"](#) Human Rights Watch, 8 February 2013
- » ["The March 2013 Elections in Kenya and the Responsibility to Protect,"](#) GCR2P, 11 February 2013
- » ["Statement in Advance of the 4 March Elections in Kenya,"](#) GCR2P, 25 March 2013
- » [GCR2P Populations at Risk: Kenya](#)



## BURMA/MYANMAR

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

### BACKGROUND

During June and October 2012 longstanding tensions between Arakanese/Rakhine Buddhists and Rohingya Muslims in Arakan/Rakhine state erupted into inter-communal violence that killed at least 150 people and displaced an estimated 120,000, mostly Rohingya, to nearby IDP camps or neighboring countries. Security forces tasked with restoring order in June are accused of using excessive force and committing human rights violations themselves. State media published anti-Rohingya accounts of the events, encouraging further persecution.

The Rohingya continue to face discriminatory state policies, including the denial of citizenship. President Thein Sein told the UN High Commissioner for Refugees that refugee camps were the “only solution” and asserted that Burma/Myanmar will not take responsibility for Rohingya, who are “not our ethnicity.” Buddhist monk organizations have called for their deportation and attempted to block the delivery of humanitarian assistance to IDPs.

Conditions for Burma/Myanmar’s other ethnic minorities also remain grave. After sixty years of civil war, the government has reached ceasefire agreements with several ethnic armed groups. Despite this, fighting continues in Kachin, Karenni/Kayah, Karen/Kayin, Chin and Shan states. During 2012 the UN recorded violations committed by the government’s armed forces (Tatmadaw) including extrajudicial killing, sexual violence and the recruitment of child soldiers, 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 the fighting.

During December and January the Tatmadaw launched airstrikes against Kachin rebel positions. Despite a 19

January government-ordered ceasefire, the Tatmadaw continued its attacks. On 6 February the government and the Kachin Independence Organization agreed to work on a framework for the de-escalation of the conflict, although sporadic clashes continue to occur.

### ANALYSIS

While the current government has been credited with introducing extensive democratic reforms, widespread abuses against several of Burma/Myanmar’s minorities continue.

In particular, the government has taken little action towards improving the Rohingya’s plight. Its failure to condemn incitement against Rohingya is tacit endorsement of their persecution, while refusal to grant Rohingya citizenship enables ongoing violation of their human rights.

Attacks by the Tatmadaw pose a grave threat to already vulnerable civilians, particularly in Kachin state, and indicate that its commitment to reform remains questionable. The UN Special Rapporteur on the Situation of Human Rights in Myanmar, Tomás Ojea Quintana, said on 16 February that the Tatmadaw’s large military presence in Kachin state, which “remains beyond the reach of accountability mechanisms, means that serious human rights violations are continuing there.”

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. 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, democratic reforms have contributed to rapprochement between Burma/Myanmar and the international community, including the lifting of sanctions and cancellation of bilateral debt by a number of countries. In January the Asian Development Bank and the World Bank approved major loans to the government, their first in over 25 years.

The UN General Assembly adopted a 26 November resolution calling upon the government to address the continuing armed conflict in Kachin state and “the discrimination and human rights violations affecting ethnic minorities, especially the Rohingya.” The Association of Southeast Asian Nations Inter-Parliamentary Caucus and the Organization of Islamic Cooperation have also made several statements condemning discrimination and violence against Rohingya.

Following his 11-16 February visit to Burma/Myanmar, Special Rapporteur Quintana called upon the government and armed groups to ensure the protection of civilians in Kachin state. He urged the government to remove discriminatory regulations imposed upon Rohingya and grant them citizenship.

### NECESSARY ACTION

The government of Burma/Myanmar must uphold its Responsibility to Protect all populations, regardless of their ethnicity.

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 Arakan/Rakhine state, the government must facilitate the safe, voluntary return of IDPs to their communities. Neighboring countries should 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 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 mass atrocity crimes.

### MORE INFORMATION

- » [Statement by the UN Special Rapporteur on the human rights situation in Myanmar](#), 16 February 2013
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



## MALI

*Populations in northern Mali face possible war crimes as the Malian army and interventionist forces battle armed Islamist groups.*

### BACKGROUND

On 22 March 2012 a group of Malian soldiers under the leadership of Captain Amadou Sanogo led a military coup against the central government, resulting in the formation of a transitional government. With this new government lacking capacity to respond, a loose alliance of armed Islamist groups and the National Movement for the Liberation of Azawad (MNLA), a mainly ethnic Tuareg separatist group, were able to militarily seize control of northern Mali. By June the MNLA had been sidelined by the armed Islamist groups, which committed various human rights abuses including torture, amputations, extrajudicial killings, sexual violence and the recruitment of child soldiers while instituting a strict form of Sharia law.

In the midst of armed conflict in the north, during June the transitional government and the Economic Community of West African States (ECOWAS) called for international support to restore the territorial integrity of Mali. On 20 December the UNSC approved a resolution authorizing an African-led military intervention force that could be deployed by September 2013.

On 10 January armed Islamist groups captured the central town of Konna and threatened to advance towards the capital, Bamako. France responded to a request by Mali's interim President for urgent assistance by militarily intervening in support of government forces on 11 January, decisively shifting the balance of power in northern Mali. According to Oxfam International, during January over 375,000 Malians fled the resulting fighting.

Several reports implicate Malian troops battling against armed Islamist groups in the north of committing extrajudicial-executions, forcible disappearances and torture. According to the International Federation for

Human Rights, on 10 January Malian troops in Sèvaré, Mopti and Niono carried out summary executions of alleged collaborators of the armed Islamist groups. Malian troops and segments of the population have specifically targeted Tuareg and Arab civilians for reprisals and these groups are now at risk of grave human rights abuses.

On 1 February the UN Special Adviser on the Prevention of Genocide warned of the risk of reprisal attacks against Tuareg and Arab civilians and called “on the Malian army to discharge its responsibility to protect all populations, irrespective of their race or ethnicity.”

## ANALYSIS

At the root of the security crisis in northern Mali is the historical marginalization of ethnic Tuareg, resulting in numerous previous rebellions. However, it was a combination of tensions between the government and military, a humanitarian crisis related to food insecurity, growing transnational criminality, weak governance and a flood of weapons from Libya that created an environment in which armed rebels could take control of almost half the country.

Arab and Tuareg populations in northern Mali continue to face the risk of possible war crimes. On 12 March Deputy High Commissioner for Human Rights Kyung-wha Kang said that “the situation has been exacerbated by the propagation of inflammatory messages, including through the media, stigmatizing members of the community, thousands of whom have reportedly fled out of fear of reprisal by the Malian army.”

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

## INTERNATIONAL RESPONSE

After repeated requests by ECOWAS and the AU, the UNSC adopted Resolutions 2056 and 2071 in July and October 2012 respectively, to advance preparations for an ECOWAS-led military intervention in northern Mali.

On 20 December the UNSC unanimously adopted Resolution 2085 authorizing the deployment of an African-led international support mission in Mali (AFISMA). Following France’s intervention on 11 January, ECOWAS began immediate deployment of AFISMA forces.

On 18 February the European Union launched a training mission for the Malian military, which includes training on human rights, IHL and the protection of civilians. The AU and ECOWAS plan to deploy 50 human rights monitors to Mali alongside 30 monitors from the UN.

On 13 July 2012 the government of Mali referred the situation in the north to the ICC, which formally launched a war crimes probe during January 2013.

## NECESSARY ACTION

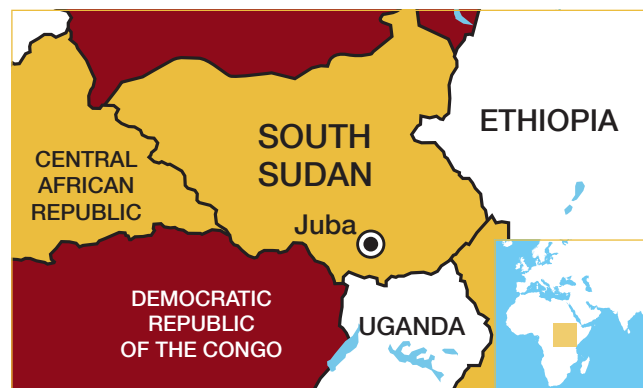
Safeguards should be rigorously implemented by the Malian government and the international community to mitigate any further risk to civilians while conducting military operations against armed Islamist groups in the north.

As recommended by UNSC Resolution 2085, it is crucial to include a strong human rights component in the ongoing training of Malian troops and ensure the rapid deployment of mandated human rights monitors.

The government should set up an independent commission to investigate alleged war crimes in northern Mali and cooperate fully with the ICC investigation.

## MORE INFORMATION

- » [UNSC Resolution S/RES/2085](#), 20 December 2012
- » [“Abuses committed by Malian military,”](#) FIDH, 24 January 2013
- » [GCR2P Populations at Risk: Mali](#)



## SOUTH SUDAN

*The threat of inter-communal violence in 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 inter-communal violence during the dry season in South Sudan. This violence 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 small arms. Increasingly, women and children have been 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. While recent violence has not reached the

scale of 2011/2012, several major attacks have occurred. On 8 February Murle fighters allegedly used rocket-propelled grenades to attack migrating Lou Nuer pastoralists in Walgak, Jonglei state. The attacks resulted in the death of over 100 civilians and 14 Sudan People's Liberation Army (SPLA) soldiers as well as the abduction of dozens of children.

Inter-communal violence has also been reported in the volatile Lakes, Unity and Warrap tri-state area. Fighting between rival ethnic groups in Lakes state on 17 January resulted in more than 14 deaths.

Since the 2011/2012 dry season the government of South Sudan has undertaken measures to prevent renewed inter-communal violence, including launching a disarmament campaign in Jonglei state and facilitating a peace accord between traditional Lou Nuer and Murle leaders. Implementation of the peace accord has been slow, but there have been efforts to return abducted children. The UN peacekeeping mission in South Sudan (UNMISS) assisted in the establishment of a "Livestock Patrol Unit" tasked with combating inter-communal violence and retrieving stolen cattle. These initiatives, however, have failed to eliminate the risk to populations in Jonglei state.

UNMISS has reported serious human rights violations perpetrated by the SPLA - largely against the Murle - during the disarmament campaign, including several instances of extrajudicial execution, torture and rape.

In addition, forces loyal to David Yau Yau, a rebel leader who is allegedly backed by the government of Sudan, have regularly clashed with the military since late August, resulting in over 100 SPLA deaths. Yau Yau continues to recruit youth from his own community, the Murle, and also allegedly played a significant role in provoking the attacks that took place on 8 February.

## ANALYSIS

Dry season cattle raids leave civilians at heightened risk of a recurrence of large scale inter-communal violence. The rapid escalation of hostilities during the 8 February attacks indicates that the root causes of conflict between the Murle and the Lou Nuer have not been fully addressed. Furthermore, Yau Yau's distribution of weapons is undermining the government's disarmament efforts.

While the SPLA's increased deployment throughout Jonglei state has helped to deter the large-scale mobilization of armed youth, ongoing capacity issues are highlighted by the inability to halt the attacks on 8 February. Allegations of ongoing human rights violations demonstrate the need for security sector reform.

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. The peacekeeping mission is tasked with assisting the government of South Sudan in "fulfilling its responsibility to protect."

There has been a general lack of attention to the internal challenges facing South Sudan as the UN and AU continue to focus on resolving border issues with Sudan, which have at times threatened to result in open war between the two states.

## NECESSARY ACTION

The government of South Sudan should implement all provisions of the 2012 peace accord to ensure the root causes of inter-communal conflict in Jonglei are addressed. If widespread violence recurs, the SPLA and UNMISS must rapidly deploy troops to halt attacks.

The government and UNMISS must address the precarious situation developing in the Lakes, Unity and Warrap tri-state area by deploying adequate security forces to protect civilians.

The government must hold all perpetrators of inter-communal violence accountable and break the culture of impunity regarding such activities.

## MORE INFORMATION

- » [UNSC Resolution S/RES/1996](#), 8 July 2011
- » [UNMISS Website](#)
- » [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

During 2012 over 850 people were killed in bombings and gun attacks carried out by Boko Haram, an extremist Islamist group that is committed to overthrowing Nigeria's secular government. These attacks exacerbate existing ethnic and religious tensions while increasing the risk of widespread inter-communal violence. As a result of the ongoing violence, on 26 November 2012 the ICC reported that the Prosecutor has "determined that there is a reasonable basis to believe that crimes against humanity have been committed" by Boko Haram.

As part of Boko Haram's expanded terrorist campaign, Christians have been singled out for attack and church bombings have become a regular occurrence. Despite the government deploying additional security forces in advance of the 2012 Christmas holiday, at least 72 people were killed in attacks on Christians between 24 December and 1 January. Over the past year these attacks have sometimes triggered violent reprisals against Muslims.

According to the UN Office of the High Commissioner for Human Rights, between 1999 and 2010 more than 13,500 Nigerians were also killed in inter-communal violence. The violence was primarily in the north and the "middle-belt," a region that straddles the predominantly Muslim north and Christian south.

On 22 February a family of 10 Christians, including 4 children, were reportedly killed by Muslims in an attack in Plateau state. Meanwhile a dispute that reportedly started over use of a football pitch in Taraba state escalated into violence between Muslim and Christian communities on 25 February, resulting in the death of more than 30 people.

### ANALYSIS

The violence in Nigeria 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. The violence in Taraba state, an area that has not experienced recent Boko Haram attacks, demonstrates that inter-communal conflict is a pervasive problem. Boko Haram has successfully exploited similar tensions elsewhere to facilitate the spread of inter-communal violence beyond the north and middle-belt. The effect of this is that while Boko Haram uses terrorism as a tactic, their threat must be understood through the lens of the Responsibility to Protect.

Boko Haram is linked with transnational armed Islamist groups and has been viewed internationally as part of the "war on terror." As such, the effort to militarily defeat Boko Haram has elicited a stronger response from the international community and the Nigerian government than the need to address the root causes of persistent ethnic and sectarian conflict. The government lacks the material resources necessary to protect populations from the scale of the combined threat posed by terrorist attacks and inter-communal violence.

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

### INTERNATIONAL RESPONSE

Although in November 2012 the ICC found that there is a reasonable basis to believe that crimes against humanity have occurred in Nigeria, it has stated that it will not proceed with any prosecutions as long as Nigeria continues to take appropriate legal action against suspected perpetrators of these crimes.

The UNSC last issued a Press Statement on Nigeria during January 2012, focusing on terrorist attacks by Boko Haram.

### NECESSARY ACTION

The Nigerian government must continue to deploy security forces to protect vulnerable communities in the middle-belt and north. Those who incite sectarian attacks or perpetrate inter-communal violence must be held accountable.

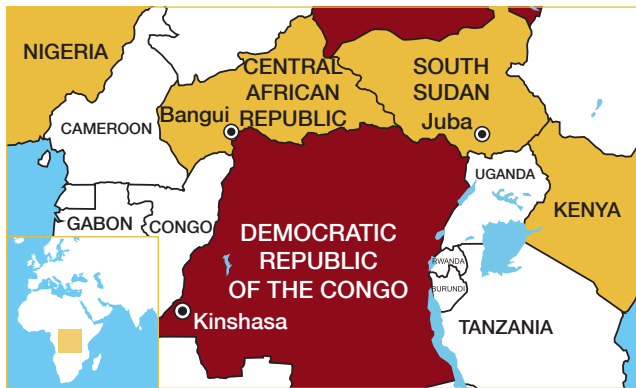
With international assistance, the government should advance security sector reform to ensure that the security forces, in particular the police, are trained to prevent mass atrocities while respecting human rights.

The AU, ECOWAS, 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

- » [Report on Preliminary Examination Activities 2012, International Criminal Court](#), November 2012
- » [“Spiraling Violence: Boko Haram Attacks and Security Forces Abuses in Nigeria,”](#) Human Rights Watch, 11 October 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 Lord's Resistance Army (LRA) has perpetrated crimes against humanity across central Africa. No attacks have been reported in Uganda since 2006 or in South Sudan since 2011, but the group remains an active threat to civilians in the DRC and Central African Republic (CAR).

Though its numbers are estimated at fewer than 300 combatants, the LRA remains a serious concern for populations as it operates across remote regions that lack a significant presence of security personnel. According to the LRA Crisis Tracker, during 2012 the LRA conducted more than 275 attacks, resulting in at least 50 civilian fatalities, 500 abductions and 5,500 people displaced. Since January 2013, LRA attacks have resulted in more than 20 deaths and 25 abductions. The majority of attacks have occurred within the DRC.

The LRA has previously committed mass atrocities, deliberately maiming civilians and abducting children. Over the last year, however, the LRA has shown a trend of looting

remote villages and committing short-term abductions of civilians to help transport goods.

## ANALYSIS

While the LRA committed fewer atrocities in 2012 than in the past, the group still poses a formidable threat to populations. 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 CAR, DRC and South Sudan are all burdened by other internal conflicts and protecting civilians from the LRA is often a low security priority.

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 in the past, allowing combatants to maintain safe havens within the DRC. However, the DRC government's 13 February contribution of 500 troops to an AU-led Regional Task Force (RTF) opens the possibility that active cooperation will increase in the future.

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

## INTERNATIONAL RESPONSE

Over the past two years there has been unprecedented regional and international commitment to defeating the LRA. However, the UN has a limited number of peacekeepers from MONUSCO and UNMISS stationed in LRA-affected areas. MONUSCO has previously enticed some LRA fighters to leave the group through its DDRRR program.

During February 2012 the United States deployed 100 troops to provide intelligence support to forces pursuing the LRA.

The AU-led Regional Cooperation Initiative for the Elimination of the LRA (RCI-LRA) launched its operational phase during March 2012. Since then, governments from all four LRA-affected countries have contributed troops towards the initiative's RTF.

During June 2012 the Special Envoys for the AU and the UN Regional Office for Central Africa briefed the UNSC on a 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."

## NECESSARY ACTION

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

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

The UN and AU need to ensure that the UN Regional Strategy is fully 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. The UN, AU and donors should ensure that all elements of the RCI-LRA are adequately resourced in order 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
- » [GCR2P Populations at Risk: Central Africa \(LRA\)](#)

## ACCOUNTABILITY WATCH

### Bangladesh:

The International Crimes Tribunal in Bangladesh has delivered its first three verdicts for crimes committed against Hindus during the country's 1971 war for independence from Pakistan. Abul Kalam Azad, Abdul Quader Molla and Delwar Hossain Sayedee, three leading members of the Jamaat-e-Islami party, were found guilty of perpetrating war crimes and crimes against humanity. Following the sentencing of Molla on 5 February and Sayedee on 1 March, violent protests broke out in several cities in Bangladesh. Clashes between protestors, many of whom believe the court has underlying political motives, and security forces have resulted in at least 70 people killed and hundreds wounded.

### Libya:

On 6 February the ICC Pre-Trial Chamber issued a Public Decision ordering the government of Libya to surrender Abdullah al-Senussi to the court. The ICC and the government of Libya continue to discuss the proper venue for the trial of Saif al-Islam al-Qaddafi. Both Senussi and Qaddafi have been charged with crimes against humanity.

### Côte d'Ivoire:

Charles Blé Goudé, the Youth Minister under former President Laurent Gbagbo, was extradited to Côte d'Ivoire from Ghana in mid-January and will be prosecuted in a domestic court on charges of war crimes. Meanwhile, Gbagbo's confirmation of charges hearing at the ICC began on 19 February. Four days earlier, the Permanent Representative of Côte d'Ivoire to the UN, H.E. Mr. Youssoufou Bamba, deposited the country's instrument of ratification of the Rome Statute, making it the 122nd state to ratify.

### Guatemala:

On 28 January Judge Miguel Angel Gálvez ordered former military leader Efraín Ríos Montt and his intelligence chief, Jose Mauricio Rodríguez Sanchez, to stand trial on charges of genocide and crimes against humanity. The two are accused of commanding troops that killed 1,771 people in the Mayan-Ixil region between 1982-1983 as part of the country's civil war. Ríos Montt was indicted by a Guatemalan court when his immunity from prosecution was lifted in January 2012.



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