

R2P MONITOR

15 MARCH 2015
ISSUE 20

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

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

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

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

CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

IMMINENT RISK

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

SERIOUS CONCERN

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

R2P Monitor:

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

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CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



220,000+
people killed

7.6 million IDPs

12.2 million
in need of
assistance

SYRIA

The ongoing civil war in Syria leaves populations facing mass atrocity crimes committed by state security forces and affiliated militias. Some armed opposition groups, including the Islamic State of Iraq and the Levant, are also committing war crimes and crimes against humanity.

BACKGROUND

After four years of conflict in Syria over 220,000 people have been killed. According to the UN High Commissioner for Refugees (UNHCR), as of 12 March there are over 3.8 million Syrian refugees in neighboring countries and over 7.6 million internally displaced persons (IDPs) – the largest number of people displaced by any conflict in the world. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported on 28 January that the crisis has left 12.2 million Syrians in urgent need of humanitarian assistance, 4.8 million of whom remain in inaccessible areas. On 20 February the UN Human Rights Council-mandated Commission of Inquiry (CoI) said the Syrian government has “manifestly failed to protect its citizens from mass atrocities,” with war crimes and crimes against humanity being “committed on a massive scale.”

On 28 January the Assistant Secretary-General for Humanitarian Affairs, Kyung-wha Kang, said that the government has “ignored” UN Security Council (UNSC) Resolution 2139 of 22 February 2014 as it continues to conduct airstrikes, including the use of indiscriminate barrel bombs, in densely populated residential areas. She noted that between 21 and 26 January government airstrikes around Damascus reportedly killed nearly 100 people.

Some government-allied militias have committed large-scale massacres and perpetrated war crimes and gross violations of international humanitarian law (IHL) as a matter of state

policy. The CoI has reported that pro-government forces have conducted “widespread attacks on the civilian population, committing murder, torture, rape and enforced disappearances as crimes against humanity.”

The armed opposition in Syria has become increasingly fractured, with groups competing for support and resources, as well as widespread fighting between extremists and more moderate rebel militias. Several armed opposition groups have committed mass atrocity crimes, violated IHL and targeted religious minorities for attack.

The “Islamic State of Iraq and the Levant” (ISIL), an extremist armed group operating on both sides of the Syria-Iraq border, poses a direct threat to civilians as its forces have carried out mass executions and sexual enslavement in areas under their control. The CoI has reported that ISIL has committed crimes against humanity. On 28 December the Syrian Observatory for Human Rights (SOHR) reported that ISIL killed 1,878 people in Syria during the previous six months, most of whom were civilians. On 25 February the UNSC condemned ISIL’s abduction of Assyrian Christians from two villages in Al-Hassakah province. Assyrian leaders subsequently reported 287 people had been taken captive, including 30 children, and that 30 villages were emptied as a result of ISIL’s assault.

Since 23 September Bahrain, Jordan, Morocco, Qatar, Saudi Arabia, United Arab Emirates and United States have conducted airstrikes against ISIL in Syria. The SOHR reported on 23 February that at least 1,465 ISIL fighters and 62 civilians have been killed by the airstrikes.

OCHA has reported that all parties to the Syrian conflict, especially government forces, have laid sieges and impeded humanitarian access to vulnerable civilians. Assistant Secretary-General Kang reported that during January only 304 of the 212,000 people living under siege were able to be reached with food assistance. On 17 February the UN Special Envoy to Syria, Steffan de Mistura, briefed the UNSC on a proposed plan to implement a local conflict “freeze” in Aleppo. The six-week freeze in fighting to allow for unhindered delivery of humanitarian aid was agreed to by the Syrian government, but so far no opposition groups have committed.

The conflict also poses a threat to peace and stability throughout the entire Middle East. Lebanon, which hosts over 1.1 million Syrian refugees, has seen sporadic clashes between supporters and opponents of the Syrian government. Hezbollah has directly engaged in fighting against Syrian rebels on both sides of the Syria-Lebanon border and has vowed to remain militarily active inside Syria.

International actors continue to vie for influence in shaping the outcome of the conflict. Saudi Arabia and Qatar are providing

arms to some rebel groups. Meanwhile Russia and Iran continue to provide the Syrian government with crucial economic, military and political support.

International diplomatic negotiations have stalled. The "Geneva II" peace conference, aimed at ending the violence in Syria, finished on 15 February 2014 with no tangible political progress.

ANALYSIS

With all sides in Syria committed to an outright military victory, the lives of countless civilians are imperiled by the ongoing civil war. Nearly half of Syria's population has either been displaced or fled to neighboring countries and even more need urgent humanitarian assistance.

The government continues to utilize its military resources to retain power at all costs and perpetrate ongoing crimes against humanity and war crimes. With superior capabilities and external assistance, the Syrian government was able to make significant military gains in several provinces during 2014.

The fracturing and radicalization of the opposition has strengthened the position of the government and compounded the difficulty of achieving a negotiated political settlement. ISIL and several other armed extremist groups pose a direct threat to civilians, especially those from minority religious communities.

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. Long-standing divisions within the UNSC over Syria have allowed the situation to deteriorate to the point where few options for a peaceful political solution exist. Nevertheless, more than a year since Geneva II ended, it remains imperative that diplomatic efforts be reinvigorated.

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

INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the regime for its widespread violations of human rights. [For responses prior to August 2014, [see GCR2P's Timeline of International Response to the Situation in Syria.](#)]

Between October 2011 and July 2012 Russia and China vetoed three UNSC resolutions aimed at holding the Syrian government accountable for mass atrocity crimes. However, since September 2013 the UNSC has also passed Resolution 2118, regarding the destruction of chemical weapons, and Resolutions 2139 and 2165, demanding increased humanitarian access. Resolutions 2139 and 2165 also reaffirmed the need for the government to uphold its primary responsibility to protect the Syrian population. On 22 May 2014 Russia and China vetoed a fourth resolution that would have referred the situation in Syria to the ICC for investigation.

On 15 August the UNSC adopted Resolution 2170, which condemned "gross, systematic and widespread abuses" of human rights by ISIL and al-Qaeda affiliated groups operating in Syria and Iraq, placing six individuals on its sanctions list.

The UN Human Rights Council has adopted 13 resolutions condemning atrocities in Syria. The most recent, passed on 23 September, demanded that the government uphold its responsibility to protect the population.

On 18 December the UN General Assembly passed a resolution condemning widespread and systematic violations of human rights and IHL by the Syrian authorities and various armed groups, including ISIL. The resolution urged all parties to take appropriate steps to protect civilians, including members of minority ethnic and religious communities.

NECESSARY ACTION

Syrian government forces and armed opposition groups must halt the commission of mass atrocity crimes and adhere to IHL. All sides must facilitate immediate and unimpeded humanitarian access to civilian populations trapped or displaced by fighting, in keeping with UNSC Resolutions 2139 and 2165.

The UNSC needs to take proximate steps to end atrocities in Syria, including imposing an arms embargo and referring the situation to the ICC. Those deemed responsible for mass atrocity crimes in Syria should be thoroughly investigated and the perpetrators, regardless of affiliation, brought to justice.

Russia, Iran and Hezbollah must cease arming and enabling the crimes of the Syrian government. Countries opposed to the rule of President Bashar Al-Assad should deny support to armed groups who commit war crimes or target Alawites and other minorities for reprisals.

The international community must intensify efforts towards finding a political solution to the conflict and increasing humanitarian assistance to populations trapped or displaced by the civil war. States participating in airstrikes against ISIL must ensure all necessary precautions are taken to avoid civilian casualties and uphold IHL.

MORE INFORMATION

- » [UN General Assembly Resolution A/RES/69/189, Situation of human rights in Syria](#), 18 December 2014
- » [Report of the Col A/HRC/28/69](#), 20 February 2015
- » [GCR2P Populations at Risk: Syria](#)



12,280 civilians killed
during 2014

2 million people displaced
during 2014

IRAQ

The extremist armed group the Islamic State of Iraq and the Levant is committing mass atrocities against ethnic and religious minorities in Iraq. As the Iraqi Security Forces, Shia militias and Kurdish fighters confront ISIL, civilians remain at risk of further mass atrocity crimes.

BACKGROUND

The security situation in Iraq remains dire as a result of ongoing attacks by ISIL, which operates on both sides of the Iraq-Syria border and has declared a caliphate spanning both countries. Widespread fighting between the Iraqi Security Forces (ISF) and ISIL, as well as several other armed groups, continues to take a toll on civilians, with sectarian violence and gross human rights abuses. ISIL has targeted minorities and caused the mass displacement of vulnerable civilian populations.

According to a 23 February report by the UN Assistance Mission for Iraq (UNAMI) and the Office of the High Commissioner for Human Rights (OHCHR), ISIL's violations, which include targeted killings, forced conversions, slavery and sexual abuse, may amount to war crimes, crimes against humanity and genocide.

UNAMI reported that 2014 was the deadliest year in Iraq since 2008, with at least 12,280 civilians killed. During January and February 2015 an additional 1,400 civilians were killed. UNHCR reported that 2 million Iraqis were displaced during 2014, including approximately 946,000 who sought sanctuary in the autonomous Kurdish region.

ISIL continues to systematically attack ethnic and religious minorities, including Christians, Shabak, Yazidis and Turkmen, throughout western and northern Iraq. On 20 January OHCHR reported that in territory under ISIL's control the group has established unlawful sharia courts that have been carrying out "cruel and inhuman punishments" against civilians. Between 26 February and 7 March ISIL systematically destroyed cultural artifacts and ancient cities and ruins at Mosul, Nimrud and Hatra, acts that amount to war crimes.

ISIL seized the northern town of Sinjar on 3 August, threatening death to members of the minority Yazidi community who refused conversion to Islam. ISIL reportedly killed at least 500 Yazidis and abducted 1,500 women and girls. Following an Iraqi government request, on 8 August the United States began airstrikes against ISIL positions "to prevent a potential act of genocide," according to President Barack Obama. Australia, Belgium, Canada, Denmark, France, Morocco, Netherlands and United Kingdom have all since joined the operations. On 19 December Kurdish forces, backed by allied airstrikes, reportedly broke ISIL's siege of the Sinjar region. During the first week of February the remains of at least 40 Yazidis were discovered in two mass graves in Zumar and Sinjar.

Responding to sectarian terrorist attacks and the rise of ISIL, Shia militias have carried out retaliatory kidnappings and attacks against Sunni civilians. On 28 January the government said it would investigate an attack by Shia militias and some ISF members that killed at least 70 unarmed Sunni civilians in Barwanah, Diyala province. The alleged massacre followed a three-day offensive to recapture villages from ISIL.

The ISF and associated armed groups have also been accused of extrajudicial killings, unlawful use of force against peaceful protesters, illegal detention, systematic use of torture and other violations of IHL and human rights law, which may amount to war crimes. The ISF dropped improvised barrel bombs on residential neighborhoods of Fallujah, Anbar province, during its attempt to retake parts of the city seized by ISIL.

ANALYSIS

The rising threat posed by ISIL and other armed groups imperils countless civilians, particularly ethnic and religious minorities, who face the risk of further mass atrocities.

Despite a November 2010 power-sharing agreement between political parties representing Shias, Sunnis and Kurds, many Sunnis felt marginalized under former President Nouri al-Maliki. The government's response to a Sunni protest movement that started in December 2012 further aggravated these divisions. ISIL has exploited widespread disaffection to build alliances with Sunni tribes and seize large swathes of territory and resources. Cultural identities and transnational loyalties continue to be manipulated by various political forces and contribute to the government's inability to resolve the security crisis.

There are grave fears for the fate of civilians who continue to be trapped by fighting between ISIL and the ISF. Human rights violations are routinely perpetrated by the ISF, who often commit abuses in the name of counter-terrorism. Some Shia militias, mobilized by the government to fight ISIL, pose a direct threat to Sunni civilians. Meanwhile ISIL has consistently failed to protect civilians in areas under its control and is committed to the eradication of religious communities and minority cultures that do not conform to its strict interpretation of Islam.

The Iraqi government is unable to uphold its Responsibility to Protect and needs ongoing international assistance.

INTERNATIONAL RESPONSE

On 15 August the UNSC adopted Resolution 2170, condemning "gross, systematic and widespread abuses" by ISIL and al-Qaeda affiliated groups operating in Iraq and Syria.

On 15 August the European Union (EU) voted to allow member states to provide assistance to Kurdish fighters battling ISIL. Nine EU members, as well as Albania and Canada, committed to providing military assistance. The United States announced on 19 December that it would deploy an additional 1,300 troops to Iraq to join the 1,500 authorized in November.

In a 17 October Press Statement the UNSC condemned ISIL's "systematic persecution of minorities" and called upon the international community to expand support to the Iraqi government in its fight against ISIL.

On 29 January UNAMI welcomed the Iraqi government's decision to investigate the alleged sectarian killings in Diyala, calling upon the ISF to respect the rule of law and protect civilians.

NECESSARY ACTION

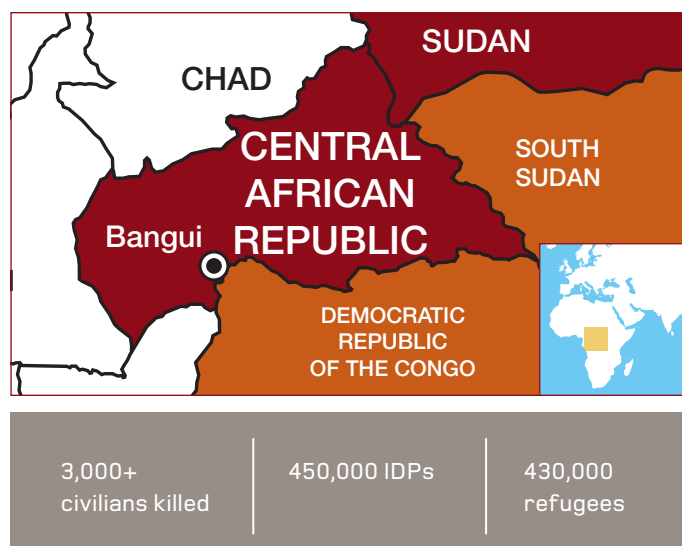
The international community should continue to provide support to the Iraqi government to combat the threat ISIL poses to vulnerable populations, especially religious and ethnic minorities. While confronting ISIL and other armed groups, the government must protect civilians and address the underlying sources of conflict between Sunnis, Shias and Kurds in Iraq. Displaced populations require urgent humanitarian assistance.

The government must actively prevent reprisals against Sunnis by the ISF and Shia militias. Iraq's international supporters, especially the United States, must ensure that the ISF complies with its obligations under international human rights law. The Kurdistan Regional Government is also in need of international support to defend vulnerable populations from ISIL attacks.

Sunni, Shia and Kurdish political leaders must work to address issues of regional autonomy and perceptions of sectarian discrimination. Politicians should refrain from incendiary speech and work towards national reconciliation, including equal treatment and representation for all communities.

MORE INFORMATION

- » [UNAMI Website](#)
- » [Casualty Figures for January](#), UNAMI, 1 February 2015
- » [Report on the Protection of Civilians in Armed Conflict in Iraq](#), UNAMI and OHCHR, 23 February 2015
- » [GCR2P Populations at Risk: Iraq](#)



CENTRAL AFRICAN REPUBLIC

Mass atrocity crimes are being committed in the Central African Republic by "anti-balaka" militias, ex-Séléka rebels and other armed groups.

BACKGROUND

Violence against civilians is pervasive throughout the Central African Republic (CAR) despite the deployment of French forces, a UN peacekeeping operation (MINUSCA) and an EU military force (EUFOR-RCA).

The Muslim population of CAR is being systematically targeted by the predominantly Christian and animist "anti-balaka" militias. Formed largely in response to abuses by the Séléka rebel alliance, the predominantly Muslim armed group who overthrew former President François Bozizé on 24 March 2013, anti-balaka militias have conducted widespread attacks against Muslims and are responsible for the majority of civilian deaths.

A 19 December 2014 report of the UN Commission of Inquiry into the situation in CAR stated that 99 percent of the Muslim population of Bangui has been forcibly displaced or killed. The report estimated at least 80 percent of CAR's total Muslim population has been driven out of the country. The Commission concluded that crimes committed by the anti-balaka constitute a "policy of ethnic cleansing" against CAR's Muslims.

According to the UN there are still at least 36,000 Muslim civilians trapped in seven besieged communities throughout the country. These enclaves have been systematically encircled, predominantly by the anti-balaka, subjected to attack and cut off from food and medical supplies. UNHCR has expressed particular concern for the plight of 470 Muslim Peuhl civilians that have been trapped in Yaloke for several months.

Despite some improvement of the security situation in Bangui, the situation in the interior of the country is marked by continued, widespread insecurity and the perpetration of gross human rights violations against civilians. Clashes

between anti-balaka militias and ex-Séléka factions, as well as armed pastoralists, have intensified despite the signing of a ceasefire on 23 July.

At least 17 civilians were killed in attacks between 27 and 28 January in Agoudou-manga and Botto. On 7 February ex-Séléka fighters and armed pastoralists attacked the Ngakobo IDP site, which hosts 9,500 people, but were repelled by MINUSCA.

According to the UN Panel of Experts on CAR, at least 3,000 civilians have been killed since December 2013. There are currently more than 450,000 IDPs in CAR and over 430,000 refugees in neighboring countries. On 24 February UNHCR said the surge in violence in the interior since mid-December has led to the displacement of at least 50,000 people, including 19,000 that have fled into the Democratic Republic of Congo (DRC). An estimated 2.7 million people are in need of humanitarian assistance.

The transitional government, led by interim President Catherine Samba-Panza, is struggling to respond to the ongoing crisis. The UN Secretary-General has warned that the permanent "de-facto partition" of the country remains a possibility.

ANALYSIS

CAR has suffered decades of poor governance, recurring instability and humanitarian crisis. Since March 2013 the state has effectively collapsed. National security forces cannot prevent various armed groups from perpetrating attacks and, in some cases, have themselves engaged in violence against civilians. Religious and ethnic identities continue to be manipulated, with communities mobilized against one another.

MINUSCA, EUFOR-RCA and French troops are still struggling to contain violence in Bangui. Ongoing fighting between the anti-balaka, armed Muslim self-defense groups and other armed groups, as well as between international peacekeepers and these groups, continues to pose a risk to civilians.

Clashes are ongoing in prefectures that split CAR between North and South and East and West. The country is now effectively partitioned, with anti-balaka controlling territory in western CAR and ex-Séléka factions establishing control in the east. Armed groups continue to exploit natural resources to fund their activities and violence is rising in transhumance corridors between nomadic pastoralists and settled agriculturalist communities. Deadly attacks on civilians continue to be conducted openly and without fear of sanction.

Leaders of various armed groups are seeking to secure amnesty and political concessions in advance of the upcoming Bangui Forum on National Reconciliation scheduled for March and April 2015. Local consultations in advance of the Forum are being hindered by ongoing insecurity and are complicated by the fragmentation of the ex-Séléka and anti-balaka. Preparing to hold elections in 2015 without significant improvements in security, accountability and dialogue amongst communities will only increase the risk of further mass atrocity crimes.

CAR's interim government is unable to uphold its Responsibility to Protect and requires sustained international assistance.

INTERNATIONAL RESPONSE

Following the deadly surge in violence during late 2013, the international community intensified its response to the crisis in CAR, including passing five UNSC resolutions between October 2013 and January 2015 that emphasized the interim government's responsibility to protect the civilian population. [For response prior to September 2014, [see GCR2P's Timeline of International Response to the Situation in CAR.](#)]

MINUSCA assumed authority from the previous African Union (AU) peacekeeping mission, MISCA, on 15 September 2014. On 29 January 2015 the UN Secretary-General requested that the UNSC authorize an increase of 1,050 personnel for MINUSCA.

MINUSCA and the Transitional Authorities signed a memorandum of understanding on 8 August creating a Special Criminal Court to investigate atrocities and bring those responsible to justice.

On 24 September the Chief Prosecutor of the ICC announced she would be opening an investigation and stated that the ex-Séléka and anti-balaka have committed crimes against humanity and war crimes, including murder, rape, forced displacement, persecution and the use of child soldiers. The situation was referred to the ICC by CAR authorities on 30 May 2014.

On 22 January the UNSC passed Resolution 2196, recalling that CAR's transitional authorities bear the primary responsibility to protect all populations within their territory. On 10 and 11 March the UNSC visited CAR.

NECESSARY ACTION

French, EU and UN forces must disarm all groups that threaten civilians. MINUSCA must ensure it reaches full operational capacity and deploys in adequate numbers to all areas where vulnerable populations lack protection.

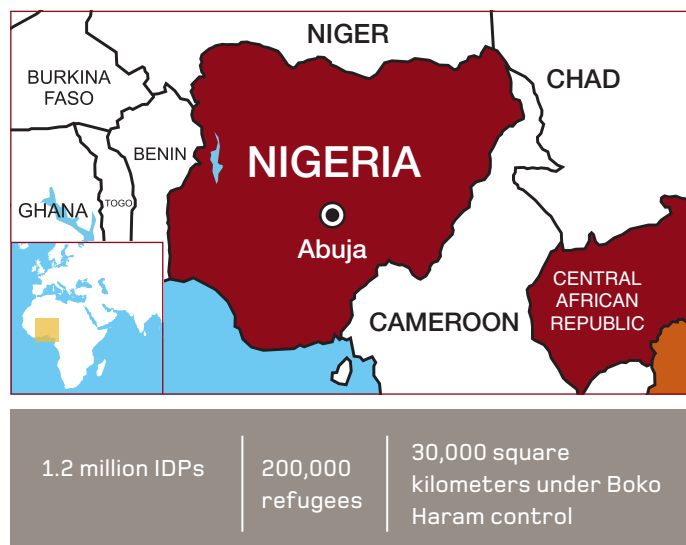
MINUSCA should immediately prioritize the arrest of individuals responsible for mass atrocity crimes and other serious violations of human rights. The mission should regularly and publicly report on the situation of human rights protection in CAR. The UNSC should authorize targeted sanctions against additional individuals and entities responsible for violating IHL and international human rights law.

Urgent financial and human resources are needed to establish the Special Criminal Court and ensure accountability for mass atrocity crimes. The Court should be comprised of a significant portion of international judges and prosecutors.

There is an urgent need for regional and international interlocutors to support the transitional government's attempts to promote reconciliation as well as the disarmament and demobilization of armed groups.

MORE INFORMATION

- » [MINUSCA Website](#)
- » [Final Report of the UN Commission of Inquiry on CAR S/2014/928](#), 19 December 2014
- » [GCR2P Populations at Risk: Central African Republic](#)



NIGERIA

The extremist Islamist group Boko Haram continues to perpetrate mass atrocity crimes. Excessive use of force by the security forces also contributes to the threat of further atrocities.

BACKGROUND

Over the past year armed attacks by Boko Haram have increased in scale and scope in Nigeria. With over 10,000 people reportedly killed in Boko Haram-related violence during 2014, parts of the country's northeast have been rendered ungovernable. According to Nigeria's National Emergency Management Agency, as of 15 January there were over 1.2 million IDPs in Nigeria, more than 90 percent of whom are in the northeast, while UNHCR has estimated that 200,000 Nigerians have fled to neighboring countries.

Boko Haram has been perpetrating attacks against civilians since 2009 and is committed to overthrowing Nigeria's secular government and establishing an Islamic state. While Boko Haram has mainly perpetrated attacks in Adamawa, Borno and Yobe states, since April 2014 the group has widened the scope of its operations, carrying out attacks throughout the country. Since January Boko Haram has increased its use of suicide bombings, including sending girls reportedly as young as seven-years-old to carry out attacks on densely populated civilian areas.

Cross-border raids into neighboring countries have also intensified in recent months. In Cameroon 80 civilians were kidnapped during January and an estimated 90 civilians were killed in Fotokol on 4 February. Boko Haram also conducted multiple attacks in Niger during February and March and its first attack in Chad on 13 February.

Neighboring countries have increased efforts to assist in combating the group. On 9 February Niger approved sending troops to Nigeria as part of the Multinational Joint Task Force (MNJTF), a regional initiative aimed at defeating Boko Haram. On 8 March Chad and Niger launched a joint operation against Boko Haram in Nigeria.

Boko Haram began seizing and holding territory during July 2014. The group has expanded its control to include most of Borno state as well as significant territories in Adamawa and Yobe state. While some previously captured towns have partially returned to government control, grave fears exist for civilians trapped in Boko Haram-run areas, most of whom remain cut off from humanitarian access. According to the EU, as of 13 February the estimated size of the Boko Haram controlled area was 30,000 square kilometers.

Boko Haram's leader, Abubakar Shekau, has vowed to kill all Muslims who "follow democracy" and said that Boko Haram is at war "against Christians and democracy." Long-awaited presidential and parliamentary elections initially scheduled for 14 February have been postponed until 28 March because of security concerns relating to seizure of much of the northeast. Gubernatorial and state elections were shifted to 11 April. On 17 February Boko Haram released a video in which Shekau vowed to destroy Nigeria's electoral process.

Nigerian security forces have consistently failed to provide sufficient protection from Boko Haram and there have been reports of soldiers deserting their posts during attacks. Security forces have also been accused of committing war crimes, including extrajudicial killings of suspected Boko Haram members.

The "Civilian Joint Task Force," a collection of vigilante groups formed in response to Boko Haram, has also been implicated in grave human rights abuses. Cameroonian security forces have also been accused of torture and extrajudicial killings of civilians as they fight Boko Haram.

ANALYSIS

Although the elections have been postponed, it is unlikely that the delay will enable the military to provide adequate security to voters, particularly in the states worst affected by Boko Haram violence. Boko Haram's opposition to the democratic process and frequent attacks on public gatherings puts voters at a heightened risk. The potential disenfranchisement of a significant portion of the population, including more than a million refugees and IDPs, endangers the legitimacy of the entire electoral process.

Despite the "Abuja Accord," signed by all presidential candidates on 14 January, electoral violence also remains a threat, particularly if the legitimacy of the outcome is disputed.

In addition to large parts of northern Nigeria being rendered ungovernable by ongoing violence, the Boko Haram insurgency

is now a regional security threat, imperiling the lives of civilians in Cameroon, Chad and Niger.

In Nigeria, Boko Haram attacks exacerbate existing social, ethnic and religious tensions, heightening the possibility of renewed inter-communal violence. Displacement and ongoing insecurity have increased unemployment and poverty within Africa's largest economy. In addition to military measures, the government's Soft Approach to Countering Violent Extremism program and political reforms addressing poor governance and corruption are crucial to confronting the root causes of conflict.

Nigerian authorities have failed to adequately investigate allegations of the security forces' arbitrary detention, torture and extra-judicial killing of suspected Boko Haram members. The government is also unable to meet the urgent humanitarian needs of vulnerable communities in northeast Nigeria.

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

INTERNATIONAL RESPONSE

Nigeria is currently an elected member of UNSC. On 19 January the UNSC issued a Presidential Statement condemning the escalation in Boko Haram attacks, expressing concern over the humanitarian crisis and reiterating "the primary responsibility of Member States to protect civilian populations on their territories." The UNSC also issued Press Statements on 2, 5 and 13 February regarding Boko Haram atrocities.

On 20 January the Ministers of Foreign Affairs and Defense of 13 countries and representatives of international and regional organizations met in Niamey, Niger to address the "Fight against Boko Haram." Participants decided to establish MNJTF headquarters in N'Djamena, Chad. On 29 January the AU Peace and Security Council authorized the MNJTF's deployment for an initial period of 12 months. The mandate of the force includes "the protection of civilians under immediate threat."

From 5 to 7 February regional governments and other stakeholders met in Cameroon and produced a draft concept of operations (CONOPS) for the MNJTF. Regional governments announced contributions of 8,700 military, police and civilian personnel. The CONOPS was further developed at a follow-up meeting held from 23 to 27 February.

During the 20 January Niamey meeting the Ministers also requested that the ICC expedite "the ongoing process relating to crimes against humanity committed by Boko Haram." On the same day the Chief Prosecutor of the ICC reminded Nigeria of its obligation to prosecute all persons responsible for war crimes or crimes against humanity.

On 16 February members of the Economic Community of Central African States (ECCAS) pledged to create an \$87 million emergency fund to fight Boko Haram.

On 27 February UN Secretary-General Ban Ki-moon called for a "multi-dimensional approach" in fighting Boko Haram that would address "legitimate grievances, past and current human rights violations, and root causes of the conflict."

NECESSARY ACTION

Politicians from all parties should refrain from inflammatory statements that could deepen religious, ethnic and inter-communal divisions during the electoral campaign. Nigerian authorities must ensure that security forces are able to adequately protect all Nigerians and enable them to participate in the democratic process.

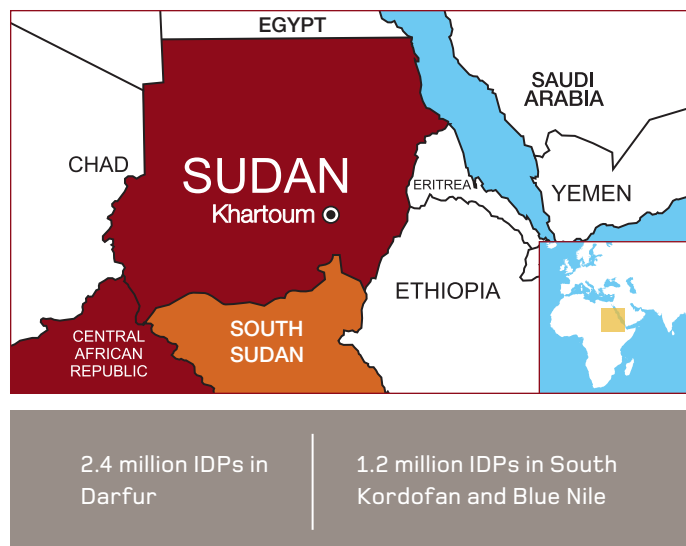
Regional and international cooperation is crucial to defeating Boko Haram and holding perpetrators of mass atrocities accountable. Governments involved in the MNJTF need to fully operationalize the force as soon as possible and ensure it implements protective measures to mitigate the risk to civilians during anti-Boko Haram operations.

The UNSC should actively support regional efforts to defeat Boko Haram, including through supporting the MNJTF. The AU, Economic Community for West African States, ECCAS and states with significant bilateral ties to Nigeria should assist the government in meeting humanitarian needs of affected communities and provide technical and military expertise.

With international support, the government needs to urgently undertake security sector reform to ensure that the army and police are trained to protect civilians and prevent mass atrocities while respecting human rights. The government should conduct thorough investigations into all alleged abuses, including extrajudicial killings committed by the military.

MORE INFORMATION

- » ["Report of the Chairperson of the Commission on Regional and International Efforts to Combat the Boko Haram Terrorist Group and the Way Forward," AU Peace and Security Council, 29 January 2015](#)
- » [Statement attributable to the Spokesman for the Secretary-General on Boko Haram Attacks, 27 February 2015](#)
- » [GCR2P Populations at Risk: Nigeria](#)



SUDAN

Populations in South Kordofan and Blue Nile continue to face mass atrocity crimes perpetrated by the Sudanese Armed Forces and affiliated armed groups. Populations in Darfur are also at risk of mass atrocities due to ongoing inter-communal violence and attacks by government forces.

BACKGROUND

Almost three years since the UNSC adopted Resolution 2046, calling for a negotiated settlement to the conflict in South Kordofan and Blue Nile, the government and armed rebels of the Sudan People's Liberation Movement-North (SPLM-N) continue to engage in hostilities that directly threaten civilians. The government has prohibited access to South Kordofan and Blue Nile and is systematically preventing aid from reaching populations at risk of starvation.

Since December there has been an increase in indiscriminate aerial bombardments and renewed ground offensives in both South Kordofan and Blue Nile. Heavy fighting between the Sudanese Armed Forces (SAF) and SPLM-N has been reported near the strategic town of Daloka, South Kordofan. On 13 January the SAF claimed to have recaptured Alqinezhia and Angarto, both in South Kordofan, from the SPLM-N. The SAF also deliberately targeted and destroyed one of the few remaining Médecins Sans Frontières hospitals in South Kordofan in a bombing raid on 20 January and reportedly launched artillery attacks on Um Serdiba village on 3 February. Major clashes have also taken place near Bok, Yabous and Shali in Blue Nile.

Since June 2011 the SAF has conducted a counterinsurgency campaign in South Kordofan against the SPLM-N, a rebel group that fought alongside forces associated with the government of South Sudan during the 1983-2005 civil war. These forces have also been fighting in neighboring Blue Nile since the conflict expanded during September 2011. The ongoing conflict has led to the internal displacement of over 1.2 million civilians, while

more than 246,500 have fled to South Sudan and Ethiopia. Over 3,000 refugees from South Kordofan and Blue Nile have arrived in Yida camp, South Sudan, since 23 December 2014. According to OCHA, approximately 240,000 people in Blue Nile require urgent humanitarian assistance.

The SAF has committed war crimes, including extrajudicial killing, forced displacement and widespread sexual violence against civilians in South Kordofan and Blue Nile. SAF forces have engaged in "scorched earth" tactics, including the systematic targeting of food sources and deliberate destruction of civilian structures. The SPLM-N has also perpetrated war crimes, including indiscriminate attacks on civilian populated areas as well as the alleged recruitment of children. The group shot down a UN helicopter over Kadugli on 26 January, although no crew members were injured.

Sudan has consistently failed to honor AU-brokered agreements and UNSC resolutions calling for a cessation of hostilities. This includes the failure to end aerial bombardments, disarm pro-government militias and allow humanitarian access to civilians in conflict areas. On 25 December the government ordered the expulsion of the UN Resident and Humanitarian Coordinator and the UN Development Programme Country Director. The government has rejected calls from the UN Secretary-General to reverse its decision.

The most recent round of talks between the government and the SPLM-N were held between 12 and 17 November under the auspices of the AU High Level Implementation Panel (AUHIP) for Sudan. On 15 November both parties endorsed an AUHIP-proposed draft framework agreement to resolve the conflict in South Kordofan and Blue Nile. However, fighting resumed shortly after.

The situation in Darfur also remains dire as civilians face inter-communal violence as well as SAF attacks. Fighting between the SAF and rebel groups contributed to the displacement of more than 430,000 people during 2014 and an additional 41,000 so far this year. On 26 November the UN Secretary-General released his latest report on Darfur, which noted 55 attacks against civilians with 23 allegedly perpetrated by the SAF between 22 July and 15 November. During the same period over 700 civilians were killed as a result of inter-communal violence.

The AU-UN hybrid peacekeeping force in Darfur (UNAMID) has criticized the government for restricting its ability to uphold its civilian protection mandate. On 4 November UNAMID entered Tabit, after initially being refused access by the SAF, to investigate allegations of the mass rape of local women and girls. The SAF has subsequently prohibited UNAMID from conducting further investigations despite the UNSC and Secretary-General calling for the government to allow unhindered access. Human Rights Watch published a report on 11 February providing evidence that the mass rape of at least 211 women took place between 30 October and 1 November.

ANALYSIS

The government 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. Such crimes are currently being committed in South Kordofan and Blue Nile, where patterns of violence targeting civilians for their perceived support of the SPLM-N have been witnessed for more than three years.

Both the government and SPLM-N have continued attacks against populated areas despite negotiations. The UNSC and AU have failed to push the government and SPLM-N to honor past agreements on the cessation of hostilities and delivery of humanitarian assistance.

Indiscriminate bombings of rebel-held areas demonstrate an unwillingness to distinguish between combatants and civilians, actions that violate IHL and may amount to crimes against humanity. The SAF has systematically targeted hospitals and clinics, depriving the local population of life saving care. The government also continues to block UN agencies from access to South Kordofan and Blue Nile.

Despite the presence of UNAMID, civilians have not been afforded adequate protection in Darfur. Ongoing inter-communal violence and SAF operations contribute to the risk of further mass atrocity crimes.

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

INTERNATIONAL RESPONSE

The UNSC has adopted 59 resolutions on Sudan since 2004, most of which have not been fully implemented. Acting on behalf of the AUHIP, former South African President Thabo Mbeki has facilitated regular talks between the government of Sudan and the SPLM-N since 2011. [See also, [GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States](#).]

Members of the current government, including President Omar al-Bashir, the Defence Minister, Abdel Raheem Muhammad Hussein, and the current governor of North Kordofan, Ahmad Haroun, were indicted by the ICC in 2007 for war crimes and crimes against humanity committed in Darfur. The ICC also issued a warrant for President Bashir in 2010 for perpetrating genocide in Darfur. On 11 September the ICC issued an arrest warrant against Darfur rebel leader Abdallah Banda on war crimes charges for his alleged role in an attack on AU peacekeepers during September 2007 in northern Darfur.

On 12 December the Chief Prosecutor of the ICC suspended its Darfur investigation due to the failure of the UNSC to meaningfully assist in the arrest of indicted suspects.

On 18 December the AU Peace and Security Council extended the AUHIP's mandate until 31 December 2015.

On 12 February the UNSC adopted a resolution renewing the mandate of the Panel of Experts monitoring the sanctions regime in Darfur until 12 March 2016.

NECESSARY ACTION

The government and SPLM-N, in accordance with UNSC Resolution 2046, must cease hostilities and address the underlying causes of the conflict. The UNSC should expand the arms embargo on Darfur to include South Kordofan and Blue Nile.

The UNSC and AU must ensure the government and SPLM-N facilitate the delivery of humanitarian assistance to populations in South Kordofan and Blue Nile, as stipulated in the 2011 Framework Agreement and 2012 cooperation agreements. States with major investments in Sudan, including China, Qatar, Iran and Saudi Arabia, should press the government to fulfill its commitments.

The UNSC's impending review of UNAMID should emphasize civilian protection as a key strategic priority. The government must stop obstructing UNAMID and allow them to conduct investigations into gross human rights violations. Mediation efforts should be facilitated between the government and armed groups operating in Darfur.

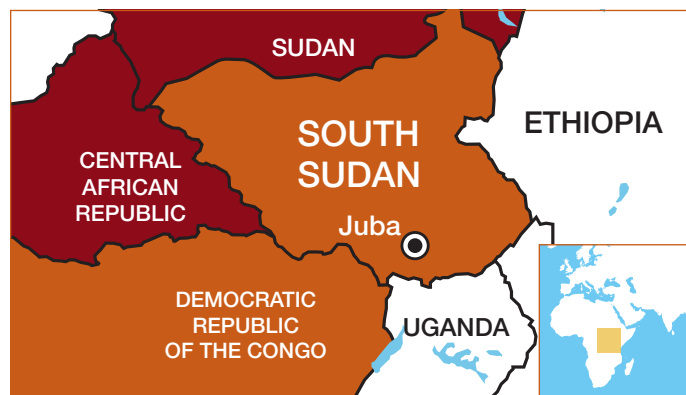
Crimes against humanity and war crimes perpetrated in South Kordofan, Blue Nile and Darfur must be thoroughly investigated. The UNSC should mandate the establishment of an independent international commission of inquiry for South Kordofan and Blue Nile and do more to help bring ICC indictees to justice.

MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [UNSC Resolution S/RES/2200](#), 12 February 2015
- » [GCR2P Populations at Risk: Sudan](#)

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.



112,000 civilians
sheltering in 7 UN
bases

12,000 children forcibly
recruited into armed groups
since December 2013

SOUTH SUDAN

Ongoing fighting in South Sudan's civil war puts civilians at imminent risk of further mass atrocity crimes.

BACKGROUND

Despite the signing of no less than eight peace agreements since January 2014, including most recently on 2 February, fighting in South Sudan between rebel forces and the Sudan People's Liberation Army (SPLA) continues. Clashes were reported in Bentiu, Unity state, and Nassir, Upper Nile state, on 10 and 11 February in clear violation of the February agreement. Heavy fighting was also reported on 17 February as the rebels sought to capture strategic areas in Upper Nile state ahead of planned talks with the government.

The civil war is the result of a conflict that started on 15 December 2013 between soldiers from rival SPLA factions. Since then, tens of thousands of civilians have been killed and 1.5 million displaced, including over 112,000 who have sought refuge in seven UN Mission in South Sudan (UNMISS) bases across the country.

The civil war began after President Salva Kiir accused Riek Machar, the former Vice President who was removed from office during July 2013, of an attempted coup. The worst fighting continues to be between ethnic Dinka and Nuer soldiers loyal to President Kiir and Machar, respectively. At least two dozen armed militias aligned with either side are now operating in South Sudan, including the powerful Nuer White Army.

Civilians have been subjected to horrific attacks perpetrated by both government forces and armed rebels, including extrajudicial killings. UNMISS has accused rebel forces of

targeted attacks against civilians after temporarily seizing control of Bentiu on 29 October and found that rebels committed abuses which "may amount to war crimes." Following a February visit to South Sudan, the UN Assistant Secretary-General for Human Rights, Ivan Šimonović, noted that atrocities, including widespread sexual violence, continued to be perpetrated by both parties.

It is estimated that 12,000 children have been forcibly recruited by both sides since the start of the conflict. On 26 January, following an agreement with UNICEF, an armed militia known as the South Sudan Democratic Army Cobra Faction began a process of demobilizing 3,000 child soldiers.

UNMISS has reported 39 violations of the status-of-forces agreement since 18 February, including harassment, assault and detention of UNMISS personnel, mostly by government security forces.

The civil war has been characterized by repeated violations of peace agreements. Both sides violated the 23 January 2014 Cessation of Hostilities (COH) agreement almost immediately after it was signed. President Kiir and Machar then signed a 9 May agreement, which called for "an immediate cessation of hostilities within 24 hours." The parties failed to meet the 10 August deadline to form a transitional government shortly before resumption of large-scale armed hostilities during August. Following another lull in fighting and a 7 November summit, the Intergovernmental Authority on Development (IGAD) announced another peace deal that included the formation of a transitional government. Fighting resumed two days later.

On 21 January the warring parties signed yet another agreement in Arusha, Tanzania. Despite recommitment to the COH, fighting continued in several parts of the country. Another ceasefire agreement was signed on 2 February under the auspices of IGAD. Amid ongoing fighting talks resumed on 23 February with the goal of reaching a final power-sharing agreement by 5 March, but talks were extended after parties missed the deadline.

ANALYSIS

The rapid descent into civil war in late 2013 highlights the fragility of South Sudan's government as well as the SPLA's political and ethnic divisions, which have allegedly resulted in 70 percent of the army either defecting or deserting. The proliferation of armed militias increases the risk to civilians.

Over the past year, both sides have perpetrated human rights violations that amount to war crimes and crimes against humanity, including ethnic targeting of civilians, extra-judicial killings, widespread sexual violence and child recruitment, as well as large-scale destruction of civilian property. The repeated

failure to uphold multiple peace agreements reveals a lack of commitment to a political solution. Neither the government nor opposition have held perpetrators within their own ranks accountable for atrocities committed during the civil war.

South Sudan requires international assistance to ensure accountability for mass atrocity crimes. With ongoing resource deficits and a hostile operating environment, UNMISS is struggling to support the government in upholding its Responsibility to Protect.

INTERNATIONAL RESPONSE

In order to support UNMISS' efforts to implement its protection of civilians mandate, the UNSC adopted Resolution 2132 on 24 December 2013, temporarily enlarging UNMISS by an additional 5,500 troops and 440 police. So far only 3,488 additional troops have been deployed. A battalion of Chinese peacekeepers are due to deploy by early April.

During March 2014 the AU established a Commission of Inquiry to investigate human rights violations committed since December 2013 and make recommendations on appropriate accountability and reconciliation measures. [For responses prior to January 2015, see [GCR2P's Timeline of International Response to the Situation in South Sudan](#).]

On 29 January the AU Peace and Security Council decided to withhold the release of the AU Commission of Inquiry's report.

In his 17 February report on South Sudan the UN Secretary-General urged "the parties to the conflict, in particular the Government, which has the primary responsibility to protect civilians, to establish a secure environment for civilians and create the conditions necessary for the voluntary return of [IDPs]."

In November 2014 IGAD threatened to impose sanctions and intervene to protect civilians if both parties failed to adhere to the COH, but these actions were not implemented. On 3 March the UNSC adopted Resolution 2206, establishing a sanctions regime for South Sudan. The resolution emphasized the government's primary responsibility to protect its population and stressed the need to hold accountable those responsible for war crimes and crimes against humanity.

NECESSARY ACTION

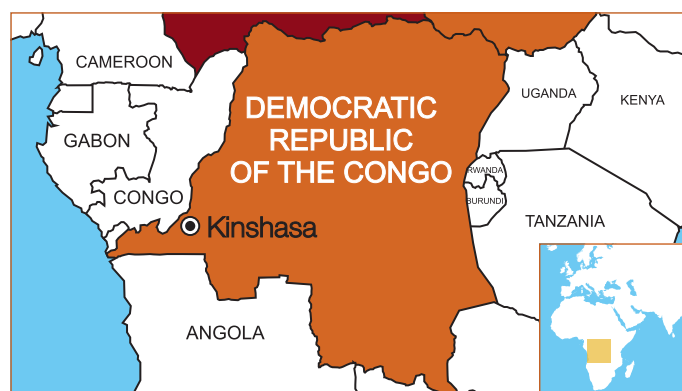
President Kiir and Machar must abide by commitments made under the COH and meaningfully engage with IGAD to resolve the crisis. The UNSC and IGAD should impose an arms embargo and targeted sanctions on all political and military leaders, regardless of rank or affiliation, deemed responsible for a resumption of armed hostilities or previous mass atrocities.

UNMISS must robustly implement its civilian protection mandate. The international community should enhance UNMISS' capabilities through the rapid provision of additional troops and aviation assets. The government must ensure that UNMISS has the ability to move freely to all parts of the country.

UNMISS' Human Rights Division and the AU Commission of Inquiry must continue their investigations of mass atrocities and expeditiously publish their findings. The government must hold all perpetrators of mass atrocities accountable, regardless of affiliation or position. The government of South Sudan should initiate a comprehensive strategy aimed at ethnic and political reconciliation.

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UN Secretary-General's Report on South Sudan S/2015/118](#), 17 February 2015
- » [UN Security Council Resolution 2206 S/RES/2206](#), 3 March 2015
- » [GCR2P Populations at Risk: South Sudan](#)



2.7 million IDPs

Only an estimated 300
FDLR surrendered by 2
January deadline

DEMOCRATIC REPUBLIC OF THE CONGO

Populations in the Democratic Republic of the Congo remain at risk of mass atrocity crimes perpetrated by armed groups.

BACKGROUND

Pervasive insecurity in the eastern DRC has allowed armed groups to perpetrate mass atrocity crimes against civilians. Armed groups – such as the Democratic Forces for the Liberation of Rwanda (FDLR), the Allied Democratic Forces (ADF) and various Mayi-Mayi militias – have been operating in the DRC for more than 20 years and continue to attack vulnerable populations. Since defeating the March 23 (M23) militia in November 2013, the government's armed forces (FARDC) have conducted offensives against other armed groups operating in the eastern DRC with assistance from the UN mission in the DRC (MONUSCO) and its force intervention brigade.

In advance of offensive operations, the government and MONUSCO encouraged militias to participate in Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) programs. Following an announcement by the FDLR that the group would voluntarily surrender, during July the

International Conference of the Great Lakes Region (ICGLR) and Southern African Development Community (SADC) established a final 2 January 2015 deadline. Despite this, only an estimated 300 combatants disarmed and surrendered.

On 10 February MONUSCO suspended its logistical and material support for impending anti-FDLR operations following the government's appointment of two generals accused of serious human rights violations to lead the offensive. More than a month after the 2 January deadline lapsed and despite repeated calls by the UNSC and AU for immediate action against the FDLR, the FARDC finally launched military offensives without MONUSCO support on 24 February. The FARDC reportedly captured several FDLR bases by mid-March.

Patterns of violence committed by armed groups, including mass killing and abduction, have been witnessed with heightened frequency in North Kivu, South Kivu, Katanga and Oriental Province since the FARDC was redeployed to confront M23 in April 2012. Despite the FARDC and MONUSCO making significant progress against the ADF in early 2014, the group attacked several villages in North Kivu between October and December, massacring hundreds of civilians, many of whom were killed with machetes. The ADF has continued its assaults, including killing at least 21 civilians in an attack on 3 February.

ANALYSIS

During earlier offensives the FARDC and MONUSCO have struggled to adequately protect civilians. The FARDC has also been implicated in previous attacks on civilians, including widespread sexual violence. While military measures are taken against the FDLR, civilians remain at risk of reprisal violence. A country that is already home to 2.7 million IDPs may endure further mass displacement and atrocities.

The weakness of government structures undermines attempts to prevent atrocities. This is particularly evident in the eastern DRC, where the government has previously lost control of areas to various rebel groups. While the government has undertaken important reforms, impunity for crimes committed against civilians remains rampant. The FARDC has often failed to hold its members accountable for atrocities and continues to put populations at risk by allowing individuals accused of grave human rights abuses to lead strategic operations.

Competition for control of minerals, as well as underlying conflict between communities that consider themselves indigenous and those with alleged Rwandan ancestry, contribute to the pervasiveness of violence. The failure to adequately address the root causes of conflict has enabled the proliferation of armed groups, which will continue to emerge and threaten populations even after the eradication of the ADF and FDLR if these issues are not resolved.

The government of the DRC has struggled to uphold its Responsibility to Protect and its own forces have been complicit in some previous mass atrocity crimes. The DRC needs ongoing international support to prevent recurring atrocities.

INTERNATIONAL RESPONSE

The international community has responded to violence in the eastern DRC by taking measures to confront various armed groups. MONUSCO's mandate emphasizes the need to assist the government with security sector reform and DDRRR, increase accountability for mass atrocity crimes and combat the FDLR. The UNSC subjects 10 entities and 31 individuals in the DRC to sanctions. [For responses prior to January 2015, [see GCR2P's Timeline of International Response to the Situation in the DRC.](#)]

On 29 January the UNSC extended the mandate of the Panel of Experts to August 2016, stressing the importance of the government holding accountable those responsible for war crimes and crimes against humanity.

The AU Peace and Security Council issued a Communiqué on 23 February welcoming offensives against the FDLR and ADF as well as agreements recently signed by the DRC government with Uganda and Rwanda regarding disarmament and repatriation of M23 fighters.

NECESSARY ACTION

The DRC government and MONUSCO must ensure that the protection of civilians remains the primary priority as they address the threat posed by armed groups. Military offensives against the FDLR and other groups need to include protective measures that mitigate the risk to civilians. The FARDC and MONUSCO must increase their capacity to respond to early warnings of attacks by these groups.

MONUSCO should support the government in facilitating local peacebuilding initiatives and encourage civil society to help facilitate DDRRR. MONUSCO's new mandate should emphasize the mission's role in assisting the state in upholding its responsibility to protect populations from atrocity crimes perpetrated by armed groups.

The FARDC must not permit individuals who have previously committed atrocities to join its forces and should train all recruits in the protection of civilians, respect for human rights and IHL. The government must ensure justice for past atrocities, including through the adoption of legislation establishing specialized mixed chambers in the national judicial system, and remove all FARDC members accused of serious human rights violations from leadership positions.

Together with the UN Special Envoy for the Great Lakes Region, the AU, ICGLR and SADC should ensure that signatories to the Peace, Security and Cooperation Framework continue to fulfill their commitments. Perpetrators of mass atrocities, including leaders of M23 and the FDLR, must be held accountable.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [Communiqué of the 488th Meeting of the Peace and Security Council on the situation in the Great Lakes Region, 28 February 2015](#)
- » [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.



400,000 IDPs

150,000 refugees

Rival armed groups have indiscriminately shelled civilian areas and violated IHL. The UN Secretary-General's 26 February report on the UN Support Mission in Libya (UNSMIL) described abductions of civilians, torture, unlawful killing and executions committed by various armed groups. According to UNHCR there are currently more than 400,000 IDPs in Libya, with an additional 150,000 refugees in neighboring countries.

During negotiations held in Geneva on 14 and 15 January various parties to the conflict agreed to a cessation of hostilities. Despite the agreement, fighting escalated in Benghazi in early February when General Haftar's forces retook the port area from Islamist militias. During March UNSMIL facilitated new peace talks.

Ethnic Tawergha, who were forcibly displaced during the 2011 civil war, also face the ongoing threat of persecution. The Chief Prosecutor of the ICC has stated that the forced displacement of the Tawergha and ongoing attacks against them may constitute crimes against humanity and war crimes.

LIBYA

Civilians in Libya are at risk of war crimes as a result of fighting between various armed groups allied to the country's two rival governments.

BACKGROUND

Populations in Libya are at risk of mass atrocity crimes due to fighting between armed groups affiliated with either the internationally-recognized government or the former General National Congress (GNC). Two rival Libyan governments, based in the eastern city of Tobruk and the western city of Tripoli, respectively, are now locked in a military struggle for territory and political supremacy. While the conflict has been presented as a battle between secular moderate forces and their extremist Islamist rivals, in reality it is dominated by shifting personal, tribal and regional enmities and alliances.

A military campaign known as "Operation Dignity" was initiated by General Khalifa Haftar on 16 May against Islamist militias in Benghazi. Elections to the House of Representatives, which would replace the GNC, were held on 25 June. Fighting among rival armed groups increased in the aftermath of the election, with several Islamist militias and their political allies refusing to accept the House of Representatives or new government. These militias, which recognize only the defunct GNC as the legitimate political authority, launched Operation "Libya Dawn" during July to counter Operation Dignity and secure effective control of the country.

ISIL, which is primarily based in Syria and Iraq, also threatens civilians in Libya. On 16 February ISIL beheaded 21 Egyptian Coptic Christians who were working in Libya, provoking Egyptian airstrikes around the city of Derna. In response ISIL conducted bombings in al-Qubbah, Libya, killing 45 civilians.

ANALYSIS

With the House of Representatives fleeing to the eastern city of Tobruk during August and the GNC governing in Tripoli, Libya has entered a period of intense political and humanitarian crisis.

Civilians remain at risk of war crimes due to indiscriminate shelling of population centers and a failure to distinguish between combatants and civilians. The persecution, detention and extrajudicial killing of people on the basis of tribal affiliation and presumed political loyalties continues. There is also evidence of competing regional powers providing arms or air support to either Operation Dignity or Libya Dawn.

Both Libyan governments and their allied armed groups are failing to uphold their Responsibility to Protect.

INTERNATIONAL RESPONSE

On 26 February 2011 the UNSC passed Resolution 1970, calling upon the former Libyan government to immediately cease attacks on civilians and uphold its responsibility to protect. Resolution 1973 of 17 March 2011 called upon UN member states to take "all necessary measures" to protect civilians and led to a military intervention. Following the end of Libya's 2011 civil war,

international engagement to assist in rebuilding government institutions waned.

UNSMIL was established in September 2011, but has significantly reduced personnel inside Libya due to pervasive insecurity. On 5 March the UNSC renewed UNSMIL's mandate for one month.

On 27 January a UNSC Press Statement emphasized that states have an obligation to ensure that measures taken to combat terrorism comply with IHL.

NECESSARY ACTION

All armed groups need to immediately cease targeting civilians and carrying out major military operations in population centers.

The Libyan government and ICC need to ensure that all those responsible for mass atrocities during the 2011 civil war, as well as those responsible for violations of IHL committed during the current conflict, are held accountable.

Breaking the culture of impunity, demobilizing and disarming armed groups, and establishing the rule of law remain essential. UNSMIL and the international community should support all efforts aimed at securing a negotiated solution to the conflict and meeting these objectives.

MORE INFORMATION

- » [UNSMIL Website](#)
- » ["Update on violations of International Human Rights and Humanitarian Law during the ongoing violence in Libya," UNSMIL and OHCHR, 23 December 2014](#)
- » ["Report of the Secretary General on UNSMIL," 26 February 2015](#)
- » [GCR2P Populations at Risk: Libya](#)



139,000 people remain displaced by ethnic violence in Arakan/Rakhine state

BURMA/MYANMAR

Ethnic and religious minorities in Burma/Myanmar, especially stateless Rohingya and other Muslims, continue to face the threat of mass atrocity crimes.

BACKGROUND

Sporadic inter-communal violence in Burma/Myanmar, combined with discriminatory state policies, continues to put the Rohingya, a Muslim minority group, at risk of mass atrocity crimes. Rohingyas continue to be denied citizenship and other fundamental human rights by the government. On 29 September 2014 at the UN General Assembly, the government outlined the "Rakhine Action Plan," which would require Rohingyas to accept ethnic reclassification as "Bengali" in order to obtain citizenship or be forced into detention camps.

The former UN Special Rapporteur on the human rights situation in Myanmar, Tomás Ojea Quintana, has said that previous violence against the Rohingya could amount to crimes against humanity and warned on 30 May that the government's failure to address the human rights situation in Arakan/Rakhine state "will ultimately mean the extermination of the Rohingyas." Ongoing persecution has led tens of thousands of Rohingyas to flee to neighboring countries, where they are often subject to further abuse, human trafficking and refoulement.

Attacks against the broader Muslim community have recurred since June and October 2012, when clashes broke out in Arakan/Rakhine state, killing nearly 200 people. Security forces have failed to adequately protect civilians and in some cases have been complicit in attacks. An estimated 139,000 people, mostly Rohingyas, remain segregated in IDP camps due to this violence. The government continues to block their access to healthcare and other vital humanitarian assistance.

On 16 January the UN Special Rapporteur on the human rights situation in Myanmar, Yanghee Lee, called upon the government to protect the human rights "of all inhabitants of Rakhine State regardless of legal status, to allow full and immediate access

for humanitarian agencies across the State and to allow the safe return of all IDPs to their communities.”

Conditions for Burma/Myanmar's other minorities also remain perilous, particularly in Kachin state, where a ceasefire between government forces (Tatmadaw) and the Kachin Independence Army collapsed over three years ago. Nearly 100,000 people remain displaced and in need of humanitarian assistance.

ANALYSIS

Anti-Rohingya and anti-Muslim violence is evidence of a grave communal fracture that the government is failing to adequately address. The government's refusal to grant Rohingyas access to citizenship or lift discriminatory state policies, as well as its failure to restrict anti-Rohingya hate speech, encourages ongoing violations of their human rights. In March 2014 the government denied Rohingyas the ability to self-identify on the first national census since 1983. This constitutes a failure to comply with international standards and reinforces the dangerous perception of the Rohingya as ethnic outsiders.

Attacks by the Tatmadaw also pose an ongoing threat to civilians. With a pervasive culture of impunity, the military has not been held accountable for previous mass atrocity crimes.

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

INTERNATIONAL RESPONSE

Following decades of military dictatorship, democratic reforms have contributed to rapprochement between Burma/Myanmar and the international community, including the lifting of sanctions by a number of countries. Burma/Myanmar held the chairmanship of the Association of Southeast Asian Nations (ASEAN) during 2014. [For responses prior to November 2014, see [GCR2P's Timeline of International Response to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar](#).]

At the Sixth Annual ASEAN-UN Summit on 12 November the UN Secretary-General encouraged Burma/Myanmar to “uphold

human rights, take a strong stance against incitement and ensure humanitarian access to vulnerable Rohingya.”

On 29 December the UN General Assembly adopted a resolution expressing serious concern about the plight of the Rohingya and calling upon the government to allow freedom of movement, grant equal access to full citizenship and allow ethnic self-identification.

NECESSARY ACTION

The government of Burma/Myanmar must uphold its Responsibility to Protect all populations, regardless of their ethnicity or religion. The government should abolish the Rakhine Action Plan and end institutionalized discrimination against the Rohingya, including the denial of citizenship. It must hold accountable all those who commit abuses, including inciting ethnic and religious violence.

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 urge the government to develop a comprehensive reconciliation plan. Remaining sanctions should only be lifted following a demonstrable improvement in the welfare of ethnic and religious minorities.

A central component of the government's reform process must include constitutional reform that addresses the needs of ethnic minorities, as well as the development of an independent judiciary as a means of safeguarding human rights and tackling the culture of impunity regarding mass atrocity crimes.

MORE INFORMATION

- » [UN General Assembly Resolution, A/RES/69/248](#), Situation of human rights in Myanmar, 29 December 2014
- » [Statement of the UN Special Rapporteur](#), 16 January 2015
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



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**R2P Monitor is a bimonthly publication of
the Global Centre for the Responsibility
to Protect (GCR2P).**

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