

# R2P MONITOR

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

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

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

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

### CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.

### IMMINENT RISK

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

### SERIOUS CONCERN

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

## R2P Monitor:

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

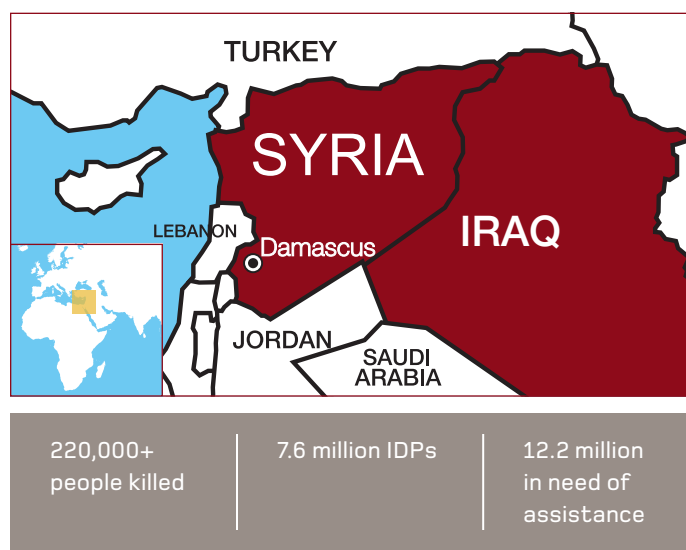
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## CURRENT CRISIS

Mass atrocity crimes are occurring and urgent action is needed.



## 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 are also committing war crimes and crimes against humanity.*

### BACKGROUND

After more than four years of conflict in Syria over 220,000 people have been killed. According to the UN High Commissioner for Refugees (UNHCR), as of 14 April there were over 3.9 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 17 March the CoI reiterated the need for the UN Security Council (UNSC) to refer the Syria situation to the ICC.

On 28 January the UN Assistant Secretary-General for Humanitarian Affairs, Kyung-wha Kang, said that the government has “ignored” UNSC Resolution 2139 of 22 February 2014 as it continues to conduct airstrikes, including with barrel bombs, in densely populated residential areas.

A UN investigation confirmed that on 21 August 2013 a large-scale sarin attack on several areas of Ghouta, Damascus, killed an estimated 1,400 people. A joint UN-Organization for the Prohibition of Chemical Weapons (OPCW) mission undertook the process of dismantling and destroying Syria’s chemical weapons between October 2013 and June 2014. Despite this, an

OPCW fact-finding mission, dispatched in April 2014, concluded that chlorine gas had been used in attacks on villages in Hama province between April and August. On 7 May the OPCW informed the UNSC that inspectors had also found traces of sarin and ricin at three military locations in Syria, despite the government’s agreement to destroy its chemical weapons stockpile.

Syrian government forces and 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.” Several armed opposition groups have also 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 fighters 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 April the Syrian Observatory for Human Rights (SOHR) reported that ISIL had killed at least 1,362 civilians in Syria since June 2014. The SOHR also reported that ISIL has recruited approximately 400 children since January 2015. On 23 February ISIL abducted at least 150 Assyrian Christians from several villages in Al-Hassakah province.

On 1 April ISIL began an assault on Yarmouk, a large Palestinian refugee district in Damascus, where an estimated 18,000 civilians, including 3,500 children, had been trapped by intense fighting and besieged by government forces. Despite assurances that it would not attack Yarmouk while civilians remained there, the Syrian government continued its bombardment, which the UN Secretary-General condemned on 27 April.

All parties to the Syrian conflict, especially government forces, have laid sieges and impeded humanitarian access to vulnerable civilians. On 26 March OCHA reported that the 228,000 people besieged by ISIL in neighborhoods of Deir ez-Zor brings the total number of Syrians living under siege to an estimated 440,000.

Since 23 September Bahrain, Jordan, Morocco, Qatar, Saudi Arabia, United Arab Emirates and United States have conducted airstrikes against ISIL in Syria. On 24 March Canada joined this military coalition. The SOHR reported on 23 April that at least 1,920 ISIL fighters and 66 civilians had been killed during the coalition’s military operations.

The Syrian conflict also poses a threat to peace and stability throughout the entire Middle East. Lebanon, which hosts nearly 1.2 million Syrian refugees, has seen sporadic clashes between supporters and opponents of the Syrian government.

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, which have made significant military and territorial gains during the last several months, including capturing the major northern city of Idlib and parts of Daraa in southern Syria. Meanwhile, Russia and Iran continue to provide crucial economic, military and political support to the Syrian government. Hezbollah has directly engaged in fighting against Syrian rebels on both sides of the Syria-Lebanon border and is now essential to the government's military survival.

On 5 May the UN Special Envoy to Syria, Steffan de Mistura, began bilateral meetings in Geneva with the Syrian government, several opposition groups and regional powers to assess whether there is potential for a new round of diplomatic negotiations. The "Geneva II" peace conference, aimed at ending the violence in Syria, finished on 15 February 2014 without any 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 has fled to neighboring countries.

The government continues to utilize its military resources to retain power at all costs and perpetrate crimes against humanity and war crimes. Under increasing military strain, the government has suffered territorial losses, and increasingly relies upon Iran and Hezbollah to fight the civil war. The Syrian government continues to wage war on armed rebels and civilian populations presumed to be supporting them, regardless of the consequences to those trapped or displaced by the fighting. The government also continues to use improvised chemical weapons in direct contravention of two UNSC resolutions and the Chemical Weapons Convention, to which Syria acceded in September 2013.

The fracturing and radicalization of the opposition has 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. 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.

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 March 2015, 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. On 22 May 2014 Russia and China vetoed a fourth resolution that would have referred the situation in Syria to the ICC for investigation. 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 6 March the UNSC passed Resolution 2209, condemning the use of chemical weapons in Syria and recalling the decision in Resolution 2118 to impose measures under Chapter VII of the UN Charter in the event of future non-compliance.

The UN Human Rights Council has adopted 14 resolutions condemning atrocities in Syria. The most recent, passed on 27 March, condemned the killing of civilians and extended the mandate of the Col for one year.

## NECESSARY ACTION

Syrian government forces and armed opposition groups must facilitate immediate and unimpeded humanitarian access to civilian populations trapped or displaced by fighting, in keeping with UNSC Resolutions 2139 and 2165.

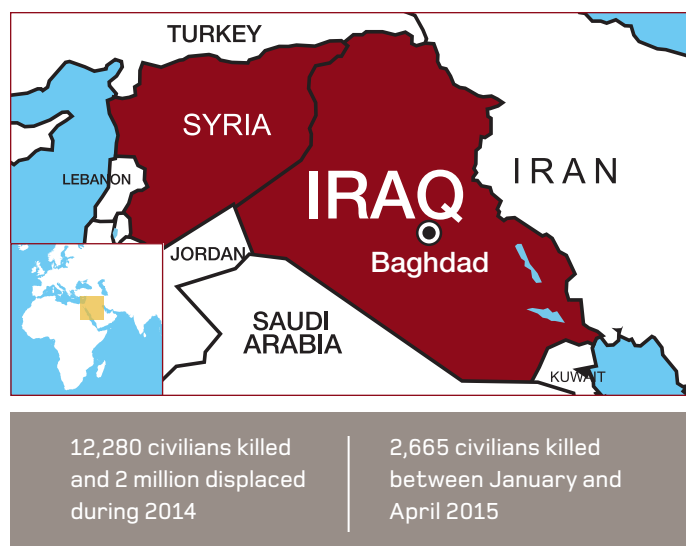
The UNSC needs to take proximate steps to end atrocities in Syria, including imposing an arms embargo and referring the situation to the ICC. Those deemed responsible for mass atrocity crimes in Syria should be thoroughly investigated and the perpetrators, regardless of affiliation, brought to justice.

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 minority communities for reprisals. States participating in airstrikes against ISIL must ensure all necessary precautions are taken to avoid civilian casualties and uphold IHL.

The international community must intensify efforts towards finding a potential political solution to the conflict and increasing humanitarian assistance to populations trapped or displaced by the civil war.

## MORE INFORMATION

- » [UNSC Resolution 2209 S/RES/2209](#), 6 March 2015
- » [The human rights situation in Syria, A/HRC/28/L.6](#), 27 March 2015
- » ["Syria: Chemicals Used in Idlib Attacks"](#), Human Rights Watch, 13 April 2015
- » [GCR2P Populations at Risk: Syria](#)



## 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, has led to sectarian violence and gross human rights abuses. ISIL has targeted minority communities and caused the mass displacement of vulnerable civilian populations. Following several months of fighting, on 15 May ISIL declared that it had captured the strategic city of Ramadi, Anbar Province.

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 possibly genocide."

UNAMI reported that 2014 was the deadliest year in Iraq since 2008, with at least 12,280 civilians killed. During the first four months of 2015 an additional 2,665 civilians have been 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." Between 26 February and

7 March ISIL systematically destroyed cultural artifacts and significant archaeological sites at Mosul, Nimrud and Hatra, acts that amount to war crimes.

Following an Iraqi government request, prompted by ISIL seizing the northern town of Sinjar, on 8 August the United States began airstrikes against ISIL forces "to prevent a potential act of genocide" against the minority Yazidi community, according to President Barack Obama. ISIL killed at least 500 Yazidis and abducted 1,500 women and girls. Australia, Belgium, Canada, Denmark, France, Morocco, Netherlands and United Kingdom have all joined military operations against ISIL. On 19 December Kurdish forces, backed by allied airstrikes, 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. On 8 April ISIL released at least 200 Yazidis, mostly elderly women and children, to Kurdish forces.

On 2 April the Iraqi government retook Tikrit from ISIL after a month-long battle during which the ISF and Shia militias were supported by United States-led airstrikes. ISIL seized Tikrit during June 2014 and executed at least 1,700 captured Shia members of the army. On 7 April the Iraqi government began exhuming 12 suspected mass graves in the area.

Responding to sectarian terrorist attacks and the rise of ISIL, Shia militias have carried out 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. After expelling ISIL from Tikrit on 2 April, it was reported that the ISF and allied Shia militias summarily executed captured fighters and looted Sunni-owned property in revenge.

The ISF has also been accused of extrajudicial killings, illegal detention, torture and other violations of IHL and human rights law. The ISF dropped improvised barrel bombs on residential neighborhoods of Fallujah, Anbar province, during its attempt to retake parts of the city from ISIL, actions which may amount to war crimes.

### ANALYSIS

ISIL poses an existential threat to ethnic and religious minority communities, who face the risk of further mass atrocities. ISIL also poses a direct threat to members of the majority Shia community in Iraq.

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 violent response to a Sunni protest movement that started in December 2012 further aggravated these divisions. ISIL exploited widespread disaffection in the minority Sunni community 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 in Iraq.

There are grave fears for the fate of civilians who continue to be trapped by fighting between ISIL and the ISF and allied Shia militias. 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, also pose a threat to Sunni civilians. Meanwhile ISIL has consistently failed to protect civilians in areas under its control and is committed to the eradication of all 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 is also providing military support to the Iraqi government.

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

On 25 March the Human Rights Council held an interactive dialogue with the Deputy High Commissioner for Human Rights, Flavia Pansieri, on a report by OHCHR documenting abuses committed by ISIL in Iraq. Pansieri urged the Human Rights Council to recommend referral of the situation to the ICC.

## NECESSARY ACTION

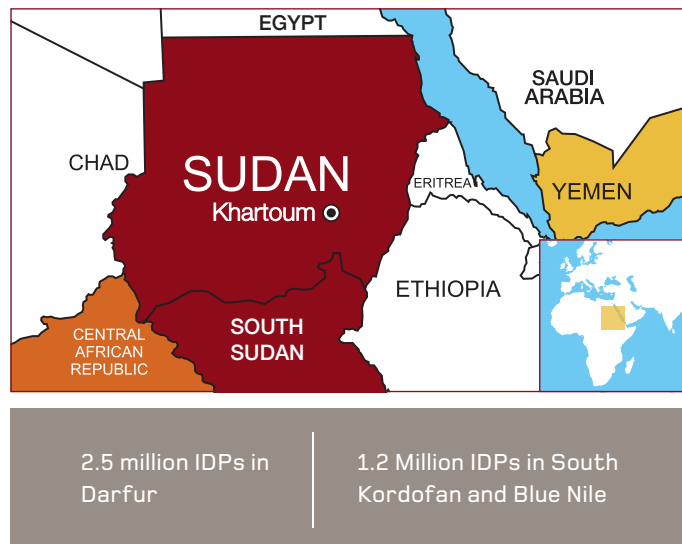
The international community should continue to provide support to the Iraqi government to combat the threat ISIL poses to vulnerable populations, especially religious and ethnic minorities. While confronting ISIL and other armed groups, the government must protect civilians and address the underlying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

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 should refrain from incendiary speech and work towards national reconciliation, including equal treatment and representation for all communities.

## MORE INFORMATION

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



## 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 and directly threaten vulnerable civilians. The government continues to prohibit 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. Between February and March 2015 the Sudanese Armed Forces (SAF) reportedly dropped cluster munitions on civilian areas in South Kordofan, in breach of international law. A ground assault by the SAF near Kurngo village on 4 April resulted in the displacement of approximately 3,000 people.

In presidential and parliamentary elections held between 13 and 16 April, President Omar al-Bashir was reelected with 94 percent of the vote, although the main opposition groups boycotted the elections. In an effort to disrupt voting, the SPLM-N launched attacks across South Kordofan, including near



Dilling, El Abbasiya and Habila towns on 13 April. Major clashes have also taken place near Bok, Yabous and Shali in Blue Nile.

Since June 2011 the conflict has led to the internal displacement of over 1.2 million people, 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.

The SAF has committed war crimes, including extrajudicial killing, forced displacement and widespread sexual violence against civilians in South Kordofan and Blue Nile, and has engaged in "scorched earth" tactics, systematically targeting food sources and deliberately destroying civilian structures. The SPLM-N has also perpetrated war crimes, including indiscriminate attacks on civilian populated areas, alleged recruitment of children and attacks on UN personnel.

Sudan has consistently failed to honor African Union (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. 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 ongoing inter-communal violence as well as attacks by the SAF and Rapid Support Forces (RSF), a pro-government militia with aerial and ground support from the SAF. On 11 May the UN expressed concern regarding an escalation in hostilities between the Rezeigat and Maaliya communities in East Darfur. Meanwhile, fighting between the SAF and rebel groups contributed to the displacement of more than 450,000 people during 2014 and an additional 43,000 so far this year. A total of 2.5 million people are now displaced in Darfur.

The AU-UN hybrid peacekeeping force in Darfur (UNAMID) has criticized the government for restricting its ability to uphold its civilian protection mandate. On 27 April the Secretary-General expressed concern about the increase in attacks on UNAMID personnel. He also called upon the government to respect the status-of-forces agreement when a peacekeeper died on 26 April from injuries sustained during an attack in West Darfur after being denied a request for medical evacuation.

## 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 almost four 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 by the SAF 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 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. The ICC issued an arrest warrant in September 2014 against rebel leader Abdallah Banda for war crimes charges resulting from 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 (PSC) 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.

On 8 May the United States issued a statement condemning ongoing fighting in South Kordofan and Blue Nile. They urged all parties, including rebel groups operating in the two areas, to protect civilians and allow unfettered humanitarian access.

## NECESSARY ACTION

After more than 10 years and almost 60 resolutions it is time for the UNSC to review its entire approach to endemic conflict and the ongoing perpetration of atrocities in Sudan. The government and SPLM-N, in accordance with UNSC Resolution 2046, must cease armed 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 government must stop obstructing UNAMID and allow them to uphold their mandate, including investigating gross human rights violations. Mediation efforts should be facilitated between the government and armed groups operating in Darfur.

The UNSC should mandate the establishment of an independent international commission of inquiry for South Kordofan and Blue Nile and actively support efforts to bring ICC indictees to justice.

## MORE INFORMATION

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



119,000 civilians  
still sheltering in 7  
UN bases

100,000+ IDPs in one week  
during May due to renewed  
fighting

## SOUTH SUDAN

*Renewed fighting in South Sudan's civil war has resulted in mass atrocity crimes against civilian populations.*

### BACKGROUND

Despite the signing of no less than eight peace agreements since January 2014, fighting in South Sudan between rebel forces and the Sudan People's Liberation Army (SPLA) continues. The breakdown of the Intergovernmental Authority on Development (IGAD)-sponsored peace talks on 6 March has emboldened both parties as they continue to pursue a military solution to the conflict.

In early May the SPLA launched a major offensive against rebel positions in Unity state. The UN has received consistent reports of towns and villages being burned, extrajudicial killings, child recruitment, sexual violence and the displacement of over 100,000 people. As a result of the violence the UN and humanitarian organizations have had to withdraw from the area, leaving at least 300,000 people without access to humanitarian assistance. There has also been a dramatic increase in violence in and around Malakal, Upper Nile state, since 21 April causing the displacement of over 8,000 people. Fighting was also reported in early April in Jonglei and Lakes states.

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. Over 119,000 people are taking refuge in seven UN Mission in South Sudan (UNMISS) bases across the country, the highest number since the start of the conflict.

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 loosely aligned with either side are also operating in South Sudan, including the powerful Nuer White Army.

Civilians have been subjected to atrocities perpetrated by government forces and armed rebels. 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 that “may amount to war crimes.” According to IGAD an SPLA officer admitted on 12 March to having deployed anti-personnel mines around Nassir, Upper Nile state, in clear breach of international law, but the government later denied this.

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 13,000 children have been forcibly recruited since the start of the conflict. On 26 January, following an agreement with the UN International Children's Emergency Fund (UNICEF), an armed militia known as the South Sudan Democratic Army-Cobra Faction began a process of demobilizing 3,000 child soldiers, with more than 1,700 released by the end of April.

UNMISS has reported 39 violations of the status-of-forces agreement since 18 February, including harassment, assault and detention of UN personnel, mostly by government security forces. On 12 March SPLA officers threatened to fire on UNMISS bases which they claim to be harboring rebel fighters. An artillery shell landed inside the UNMISS base in Bentiu on 17 March, halting humanitarian operations.

The civil war has been characterized by repeated failed peace agreements. Both sides violated the 23 January 2014 Cessation of Hostilities (COH) agreement almost immediately after it was signed. On 21 January 2015 President Kiir and Machar signed a seventh peace 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 then extended. Armed hostilities continued.

## 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. There has already been an intensification of fighting as both sides seek to gain more territory before the onset of the rainy season in June.

Since December 2013, 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 end the civil war and 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. On 7 April China completed the deployment of their 700-strong battalion, China's first infantry contribution to a peacekeeping operation with a civilian protection mandate.

During March 2014 the AU established a Commission of Inquiry (AU-Col) 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 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. The UNSC has yet to designate any individuals for the sanctions list.

On 16 March the AU noted that the official report of the AU-Col had not been released and expressed concern over circulation of a leaked version, which detailed widespread atrocities committed by both sides of the conflict.

The UNSC issued a Presidential Statement on 24 March expressing its disappointment that the parties had failed, yet again, to form a transitional government.

In his 29 April report on South Sudan the UN Secretary-General reminded “the parties to the conflict, especially the Government, which has the primary responsibility to protect civilians, of their obligation to ensure a secure environment that will facilitate the eventual safe and voluntary return of internally displaced persons and refugees, and to respect international human rights and humanitarian law.”

## NECESSARY ACTION

After 17 months of war, IGAD and the UNSC must end the cycle of meaningless peace agreements accompanied by ongoing armed hostilities. Both the government and rebels must refrain from attacks on civilians, abide by previous commitments made under the COH and meaningfully engage to resolve the crisis.

The UNSC and IGAD should immediately impose an arms embargo and targeted sanctions on all political and military leaders,



regardless of rank or affiliation, deemed responsible for the continuation of armed hostilities or mass atrocity crimes.

UNMISS must robustly implement its civilian protection mandate. The international community should continue to 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 without hindrance or threats to its personnel.

UNMISS' Human Rights Division and the AU-CoI must continue their investigations into mass atrocities and expeditiously publish their findings. The government must hold all perpetrators

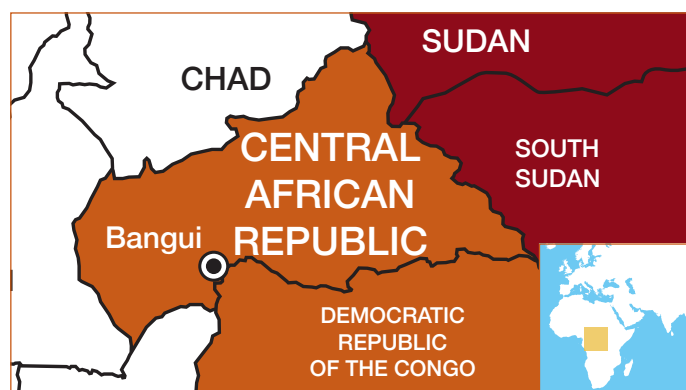
of atrocities accountable, regardless of affiliation or position. A referral to the ICC or the establishment of a hybrid court should be considered if the government is unable to end impunity. The government of South Sudan should initiate a comprehensive strategy aimed at ethnic and political reconciliation.

#### MORE INFORMATION:

- » [UNMISS Website](#)
- » [UN Security Council Resolution 2206 S/RES/2206](#), 3 March 2015
- » [UN Secretary-General's Report on South Sudan S/2015/296](#), 29 April 2015
- » [GCR2P Populations at Risk: South 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.



3,000+ killed  
since December  
2013

36,000 besieged  
Muslims

455,000  
refugees

## CENTRAL AFRICAN REPUBLIC

*Civilians in the Central African Republic face an imminent risk of mass atrocity crimes committed by "anti-balaka" militias, ex-Séléka rebels and other armed groups.*

### BACKGROUND

Sporadic violence against civilians continues throughout the Central African Republic (CAR) despite the deployment of French forces, a UN peacekeeping operation (MINUSCA) and an EU military assistance mission (EUMAM-RCA).

The Muslim population of CAR is being systematically targeted by 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 Muslim civilians over the past 18 months.

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 approximately 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 500 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 widespread insecurity and ongoing human rights violations. In some parts of the interior, clashes between anti-balaka and ex-Séléka, as well as armed pastoralists, have intensified despite the formal signing of a ceasefire on 23 July. According to OCHA armed incidents targeting humanitarian workers increased by 47 percent during March. On 10 April approximately 300 protesters attacked MINUSCA's base in Kaga-Bandoro for failing to provide adequate protection, resulting in the death of one protestor.

There are currently more than 436,000 IDPs in CAR and over 455,000 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 remain in urgent 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

Since March 2013 the state has effectively collapsed. National security forces are still unable to prevent various armed groups from perpetrating attacks.

International forces still struggle to contain sporadic 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 along a line of control that splits CAR between North and South and East and West. The country remains 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 between nomadic pastoralists and settled agriculturalist communities is ongoing. Attacks on civilians continue to be conducted openly and with little fear of sanction.

Problems with uneven deployment and a lack of capacity continue to hinder MINUSCA's ability to protect civilians throughout CAR. The scaling down of Operation Sangaris poses additional operational challenges for MINUSCA.

The fragmentation of the ex-Séléka and anti-balaka, delays in the holding of local consultations and the existence of competing peace processes have complicated the transition process. Preparing to hold elections in 2015 without significant improvements in security, accountability and political dialogue will only increase the risk of further mass atrocity crimes.

CAR's interim government is unable to uphold its Responsibility to Protect and requires ongoing and 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 six UNSC resolutions between October 2013 and April 2015 that emphasized the interim government's responsibility to protect the civilian population. [For response prior to March 2015, see [GCR2P's Timeline of International Response to the Situation in CAR](#).]

MINUSCA and the interim government signed a memorandum of understanding on 8 August to establish a Special Criminal Court (SCC) to investigate atrocities and bring perpetrators to justice. On 22 April the National Transition Council of CAR

adopted a law to establish the SCC, which will be responsible for investigating crimes committed since 2003.

On 15 March the EU ended the mandate of its peacekeeping force and withdrew from Bangui. A smaller EU-led Military Advisory Mission, or EUMAM-RCA, became operational on 16 March and is assisting with security sector reform.

The UNSC passed Resolution 2212 on 26 March, authorizing an increase of 1,030 personnel for MINUSCA. On 28 April the UNSC passed Resolution 2217 which renewed the mandate of MINUSCA for a period of one year and recalled the primary responsibility of the CAR authorities to protect populations from genocide, war crimes, crimes against humanity and ethnic cleansing.

## NECESSARY ACTION

French and UN forces must forcibly disarm all armed groups that threaten civilians. MINUSCA must ensure it deploys in adequate numbers to all areas where vulnerable populations lack sufficient protection.

Urgent financial and human resources are needed to establish the SCC and ensure accountability for mass atrocity crimes. MINUSCA should prioritize the arrest of individuals responsible for mass atrocity crimes and other serious human rights violations. MINUSCA must publicly report on the situation of human rights protection in CAR.

The UNSC should immediately authorize targeted sanctions against any additional individuals and entities responsible for violating IHL and international human rights law.

## MORE INFORMATION

- » [MINUSCA Website](#)
- » [UNSC Resolution 2212 S/RES/2212](#), 26 March 2015
- » [Report of the UN Secretary-General on the situation in the CAR S/2015/277](#), 1 April 2015
- » [UNSC Resolution 2217 S/RES/2217](#), 28 April 2015
- » [GCR2P Populations at Risk: Central African Republic](#)



1.2 million IDPs

3,000+ killed so far during 2015

800,000 children forced to flee

## NIGERIA

*The extremist Islamist group Boko Haram continues to pose an imminent threat to populations in northeast Nigeria. Excessive use of force by the security forces also contributes to the threat of further atrocities.*

### BACKGROUND

Despite recent military defeats, sporadic attacks by Boko Haram against civilians in Nigeria and neighboring countries continue. Many areas previously held by the group across northeast Nigeria are still not sufficiently protected and remain unsafe for the return of refugees and IDPs. For example, Boko Haram reportedly kidnapped more than 400 women and children from Damasak, Borno state, after the town was recaptured by troops from Chad and Niger during March.

Amnesty International has reported that at least 2,000 women and girls have been kidnapped by Boko Haram since the beginning of 2014. The Nigerian military claims it has rescued over 700 women and girls during April and May. UN High Commissioner for Human Rights Zeid Ra'ad al Hussein said on 1 April that his office received reports that Boko Haram militants had killed many women and girls they previously held as "wives" while retreating from the military. According to the High Commissioner, these acts may constitute war crimes and crimes against humanity.

The recent military offensive against Boko Haram, including the authorization of the regional Multinational Joint Task Force (MNJTF) and combined military operations conducted by Nigeria, Chad, Cameroon and Niger, followed significant territorial seizures by Boko Haram beginning in July 2014. By January 2015 Boko Haram had expanded its control to include most of Borno state as well as significant territories in Adamawa and Yobe states and had begun perpetrating cross-border attacks.

Over 10,000 people were reportedly killed in Boko Haram-related violence during 2014, while more than 3,000 have been killed so far during 2015. According to UNHCR, as of March 2015 there were more than 1.2 million IDPs in Nigeria, with the majority in the

northeast. Niger, Cameroon and Chad host more than 192,000 refugees and thousands of people in their own countries have also been displaced by Boko Haram attacks. UNICEF reported on 13 April that among the IDPs and refugees are 800,000 children.

Boko Haram's leader, Abubakar Shekau, has vowed to kill all Muslims who "follow democracy" and said that the group is at war "against Christians and democracy." Despite threatening widespread attacks and killing more than a dozen voters on 28 March, Boko Haram was not able to seriously disrupt the elections. Muhammadu Buhari defeated President Goodluck Jonathan and will take office on 29 May.

Nigerian security forces have often failed to provide sufficient protection from Boko Haram and there have been extensive reports of soldiers deserting their posts during prior attacks. Security forces have also been accused of committing extrajudicial killings of suspected Boko Haram members. Civilian vigilante groups formed in response to Boko Haram have also been implicated in human rights abuses.

### ANALYSIS

Although the group has been significantly weakened by recent combined military operations, Boko Haram's insurgency remains a regional security threat, imperiling the lives of civilians in Nigeria, Cameroon, Chad and Niger. While the recent offensives have driven Boko Haram out of previously occupied towns and villages, the group still has major bases in the Sambisa Forest.

In Nigeria, Boko Haram attacks continue to exacerbate pre-existing social, ethnic and religious tensions. Displacement and insecurity have increased unemployment and poverty within Africa's largest economy. Destroyed civilian infrastructure across the northeast also makes it difficult for the return of refugees and IDPs, aggravating the humanitarian crisis.

The government's Soft Approach to Countering Violent Extremism program and reforms addressing poor governance and corruption are crucial to confronting the root causes of conflict. President-elect Buhari has promised to defeat Boko Haram, but his government's determination and capacity to engage in structural reform of the security forces and government institutions remains unclear.

Nigerian authorities have previously failed to adequately investigate allegations of the security forces' arbitrary detention, torture and extrajudicial killing of suspected Boko Haram members.

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 the 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 has also issued four Press Statements since February regarding Boko Haram atrocities.

On 29 January the AU PSC 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” of attack from Boko Haram. From 5 to 7 February a high-level meeting convened in Cameroon produced a draft Concept of Operations (CONOPs) for the MNJTF and announced contributions of 8,700 military, police and civilian personnel. Despite these measures, the MNJTF is not yet operational.

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 1 April the Human Rights Council adopted a consensus resolution requesting OHCHR “document human rights violations and atrocities committed by Boko Haram, with a view towards accountability.”

### NECESSARY ACTION

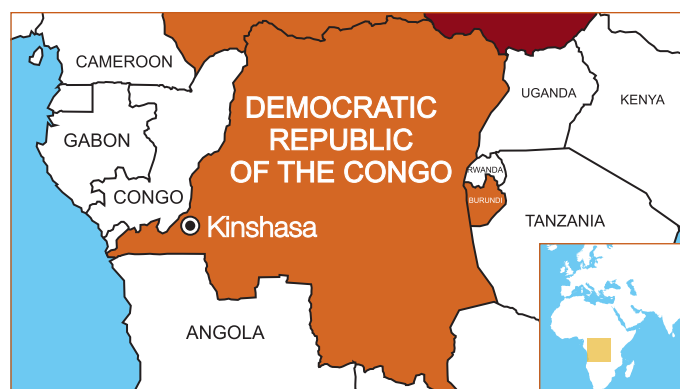
Regional and international cooperation is crucial to defeating Boko Haram and holding perpetrators of mass atrocities accountable. Governments involved in military operations against Boko Haram need to ensure they mitigate the risk to civilians during anti-Boko Haram operations and strictly adhere to IHL and international human rights law. Families of Boko Haram members, as well as captives living in Boko Haram camps and child soldiers, need to be adequately protected and reintegrated into Nigerian society.

The UNSC should actively support regional efforts to defeat Boko Haram. 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. Captured Boko Haram leaders should be held accountable for crimes against humanity committed in areas under the group's command and control.

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 abuses, including alleged extrajudicial killings committed by the military.

### MORE INFORMATION

- » [“Our job is to shoot, slaughter and kill”: Boko Haram's reign of terror in north east Nigeria,” Amnesty International, 14 April 2015](#)
- » [Press Statement of the 500th meeting of the AU PSC on the issue of the Boko Haram terrorist group, 27 April 2015](#)
- » [GCR2P Populations at Risk: Nigeria](#)



2.7 million IDPs

Only 300 FDLR surrendered  
by 2 January deadline

## DEMOCRATIC REPUBLIC OF THE CONGO

*Populations in the Democratic Republic of the Congo remain at imminent 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 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 disband, 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 support for impending anti-FDLR operations following the government's appointment of two generals accused of serious human rights violations to lead the operation. The FARDC finally launched military offensives without MONUSCO support on 24 February. Although the FARDC has reportedly captured some of their bases, the FDLR allegedly kidnapped as many as 40 civilians near Virunga National Park on 16 April. Mayi-Mayi militias have also reportedly engaged in clashes with the FDLR as the group flees from the

FARDC. On 7 May the UN announced that MONUSCO was planning to launch its own offensive against the FDLR.

Patterns of violence committed by armed groups, including mass killing and abduction, continue in North Kivu, South Kivu, Katanga, Maniema and Oriental Province. 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. On 13 May the UN Joint Human Rights Office in the DRC released a report on the October–December attacks, noting that the ADF was responsible for more than 250 civilian deaths during that period and perpetrated violations which may amount to crimes against humanity. The ADF has continued its assaults, including killing at least 24 civilians in two attacks in Beni on 13 May. Suspected ADF fighters also attacked a MONUSCO helicopter near Beni on 4 May and ambushed a convoy on 5 May, killing two peacekeepers.

Populations in Maniema have been affected by recent fighting between various Mayi-Mayi groups and the FARDC, resulting in more than 34,000 new IDPs in the first four months of the year. Inter-communal fighting between ethnic Twa and Luba in Katanga during early May also resulted in dozens of deaths.

## ANALYSIS

While military measures are taken against the FDLR and ADF, civilians remain at risk of reprisal violence. A country that is already home to 2.7 million IDPs may endure further displacement. During earlier offensives against rebel groups 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.

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. [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 accountability for those responsible for mass atrocities. The UNSC subjects 10 entities and 31 individuals in the DRC to sanctions.

On 26 March the UNSC extended MONUSCO's mandate for an additional year, reducing its troop capacity by 2,000 and emphasizing that the government of the DRC "bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes."

## NECESSARY ACTION

The DRC government and MONUSCO must ensure that the protection of civilians remains their primary priority as they address the threat posed by armed groups. The FARDC and MONUSCO must increase their capacity to respond to early warning of attacks by these groups.

MONUSCO should support the government in facilitating local peacebuilding initiatives and encourage civil society to help facilitate DDRRR.

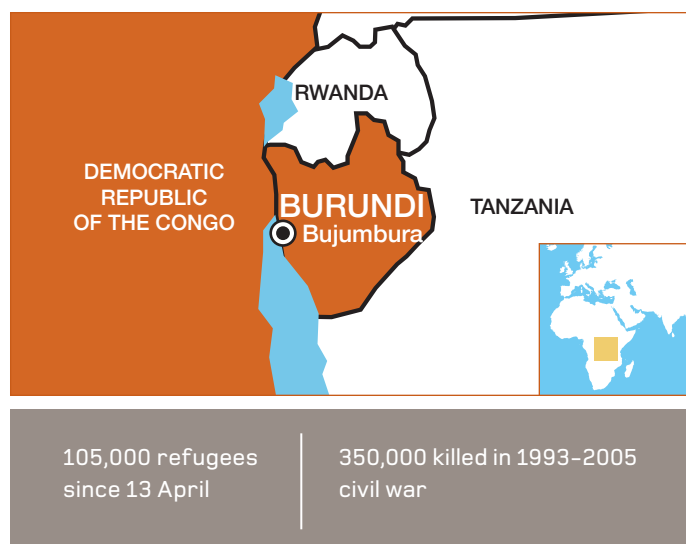
The FARDC must not permit individuals who have previously committed atrocities to join its forces and should train all recruits in the protection of civilians, respect for human rights and IHL. The government should adopt legislation establishing specialized mixed chambers in the national judicial system, 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, ADF and FDLR, must be held accountable.

## MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Resolution 2211 S/RES/2211](#), 26 March 2015
- » [GCR2P Populations at Risk: DRC](#)





## BURUNDI

*Civilians in Burundi face the imminent risk of mass atrocity crimes as a constitutional crisis and attempted coup has led to political violence and threatens to further destabilize the country.*

### BACKGROUND

On 13 May Major General Godefroid Niyombare and elements of the armed forces launched a coup against the government of President Pierre Nkurunziza. At the time of publication the situation was still rapidly evolving, but the coup had clearly been defeated by soldiers and police loyal to the President.

The attempted coup followed several weeks of sustained protests following the 26 April announcement by the ruling Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie (CNDD–FDD) that President Nkurunziza would seek a third term in the upcoming elections. According to the Red Cross at least 22 civilians and 3 members of the security forces were killed in clashes between protesters and the police from 26 April to 12 May.

UNHCR reported that over 105,000 Burundians fled the country between 13 April and 15 May. Refugees have reported harassment, intimidation, enforced disappearances and murder, including by the Imbonerakure, the CNDD–FDD’s affiliated paramilitary youth movement.

Elections were scheduled to be held in Burundi for legislative and commune positions on 26 May and for the Presidency on 23 June. President Nkurunziza’s candidacy is regarded by the political opposition and many civil society groups as being in violation of the constitution and the 2000 Arusha Peace and Reconciliation Agreement. The Arusha Peace Agreement brought an end to a civil war that claimed the lives of over 350,000 people and led to the displacement of more than 1 million civilians between 1993 and 2005.

### ANALYSIS

Despite a sustained period of relative stability since the end of Burundi’s civil war in 2005, recurring political and ethnic conflict have previously caused mass atrocities in the country. While the current conflict is primarily political in nature, there is a risk of it reigniting pre-existing ethnic cleavages.

There is a serious concern that mass atrocity crimes may be committed following the attempted coup. Previous unconstitutional changes in government in Burundi have been triggering events for widespread violence in the country. Tensions between the Army, traditionally dominated by the ethnic Tutsi minority, and ethnic Hutu political organizations have also been a perennial source of conflict in the past.

The resumption of widespread conflict in Burundi, including the commission of mass atrocity crimes, could destabilize the Great Lakes Region. In particular, neighboring Rwanda has already expressed concern over the developing refugee situation and the potential for targeted violence against vulnerable civilians inside Burundi.

The Burundian government must uphold its primary Responsibility to Protect and continue to consolidate peacebuilding gains made since the Arusha Peace Agreement more than a decade ago.

### INTERNATIONAL RESPONSE

The UN Electoral Observer Mission in Burundi (MENUB) was established by the UNSC on 1 January 2015 and is responsible for monitoring the upcoming elections.

On 28 April the AU PSC expressed its grave concern regarding the current crisis and the need to fully disarm all militias and illegal armed groups. On the same day the Secretary-General also condemned violence associated with recent protests.

On 7 May the AU Commission Chairperson stated that the political environment in Burundi was not conducive to the holding of elections.

On 8 May the Chief Prosecutor of the ICC expressed concern over the reports of organized violence in Burundi and stated the Court was closely monitoring the situation.

On 13 May the East African Community (EAC) convened an emergency summit in Tanzania. The EAC condemned the coup in Burundi and stated that conditions were not conducive to the holding of elections.

On 14 May the UNSC was briefed on the crisis by the UN Special Envoy for the Great Lakes Region, Said Djinnit. On the same day the AU PSC convened an emergency meeting on the situation and decided to dispatch human rights observers to Burundi.

### NECESSARY ACTION

Immediate steps must be taken by all sides to de-escalate tensions and avoid any further deterioration or militarization of

the current conflict. All political parties within Burundi should urge maximum restraint by the army and police. All political organizations must refrain from using inflammatory language or inciting violence. All paramilitary groups and militias, including the Imbonerakure, should be immediately demobilized and disbanded.

Both the AU PSC and the UNSC should urgently convene if the situation deteriorates further, and consider the imposition of sanctions on any individuals deemed responsible for inciting violent conflict or breaching the Arusha Peace Agreement.

The EAC, AU and UN should coordinate mediation efforts to assist the Burundian government and the political opposition to resolve the current crisis and consolidate the gains of the last decade of peacebuilding.

### MORE INFORMATION

- » [MENUB Website](#)
- » [GCR2P Populations at Risk: Burundi](#)

## 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.



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

## BURMA/MYANMAR

*Ethnic and religious minorities in Burma/Myanmar, especially stateless Rohingya, 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 ethnic 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. On 31 March 2015 the government invalidated the identification cards held by many Rohingyas, forcing them to apply for citizenship as "Bengalis" by 1 June. This follows the government denying Rohingyas the ability to self-identify on the national census of March 2014, the first since 1983.

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 2014 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. On 1 May a mass grave containing the bodies of over 30 Rohingyas believed to have died of disease or starvation was discovered at an abandoned human trafficking camp in Thailand.

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.

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.

### ANALYSIS

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 fundamental human rights and reinforces the dangerous perception of the Rohingya as ethnic outsiders. The government's revocation of a type of identification card mostly held by Rohingyas is yet another attempt to curtail their rights and will prevent them from being able to vote in a constitutional referendum during May.

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 with regard to the Rohingya and other vulnerable minorities.

## 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. [For responses prior to March 2015, see [GCR2P's Timeline of International Response to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar](#).]

On 27 March the Human Rights Council adopted a resolution expressing concern at the increase in religious and ethnic intolerance and calling upon the government to protect all civilians from violence. The resolution reiterated serious concern about the situation of the Rohingya and the government's decision to revoke their identity documents.

On 22 April the Association of Southeast Asian Nations (ASEAN) Parliamentarians for Human Rights warned of the "growing risk of atrocity crimes in Myanmar" and urged ASEAN leaders to respond to the "escalating crisis situation" for Rohingyas and other vulnerable minorities.

Speaking to his Partnership Group on Myanmar on 24 April, the UN Secretary-General said the government must comprehensively address the issue of status and citizenship of the Rohingya.

## 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 intolerance and 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

- » [Statement of the UN Special Rapporteur](#), 16 January 2015
- » [Situation of human rights in Myanmar A/HRC/28/L.21/Rev.1](#), 27 March 2015
- » [Secretary-General's remarks to Partnership Group on Myanmar](#), 24 April 2015
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



Over 550,000 IDP's and 150,000 refugees displaced by ongoing violence

## 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 ongoing fighting between armed groups affiliated with either the internationally-recognized government, based in Tobruk, or the former transitional government, the General National Congress (GNC), based in Tripoli. 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.

During May 2014 retired General Khalifa Haftar initiated a military campaign known as "Operation Dignity" against Islamist militias in Benghazi and Tripoli. 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 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 political and military control of the country. On 2 March the House of Representatives in Tobruk appointed General Haftar as commander of the Libyan National Army.

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) noted ongoing abductions of civilians, torture, unlawful killing and executions committed by various armed groups. According to the Libyan Red Crescent there are currently more than 550,000 IDPs in Libya, with over 150,000 refugees in neighboring countries.

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.

ISIL, which is primarily based in Syria and Iraq, also threatens civilians in Libya. On 16 February ISIL executed at least 20 Egyptian Coptic Christians near Sirte, provoking Egyptian airstrikes around the city of Derna. In response ISIL conducted several bombings in al-Qubbah, Libya, killing 45 civilians. On 19 April ISIL released a video purportedly showing the execution of approximately 30 Ethiopian Orthodox Tewahedo Christians.

## ANALYSIS

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 continue.

The government's lack of control over the country has allowed arms and foreign fighters to travel freely across borders, further destabilizing Libya and the surrounding region. There is also evidence of competing regional powers providing arms or air support to either Operation Dignity or Libya Dawn.

Armed groups on both sides of the conflict continue to violate international human rights and humanitarian law. Both rival governments 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 cease attacks on civilians and uphold its responsibility to protect. Resolution 1973 of 17 March 2011 called upon UN member states to take "all necessary measures" to protect civilians and led to an international military intervention. 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. In April a new round of UN-brokered peace talks began in Morocco.

On 27 March the UNSC extended UNSMIL's mandate until 15 September, stating the mission should undertake human rights monitoring, support key Libyan institutions, reinforce arms control and provide humanitarian assistance. On the same day

the UNSC also passed Resolution 2214 condemning terrorist activities in Libya, including by ISIL.

On 13 April the UNSC released a Press Statement encouraging the formation of a national unity government and recalling the sanctions and arms embargo in Resolution 2213.

## NECESSARY ACTION

All armed groups need to immediately cease targeting civilians and carrying out military operations in population centers. The international community needs to act in accordance with the arms embargo reaffirmed under UNSC Resolution 2213. The UNSC should impose sanctions against those intent on subverting the peace negotiations.

The Libyan government needs 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, as well as establishing a national unity government and strengthening 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](#)
- » [UNSC Resolution 2213 S/RES/2213](#), 27 March 2015
- » [UNSC Resolution 2214 S/RES/2214](#), 27 March 2015
- » [GCR2P Populations at Risk: Libya](#)



19 of 22 Governorates  
affected by armed  
conflict

830+ civilians killed since  
26 March

## YEMEN

*Civilians in Yemen are at risk of mass atrocity crimes as a regional military coalition fights against armed Houthi rebels, who have taken control of most of the country.*

### BACKGROUND

During 2014, amid a UN-facilitated political transition process, the Houthis, a Shia militia from northeast Yemen, and allied militias loyal to former President Ali Abdullah Saleh, took control of the governorates of Saada, Hodeida, Dhamar, Omran and Sana'a. Growing violence and renewed political pressure from the Houthis resulted in President Abed Rabbo Mansour Hadi fleeing to the southern city of Aden on 21 February 2015 and denouncing the Houthi takeover as a coup. With the Houthis advancing towards Aden and President Hadi relocating to Riyadh, on 26 March Saudi Arabia and a coalition of nine other countries responded to a government request for regional military intervention.

According to OCHA, 19 of Yemen's 22 governorates have been affected by armed violence as a result of the escalating conflict. Ongoing violence between Houthis and various pro-Hadi forces, as well as weeks of sustained coalition airstrikes, have resulted in more than 1,500 people killed, more than half of whom are civilians, and 330,000 people displaced. An estimated 16 million people in Yemen are now in urgent need of humanitarian assistance while the ongoing armed conflict has halted the delivery of desperately needed aid.

In addition to Houthi military targets, the airstrikes have reportedly hit schools, hospitals and food storage facilities, causing extensive damage to civilian infrastructure and endangering civilian lives. On 3 May Human Rights Watch reported that Saudi-led airstrikes had included banned cluster munitions. The Houthis, meanwhile, have been accused of indiscriminately shelling civilian areas and sniping at civilians. Armed conflict in southern cities, including Aden and Shabwah, has escalated since 2 April with Houthi and Hadi-allied forces both targeting civilian infrastructure and international

humanitarian workers. A five-day "humanitarian pause" started on 12 May.

Other armed groups are taking advantage of the current instability to perpetrate attacks on civilian populations. On 20 March suicide bombers attacked two Zaidi mosques in Sanaa during prayer, killing 140 people and wounding 350, according to the UN's Special Adviser on Yemen. Responsibility for the sectarian attacks was claimed by the Yemeni branch of ISIL.

### ANALYSIS

The collapse of government control and escalation of armed conflict leaves civilians in Yemen at imminent risk of mass atrocity crimes. Indiscriminate attacks on vulnerable populations and targeting civilian infrastructure violates IHL and international human rights law. As the security situation deteriorates civilians are at risk of war crimes and potential crimes against humanity.

Civilian infrastructure has been extensively damaged by the conflict, with various armed groups occupying schools and health facilities. Fighting between Shia Houthi rebels and mainly Sunni forces loyal to the government of President Hadi threatens to further fracture Yemeni society along tribal and sectarian lines.

If parties to the conflict do not resume political negotiations, the country also risks becoming another proxy battlefield between Saudi Arabia and Iran. While Saudi Arabia remains the main force behind the regional military coalition, Iran has been widely accused of providing military assistance to the Houthis. In addition, the role of Sudan and Egypt in the regional military coalition is disturbing given their past history of committing possible war crimes and/or crimes against humanity in their own countries.

Growing sectarian tensions between Shia and Sunni populations and the collapse of government control has also enabled terrorist groups such as Al-Qaida in the Arabian Peninsula (AQAP) and ISIL to increase their presence. AQAP has previously carried out attacks in Yemen, but ISIL's recent mosque bombings mark a significant escalation in targeted sectarian violence.

Ongoing fighting and attempts to subvert the political transition are in violation of UNSC resolutions and the UN-brokered peace process. The Yemeni government is unable to uphold its Responsibility to Protect and requires international support.

### INTERNATIONAL RESPONSE

In 2011 the UNSC adopted Resolution 2014, which condemned human rights violations by the government of former President Ali Abdullah Saleh and affirmed Yemen's primary responsibility to protect its population.

The UNSC imposed sanctions on former President Ali Abdullah Saleh and Houthi leaders in November 2014, but these have been limited to five individuals and no assets have been frozen. Nevertheless, the mandate of the UN Panel of Experts on Yemen has been extended until 25 March 2016. On 15 February the



UNSC unanimously adopted Resolution 2201 condemning the takeover of the capital and demanding the Houthis withdraw.

Saudi Arabia and other members of the Gulf Cooperation Council (GCC) have strongly condemned the Houthi takeover. Their decision to militarily intervene was followed by a permissive statement from the UN Secretary-General. The United States has provided logistical and intelligence support to the regional coalition, while Russia and Iran have demanded an end to the military intervention.

On 9 April the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect expressed alarm regarding coalition airstrikes and growing sectarian tensions within Yemen, expressing shock that protected groups and civilian objects have been indiscriminately attacked in the course of the fighting and reminding all parties that such attacks “could constitute war crimes.”

On 14 April the UNSC passed Resolution 2216 establishing an arms embargo against Houthi leaders and some supporters of former President Saleh, demanding an end to the violence and full implementation of previous resolutions, and requesting the Secretary-General intensify humanitarian efforts.

On 30 April the UN Secretary-General asserted that “attacks on civilians and civilian infrastructure, including hospitals, humanitarian warehouses and UN compounds, are unacceptable and in violation of international humanitarian law.”

## NECESSARY ACTION

The distinction between military and civilian targets is central to IHL and must be adhered to. All parties to the conflict must refrain from targeting civilians and civilian infrastructure and uphold their responsibility to protect vulnerable populations regardless of their tribal, religious or political affiliations.

All parties to the conflict should agree to a permanent ceasefire – and in the interim, sustained “humanitarian pauses” – in order to ensure urgent access to vulnerable civilians in desperate need of food, water and medical supplies.

The UNSC, GCC and those with strong ties to political forces within Yemen, including Saudi Arabia and Iran, need to ensure that Resolution 2201 is fully implemented and that all parties return to the agreed political transition process. All perpetrators of recent sectarian attacks and potential war crimes in Yemen should be held accountable for their actions.

## MORE INFORMATION

- » [UNSC Resolution S/RES/2204](#), 24 February 2015
- » [UNSC Resolution S/RES/2216](#), 14 April 2015
- » [GCR2P Populations at Risk Page: Yemen](#)

## ACCOUNTABILITY WATCH

### Israel and the Palestinian Territories:

On 20 March the Israel Defense Forces (IDF) said it had conducted six investigations into incidents that took place during the 2014 war in Gaza. The statement said two of the investigations had concluded with no wrongdoing found on behalf of the IDF. On 1 April Palestine became a State Party to the Rome statute, giving the ICC jurisdiction to investigate alleged crimes, including war crimes and crimes against humanity, committed on Palestinian territory since 13 June 2014.

### Bosnia and Serbia:

On 18 March Serbia arrested eight men suspected of killing more than 1,000 Muslim Bosniaks during the 1995 Srebrenica genocide. On 8 April the International Criminal Tribunal for the former Yugoslavia upheld the life sentence against Zdravko Tolimir, the former head of Bosnian Serb military intelligence, despite his appeal against his conviction on six counts of war crimes and crimes against humanity.

### Côte d'Ivoire:

The ICC announced on 7 May that the trial of former President Laurent Gbagbo and former Minister of Youth Charles Blé Goudé will open on 10 November. Gbagbo and Blé Goudé are accused of four counts of crimes against humanity for murder, rape, inhumane acts and persecution committed during the 2010-2011 electoral crisis in Côte d'Ivoire.

### Uganda:

On 30 April Ugandan authorities confirmed that Jamil Mukulu, leader of the ADF, a DRC-based Islamist rebel group, was arrested in Tanzania and will be repatriated to Uganda. Mukulu is accused of directing numerous attacks against civilians in both Uganda and the DRC since the late 1990s. In November 2014 a military court in the DRC tried Mr. Mukulu in absentia and sentenced him to death.

### Cambodia:

On 27 March the Extraordinary Chambers in the Courts of Cambodia (ECCC) charged former Khmer Rouge official Ao An with premeditated homicide and crimes against humanity for "murder, extermination, persecution on political and religious grounds, imprisonment, and other inhumane acts" committed during the period of Khmer Rouge government from 1975-1979. The Cambodian government has been accused of not cooperating with the ECCC regarding the new indictment.



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