

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.



Approximately
200,000 killed

6.5 million IDPs

11 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 three and a half years of conflict in Syria over 200,000 people have been killed. There are over 3.2 million Syrian refugees in neighboring countries and over 6.5 million internally displaced persons (IDPs) as a result of the conflict. On 30 September the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Valerie Amos, reported that the crisis has left 11 million Syrians in need of humanitarian assistance, 4.7 million of whom remain in inaccessible areas, while 241,000 people are being besieged, mostly by government forces. The conflict poses a threat to peace and stability throughout the entire Middle East.

The government continues its bombardment of opposition-held residential areas, despite UN Security Council (UNSC) Resolution 2139 of 22 February, which demanded a halt to the use of indiscriminate weapons in populated areas. Nearly 50 people were killed in Talbiseh, Homs province, as a result of government air strikes between 16 and 17 September. 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 UN Human Rights Council-mandated Commission of Inquiry (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 friction between 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 an imminent risk to civilians as its forces have carried out mass executions and sexual enslavement in areas under their control. The CoI reported on 13 August that ISIL has committed crimes against humanity.

On 23 September, after six weeks of United States airstrikes on ISIL positions in Iraq, Bahrain, Jordan, Qatar, Saudi Arabia, the United Arab Emirates and the United States launched airstrikes against ISIL in Syria. The Syrian Observatory for Human Rights reported on 27 October that 815 people had been killed by the airstrikes, over half of whom were ISIL fighters.

ISIL fighters entered the Kurdish town of Kobane, near the Turkish border, on 6 October and continue to battle with Kurdish forces for control of the area. Despite United States-led coalition airstrikes, ISIL has seized more than one-third of Kobane. The UN Secretary-General and the new UN Special Envoy to Syria, Staffan de Mistura, called for international action to protect trapped Kurdish civilians. On 20 October Turkey said it would allow Iraqi Kurdish fighters to cross its borders into Syria in order to provide artillery support to Kurdish forces in Kobane.

The UN has reported that all parties to the conflict have laid sieges and impeded humanitarian access. On 30 October the Assistant Secretary-General for Humanitarian Affairs reported that despite improved access following UNSC Resolution 2165 of 14 July "the humanitarian situation in Syria continues to worsen and the level of violence, death and destruction remains unrelenting."

Lebanon, which hosts 1.1 million Syrian refugees, has seen sporadic clashes between supporters and opponents of the Syrian government. On 23 October Lebanon announced it will not accept any more Syrian refugees. 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.

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

ANALYSIS

With each side in Syria committed to an outright military victory, the conflict imperils the lives of countless civilians who continue to be directly threatened by the ongoing civil war.

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 has been 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, 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. 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 three resolutions on Syria - Resolution 2118, regarding the destruction of chemical weapons, and Resolutions 2139 and 2165, demanding increased humanitarian access. Resolutions 2139 and 2165 reaffirmed the need for the Syrian government to uphold its primary responsibility to protect the population.

On 15 August the UNSC adopted Resolution 2170 on threats to international peace and security caused by terrorist acts. The resolution 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, condemned violations of IHL and international human rights law committed against civilians and demanded that the government meet its responsibility to protect the population.

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

- » [Report of the Col A/HRC/27/60](#), 13 August 2014
- » [UNSC Resolution S/Res/2170](#), 15 August 2014
- » [Statement by UN Emergency Relief Coordinator to the UNSC](#), 30 September 2014
- » [HRC Resolution A/HRC/27/L.5/Rev.1](#), 23 September 2014
- » [GCR2P Populations at Risk: Syria](#)



856 civilians killed during
October [excluding Anbar
Province]

1.9 million people
displaced this year

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 has dramatically deteriorated 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. ISIL and several associated armed groups have engaged in widespread fighting with the Iraqi Security Forces (ISF), causing civilian casualties and significant displacement. ISIL violations may amount to crimes against humanity and war crimes and include targeted killings, forced conversions, abductions, slavery and sexual abuse.

In a 2 October joint report, the UN Assistance Mission for Iraq (UNAMI) and the Office of the High Commissioner for Human Rights (OHCHR) condemned sectarian violence committed by armed groups against civilians. UNAMI reported that 856 civilians were killed during October, excluding deaths in Anbar province, with well over 10,000 civilians killed this year. As of November an estimated 1.9 million Iraqis have been displaced, including over 800,000 in the autonomous Kurdish region.

ISIL seized the northern town of Sinjar on 3 August, threatening death to members of the minority Yazidi religious community who refused conversion to Islam. By 13 August ISIL had reportedly killed at least 500 Yazidis and abducted 1,500 women and girls. On 12 August a group of UN experts called upon the international community to employ all possible measures to "avoid a mass atrocity and potential genocide within days or hours." On 20 October ISIL fighters renewed their assault on Sinjar, seizing two villages. ISIL continues to systematically attack ethnic and religious minorities, including Christians, Shabak and Turkomen, throughout western and northern Iraq.

Following a request from the Iraqi government, on 8 August the United States began airstrikes against ISIL positions around Sinjar "to prevent a potential act of genocide," according to President Barack Obama. Australia, Belgium, Canada, Denmark, France, the Netherlands and the United Kingdom have all since joined operations against ISIL in Iraq.

The ISF has also been accused of extrajudicial killings, possibly amounting to war crimes, as well as unlawful use of force against peaceful protesters, illegal detention and systematic use of torture. The ISF dropped barrel bombs on residential neighborhoods of Fallujah, Anbar province, during its attempt to retake parts of the city seized by ISIL.

Responding to increased terrorist attacks and the rise of ISIL, Shia militias have carried out retaliatory attacks against Sunni civilians. On 14 October Amnesty International reported that Shia militias, often armed and backed by the Iraqi government, have been "abducting and killing Sunni civilian men in Baghdad and around the country." Pro-government militias and security forces massacred 34 Sunni civilians at a mosque in Diyala province on 22 August.

ANALYSIS

The rising threat posed by ISIL and other armed groups imperils not only the stability of the government, but the lives of countless civilians, particularly ethnic and religious minorities, who face an ongoing risk of further mass atrocities.

Despite a November 2010 power-sharing agreement between political parties representing Shias, Sunnis and Kurds, many Sunnis feel they were marginalized under former president Nouri al-Maliki. The government's response to a Sunni protest movement that started in December 2012 aggravated these divisions. ISIL has been able to exploit widespread Sunni 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 in Iraq and contribute to the government's inability to resolve the security crisis.

Human rights violations are routinely perpetrated by the ISF, who often commit abuses in the name of counter-terrorism. There are grave fears for the fate of civilians trapped by fighting between ISIL and the ISF or abandoned by retreating government forces. Some Shia militias, mobilized by the government to fight ISIL, pose an intrinsic 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 that do not conform to its strict interpretation of Islam.

The Iraqi government is failing to uphold its Responsibility to Protect and needs urgent international assistance.

INTERNATIONAL RESPONSE

The UNSC issued a Press Statement on 21 July, condemning ISIL's threats against religious and ethnic minorities in Mosul.

On 5 and 7 August the UNSC condemned ISIL attacks on Sinjar and Tal Afar. 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 12 August the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect condemned the reported execution of Yazidis by ISIL, warning that such acts may amount to war crimes and crimes against humanity.

Australia, France, the United Kingdom and the United States sent emergency humanitarian aid to besieged populations on Mount Sinjar and in Amerli. On 12 August French Foreign Minister Laurent Fabius requested the European Union (EU) consider military assistance to Kurdish fighters battling ISIL. Albania, Canada, Croatia, Denmark, France, Germany, Italy and the United Kingdom have committed to providing military assistance.

On 1 September the UN Human Rights Council supported a request of the Iraqi government to dispatch a fact-finding mission to investigate abuses committed by ISIL.

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 the fight against ISIL.

NECESSARY ACTION

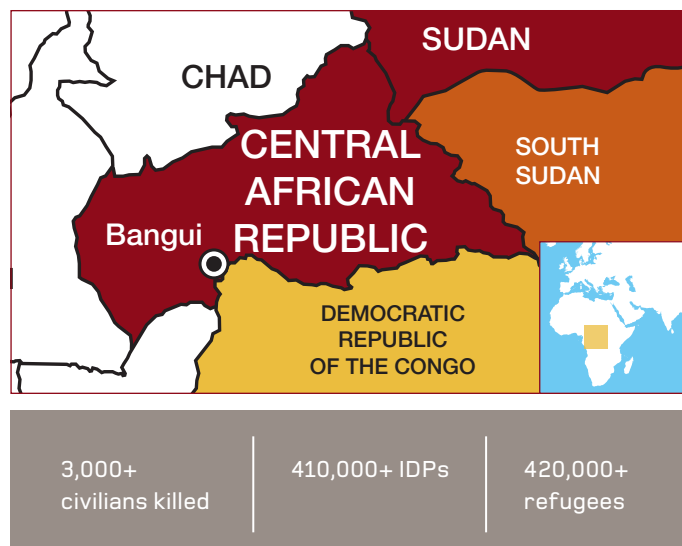
The international community should continue to provide military support to the Iraqi government to combat the threat ISIL poses to vulnerable populations, especially religious and ethnic minorities. While confronting ISIL and other armed groups, the government must protect civilians and address the underlying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

The government must actively prevent reprisals against Sunni communities by the ISF and Shia militias. The government and its 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 ongoing 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](#)
- » [Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 6 July – 10 September 2014](#), UNAMI and OHCHR, 2 October 2014
- » [UNSC Press Statement SC/11605](#), 17 October 2014
- » [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, other armed groups and mobs of civilians.

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

The UN estimates that 80 percent of the Muslim population in Bangui and Western CAR has been forced to flee or has been killed since September 2013. The UN High Commissioner for Refugees (UNHCR) reports that 18,680 Muslims in nine threatened communities remain at a "very high risk" of attack, including approximately 7,000 in the town of Boda and 2,200 in the PK5 area of Bangui. A 5 August report of the UN Secretary-General highlighted that the anti-balaka systematically encircle these enclaves, subject them to attack and cut them off from food and medical supplies.

Heavy fighting between anti-balaka militias and international forces occurred in Bangui between 7 and 17 October. At least 16 civilians were killed and 6,500 displaced by the clashes.

Disarmament efforts by international forces have sparked renewed fighting since 31 October. Peacekeepers have forcibly prevented attacks by the anti-balaka against civilians, including in the besieged PK5 enclave. Since 7 October two MINUSCA

peacekeepers have died and twenty-seven others have been wounded.

Fighting between the anti-balaka, ex-Séléka and other armed groups has also intensified in northern, central and eastern prefectures, despite the signing of a ceasefire agreement on 23 July. On 1 October armed men attacked a displacement site outside the MINUSCA base in Bambari, killing five people. Ex-Séléka and anti-balaka fighters in Bambari also attacked French and UN forces, with ensuing fighting resulting in at least 25 deaths. Between 18 and 20 October anti-balaka and ex-Séléka fighters killed seven civilians in villages south of Bambari.

According to the UN Panel of Experts on CAR, 3,003 civilians have been killed since December 2013. There are currently more than 410,000 IDPs in CAR, including at least 62,300 spread across 35 sites in Bangui, and over 190,000 refugees in neighboring countries. At least 2.5 million people are in need of humanitarian assistance.

The transitional government, led by interim President Catherine Samba-Panza, is struggling to respond to the crisis. The UN Secretary-General has warned that the permanent "de-facto partition" of the country along ethno-religious lines is 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 groups and civilians from perpetrating attacks and, in some cases, have engaged in violence themselves.

French, EUFOR-RCA and MINUSCA troops have struggled to contain violence in Bangui. Ongoing fighting between the anti-balaka, ex-Séléka and other armed groups, as well as between international peacekeepers and these groups, has increased the risks to civilians.

Clashes have also occurred in prefectures that split CAR between North and South and East and West. The country is now effectively partitioned, with the anti-balaka controlling territory in western CAR and various factions affiliated with the ex-Séléka establishing control in the east. Deadly attacks on civilians continue to be conducted openly and without fear of sanction.

The 23 July ceasefire agreement faces numerous challenges. The anti-balaka and ex-Séléka are loosely affiliated groups that do not operate under central command and are prone to factional infighting. Religious and ethnic identities continue to be manipulated, with communities mobilized against one another.

Accelerating the political transition and preparing to hold elections 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 four UNSC resolutions between October 2013 and April 2014 that emphasized the interim government's responsibility to protect the civilian population. [For response prior to July 2014, [see GCR2P's Timeline of the International Response to the Situation in CAR.](#)]

On 7 July the International Contact Group for CAR outlined a process to end hostilities and promote national dialogue and reconciliation. A forum held in Brazzaville, Congo, between 21 and 23 July led to the aforementioned ceasefire agreement.

MINUSCA assumed authority from the previous African Union (AU) peacekeeping mission, MISCA, on 15 September. The force is currently comprised of approximately 6,700 of its expected total of 11,800 personnel, including 5,800 "re-hatted" MISCA troops. MINUSCA and the transitional government signed a memorandum of understanding on 8 August providing for the creation of a Special Criminal Court to be composed of national and international judges that will investigate atrocities and bring those responsible to justice.

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

On 7 November the EU Council of Ministers extended EUFOR-RCA's deployment until March 2015. The UNSC adopted Resolution 2181 on 21 October, mandating the extension.

NECESSARY ACTION

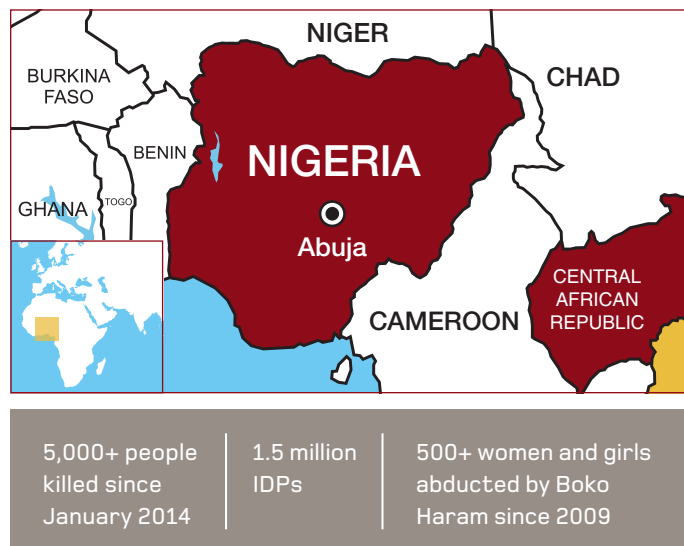
French, EU and UN forces must disarm all groups who threaten civilians. Vulnerable civilians in IDP camps and besieged areas must be robustly protected and provided access to humanitarian relief. Additional troops must be expeditiously deployed and material support to MINUSCA should be increased.

The interim government must publicly condemn all attacks on civilians. It is essential that perpetrators responsible for mass atrocity crimes be brought to justice. Urgent financial and human resources are needed to establish the Special Criminal Court and ensure accountability.

Local efforts to ease tensions between communities should be supported by international mediators and should be part of a broader strategy of national reconciliation. There is an urgent need for regional and international interlocutors to support the transitional government's attempts to promote disarmament, demobilization and reintegration of armed groups.

MORE INFORMATION

- » [MINUSCA Website](#)
- » [UN Secretary-General's Report S/2014/562](#), 1 August 2014
- » [Final Report of the UN Panel of Experts on CAR S/2014/762](#), 1 November 2014
- » [GCR2P Populations at Risk: Central African Republic](#)



NIGERIA

Mass atrocity crimes are being perpetrated in Nigeria by the extremist group Boko Haram as it commits systematic attacks against civilians.

BACKGROUND

The extremist group Boko Haram has been perpetrating attacks against civilians since 2009 and is committed to overthrowing Nigeria's secular government and establishing an Islamic state. Boko Haram's leader, Abubakar Shekau, has vowed to kill all Muslims who "follow democracy" and has said that Boko Haram is at war "against Christians and democracy." While Boko Haram has mainly perpetrated attacks in three northern states – Adamawa, Borno and Yobe – since April the group has carried out indiscriminate bombings in Abuja as well as in Jigawa, Kano and Kaduna states.

Despite the ongoing military state of emergency, which was declared by President Goodluck Jonathan for Adamawa, Borno and Yobe states in May 2013, Boko Haram attacks have escalated significantly during 2014. According to the Nigeria Social Violence Project, more than 5,000 people were killed in the first three quarters of the year, by comparison to 2,742 casualties in 2013. The National Emergency Management Agency reported that more than 1.5 million people have been displaced since the beginning of the state of emergency.

During April 2014 Boko Haram abducted 276 girls from a boarding school in Chibok, Borno state. While some students escaped, more than 200 remain missing. On 17 October the Nigerian government announced that a ceasefire deal had been

reached with Boko Haram, which would result in the release of the girls. However, on 1 November Boko Haram publically denied these claims, ruling out talks and saying that the kidnapped girls have been "married off" and will not be returned.

Since July Boko Haram has seized at least 17 towns. On 24 August Abubakar Shekau declared these towns to be "part of the Islamic state." On 29 and 30 October Boko Haram militants seized control of Mubi, Adamawa state, killing dozens of people and forcing thousands to flee. While the government claims to have recaptured many towns, Boko Haram attacks continue. On 3 November at least 15 people were killed during an attack on a Shia religious festival in Potiskum, Yobe state. On 10 November at least 46 students were killed by a suicide bomber at a school assembly in Potiskum.

Nigerian security forces have been accused of failing to provide sufficient protection to civilians. Recurring abductions and attacks often take place amid reports of soldiers deserting their posts. The security forces have also been accused of committing grave human rights violations against suspected Boko Haram members. The "Civilian Joint Task Force" (CJTF), a collection of vigilante groups formed in response to Boko Haram, has also been implicated in abuses.

On 13 October the Nigerian government publicly launched its Soft Approach to Countering Violent Extremism (CVE) Program. The program aims to address the underlying causes of religious radicalization in Nigeria.

ANALYSIS

While Boko Haram continues to target Christians, moderate Muslims, government officials and pro-government vigilantes, as well as students and teachers, indiscriminate attacks against all civilians have intensified. The government has been unable to adequately protect populations from Boko Haram, while the security forces' alleged acts of arbitrary detention, torture and extra-judicial killing of suspected Boko Haram members violate international human rights law and may constitute crimes against humanity and war crimes. While the CJTF are believed to be filling some protection gaps, they have also prompted reprisal attacks by Boko Haram.

Since Boko Haram started holding territory the humanitarian situation in the northeast has dramatically deteriorated. The international community and the Nigerian government continue to focus mainly on counter-terrorism, neglecting the humanitarian needs of affected communities.

Boko Haram attacks exacerbate existing social, ethnic and religious tensions, heightening the possibility of renewed inter-communal violence, particularly in the volatile "Middle Belt" region. Civilian displacement and ongoing insecurity has increased unemployment and poverty. Social initiatives proposed under the Soft Approach/CVE Program and political reforms addressing poor governance and corruption are crucial to confronting the root causes of conflict.

General elections scheduled for 14 February 2015 present a number of challenges, including the ability of the government to implement registration and voting procedures in Borno, Adamawa and Yobe states. Boko Haram's opposition to the democratic process and frequent attacks on public gatherings increases the threat to civilians while voting.

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

INTERNATIONAL RESPONSE

The abduction of the Chibok schoolgirls in April drew unprecedented international attention to the threat posed by Boko Haram. The abduction was condemned by numerous governments and UN officials. President Jonathan accepted offers from the United States, United Kingdom, France and China to provide assistance in finding and freeing the schoolgirls.

During a 17 May Paris Summit and 12 June London Ministerial meeting, regional and international partners committed to increase coordinated action against Boko Haram. On 23 July Nigeria, Niger, Chad and Cameroon pledged to mobilize a multinational force against Boko Haram. On 7 October Benin, Cameroon, Chad, Niger and Nigeria agreed to finalize the deployment of troops and put in place a command center for the joint force by 20 November.

Nigeria is currently an elected member of the UNSC. The UNSC has not directly addressed the threat posed by Boko Haram since 9 May, but expressed concern over cross-border attacks in statements regarding the West African region on 9 July and 17 August.

NECESSARY ACTION

The security forces must intensify protection of vulnerable communities, especially in the northeast of the country. With international assistance, the government urgently needs to undertake security sector reform to ensure that the army and police are trained to protect civilians and prevent mass atrocities while respecting human rights.

Authorities should immediately implement the Soft Approach/CVE Program. The government must conduct investigations into alleged abuses committed by the military against civilians.

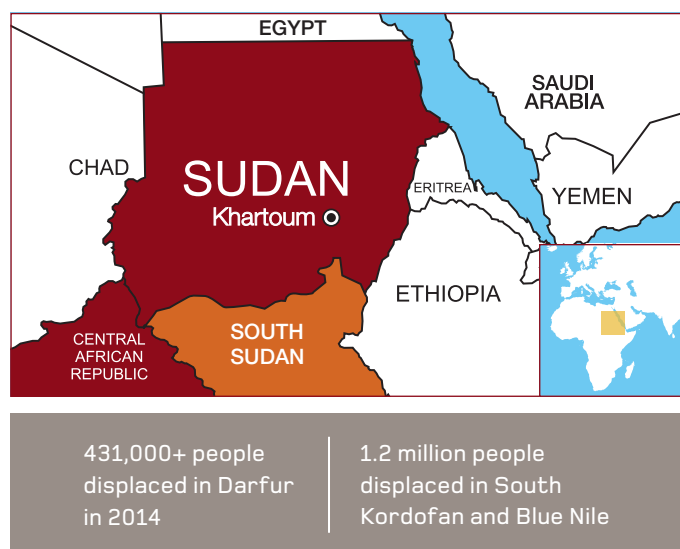
The UN, AU and Economic Community of West African States, along with states with significant bilateral ties to Nigeria, should continue to assist the government in upholding its Responsibility to Protect its population. These actors should urge the authorities to strengthen the rule of law and ensure accountability for grave human rights violations. International actors should also assist the Nigerian government in meeting the humanitarian needs of affected communities.

As Nigeria prepares for the 2015 general elections, politicians from all parties should refrain from inflammatory statements

that could deepen religious, ethnic and inter-communal divisions. The government must ensure that citizens residing in the area under the state of emergency and IDPs are not disenfranchised.

MORE INFORMATION

- » ["Social Violence in Nigeria,"](#) Johns Hopkins School of Advanced International Studies
- » ["Nigeria: Victims of Abductions Tell Their Stories,"](#) Human Rights Watch, 27 October 2014
- » [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

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

Since June 2011 the Sudanese Armed Forces (SAF) have 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 since 2011, while more than 243,500 have fled to South Sudan and Ethiopia.

The SAF has committed war crimes, including extrajudicial killing, forced displacement and sexual violence against civilians in South Kordofan and Blue Nile. The SAF has engaged in the widespread use of "scorched earth" tactics, including the systematic targeting of food sources and deliberate destruction of civilian structures. The SPLM-N has also perpetrated war crimes.

Despite the May to November rainy season, the SAF continued their indiscriminate aerial bombardment of South Kordofan. Some bombing operations coincided with South Kordofan's planting season, which takes place from May to July, while additional attacks were reported in Umdurra and Farandalla during August. On 16 October a SAF Antonov plane bombed a crowded market in Heiban, killing civilians. The SAF have reportedly also continued their ground offensive in Blue Nile, shelling the civilian areas of Ora, Mofu, Mayak, Burfa and Wadaka. According to the UN Office for the Coordination of Humanitarian Affairs, approximately 240,000 people in Blue Nile require humanitarian assistance.

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. The most recent round of talks between the government and the SPLM-N were held on 12 November under the auspices of the AU High Level Implementation Panel (AUHIP) for Sudan.

The situation in Darfur also remains dire as civilians face ongoing inter-communal violence as well as SAF ground and air operations. Fighting between the SAF and rebel groups has contributed to the displacement of nearly 431,000 people so far this year.

The AU-UN hybrid peacekeeping force in Darfur (UNAMID) has criticized the government for restricting its ability to uphold its civilian protection mandate. On 16 October three UNAMID soldiers were killed in a militia ambush in Korma, North Darfur. Following allegations that UNAMID sought to cover up attacks against civilians and peacekeepers, the UN Secretary-General initiated an internal review of the mission. The investigation found no evidence to support the accusations. On 4 November the SAF initially prohibited UNAMID from entering Tabit, North Darfur, to investigate allegations of the mass rape of approximately 200 women and girls.

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 the SPLM-N have continued attacks against civilian areas despite negotiations. The UNSC and AU

have also failed to push the government and the SPLM-N to honor agreements on the cessation of hostilities and delivery of humanitarian aid.

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 government also continues to block UN agencies and independent media from access to South Kordofan and Blue Nile. The intensification of bombing during the planting season, combined with the refusal to allow humanitarian access, may demonstrate a deliberate strategy of denying food supplies to vulnerable civilian populations.

Despite the presence of UNAMID, civilians have not been afforded adequate protection in Darfur. Ongoing inter-communal violence and the expanded operations of the SAF 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

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, who faces war crimes charges for his alleged role in an attack on AU peacekeepers during September 2007 in northern Darfur.

The UNSC has adopted 56 resolutions on Sudan since 2004. 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. [For responses prior to September 2014, see [GCR2P's Timeline of International Response to the Situation in South Kordofan and Blue Nile States](#).]

The AU Peace and Security Council issued a Communiqué on 12 September, noting that ongoing armed conflicts in South Kordofan, Blue Nile and Darfur "threaten the well-being of the Sudanese people and indeed the future of the country."

On 11 November the Troika (Norway, the United Kingdom and the United States) issued a statement welcoming the 12 November negotiations and calling for a cessation of hostilities in South Kordofan, Blue Nile and Darfur.

NECESSARY ACTION

The government and the 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 the 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 and Saudi Arabia, should press the government to fulfill its commitments.

UNAMID must robustly protect civilians facing an imminent threat of violence and facilitate the delivery of humanitarian

assistance. Mediation efforts should be renewed between the government and armed groups operating in Darfur.

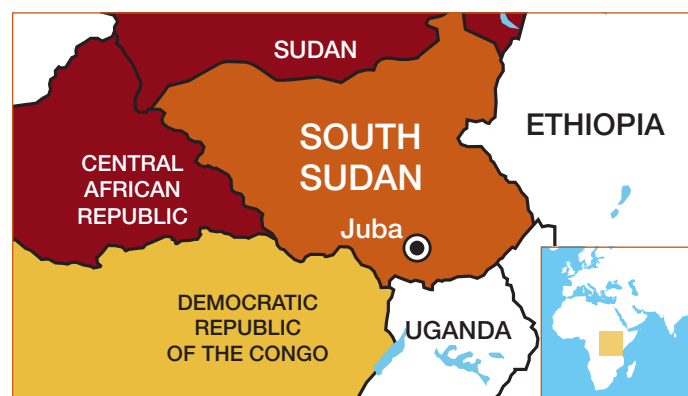
The government must stop obstructing UNAMID. Crimes against humanity and war crimes perpetrated in South Kordofan, Blue Nile and Darfur must be thoroughly investigated. The UNSC should mandate the establishment of an independent international commission of inquiry for South Kordofan and Blue Nile.

MORE INFORMATION

- » [UNISFA Website](#)
- » [UNAMID Website](#)
- » [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.



10,000+ people
killed since 15
December

97,000 civilians
sheltering in 9
UN bases

1.4 million
IDPs since
15 December

SOUTH SUDAN

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

BACKGROUND

Violent clashes in South Sudan continue in Unity, Jonglei and Upper Nile states, despite the signing of multiple peace agreements and the effects of the May through November rainy season. In the UN Secretary-General's most recent report on South Sudan he noted that he was "particularly disturbed by reports that civilians may have been murdered based on their ethnicity" and called for accountability for atrocities.

On 10 October rebel forces attacked Sudan People's Liberation Army (SPLA) positions in Upper Nile state. The SPLA launched a

counter-offensive and forced the rebels into northern Jonglei state. Renewed shelling by the rebels was reported between 2 and 3 November.

Rebel forces have also launched major attacks on government positions in Unity state. On 28 October violence was reported near Bentiu. The town has changed hands several times since the start of the civil war in December 2013 and atrocities were committed there during a series of attacks during April. On 22 October the UN Special Representative on Sexual Violence in Conflict noted that "in my 30 years of experience, I've never witnessed anything like what I saw [there]," regarding sexual violence in Bentiu. On 31 October heavy fighting was also reported near Rubkona.

The ongoing civil war is the result of a conflict that started between SPLA soldiers from rival political and ethnic groups. Over 10,000 people have been killed and 1.4 million displaced since 15 December, including over 97,000 who have sought refuge in nine 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 the President and Machar, respectively.

Fighting continued despite multiple peace agreements. Both sides violated a 23 January Cessation of Hostilities (COH) agreement almost immediately after it was signed. Following further negotiations, President Kiir and Machar subsequently signed a 9 May peace agreement, which called for "an immediate cessation of hostilities within 24 hours."

The parties failed to meet a 10 August deadline to form a transitional government shortly before the resumption of large-scale armed hostilities during August. Following another lull in major fighting and a 7 November Summit, the Intergovernmental Authority on Development (IGAD) announced another deal to end South Sudan's civil war, including recommitment to the COH and the formation of a transitional government. IGAD threatened regional sanctions and to directly intervene to protect civilians if both parties did not consent to the agreement within 15 days. Fighting resumed two days later.

In order to support UNMISS' efforts to implement its protection of civilians mandate, the UNSC adopted Resolution 2132 on 24 December, temporarily enlarging UNMISS by an additional 5,500 troops and 440 police. On 27 September China announced that they would be deploying 700 troops as part of the force surge.

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 ethnic dimension to the conflict increases the risk to civilians. The failure to uphold peace agreements reveals a lack of commitment to a political solution.

The May through November rainy season hindered UNMISS' ability to protect civilians and restricted humanitarian access, but also reduced the capacity of both sides to fight as most roads were flooded. Populations now face an increased risk of mass atrocity crimes. The UN warned in September that both parties to the conflict had been mobilizing forces and amassing weapons ahead of the start of the dry season.

South Sudan requires international assistance to reestablish security throughout the country and ensure accountability for mass atrocity crimes. With resource deficits and challenges to their mobility, UNMISS is struggling to support the government in upholding its Responsibility to Protect.

INTERNATIONAL RESPONSE

On 27 May the UNSC adopted Resolution 2155 extending UNMISS' civilian protection mandate until November 2014 and noting that the government of South Sudan bears "the primary responsibility to protect civilians within its territory and subject

to its jurisdiction, including from potential crimes against humanity and war crimes." [For responses prior to October 2014, see [GCR2P's Timeline of International Response to the Situation in South Sudan](#).]

In her statement to the UNSC on 22 October, the UN Special Representative on Sexual Violence in Conflict noted that "national governments hold the primary legal and moral responsibility to protect their citizens from sexual violence and other grave violations."

The UN Secretary-General released a statement on 31 October, calling upon President Kiir and Machar to cease all military operations and reminding them of their "obligation to protect civilians and respect international humanitarian law."

NECESSARY ACTION

President Kiir and Machar must abide by commitments made under the COH and continue to engage with IGAD to resolve the crisis. The UNSC and IGAD should immediately impose targeted sanctions on all political and military leaders, regardless of rank or affiliation, deemed responsible for a resumption of armed hostilities and for 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 additional aviation assets. The government of South Sudan 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 extra-judicial killings and possible mass executions. The government must hold all perpetrators of mass atrocities accountable, regardless of affiliation or position.

The government of South Sudan must initiate a comprehensive strategy aimed at ethnic and political reconciliation.

MORE INFORMATION:

- » [UNMISS Website](#)
- » [UN Secretary-General's Report S/2014/708](#), 30 September 2014
- » [IGAD Press Release](#), 5 October 2014
- » [GCR2P Populations at Risk: South Sudan](#)

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 and other Muslims, continue to face the threat of mass atrocity crimes.

BACKGROUND

Sporadic ethnic 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 have been denied citizenship and other fundamental human rights. On 29 September at the UN General Assembly, the government confirmed an "action plan" that would require Rohingyas to accept ethnic reclassification as "Bengali" in order to obtain citizenship or be forced into detention camps.

Following attacks during January against Rohingyas in Arakan/Rakhine state, the government ordered Médecins Sans Frontières (MSF) to cease operations, shutting down the largest provider of healthcare among humanitarian organizations operating there. The government announced on 23 July that MSF could resume operations, but has yet to facilitate their return.

The former UN Special Rapporteur on the human rights situation in Myanmar, Tomás Ojea Quintana, has said that the violence against the Rohingya community 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." 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 since this violence.

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 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 most fundamental human rights. In March the government denied Rohingyas the ability to self-identify on the first national census since 1983. This constitutes a failure to comply with international human rights standards and reinforces the dangerous perception of the Rohingya as ethnic outsiders.

Attacks by the Tatmadaw also pose a grave 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 holds the chairmanship of the Association of Southeast Asian Nations (ASEAN) for 2014. [For responses prior to September 2014, see [GCR2P's Timeline of International Response to the Situation of the Rohingya and Anti-Muslim Violence in Burma/Myanmar.](#)]

During a 26 September meeting of the Partnership Group on Myanmar and at the Sixth Annual ASEAN-UN Summit on 12 November the UN Secretary-General encouraged the government to "uphold human rights, take a strong stance against incitement and ensure humanitarian access to Rohingya living in vulnerable conditions."

On 13 November at the East Asia Summit, United States President Barack Obama urged Burma/Myanmar to implement a

plan that would allow the Rohingya to become citizens "through a normal process."

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 prioritize the development of a comprehensive and inclusive reconciliation process. 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](#), 26 July 2014
- » [Statement by the UN Secretary-General](#), 26 September 2014
- » [GCR2P Populations at Risk: Burma/Myanmar](#)



2.6 million IDPs

100+ people killed by the ADF in North Kivu during October

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 Democratic Republic of the Congo (DRC) has allowed armed groups to perpetrate mass atrocity crimes against the civilian population. Armed groups – namely 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 twenty years, but utilized the security vacuum created by the March 23 (M23) rebellion to attack populations with impunity.

Since defeating M23 in November 2013 the government has engaged in 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. Despite the Armed Forces of the DRC (FARDC) and MONUSCO making significant progress against the ADF earlier this year, between 2 and 17 October the group attacked several villages in North Kivu, massacring more than 100 civilians, many of whom were killed with machetes. On 5 November Congolese authorities reportedly arrested 200 people suspected of participation in these attacks.

Patterns of violence committed by armed groups, including 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. Violent clashes between rival armed groups also threaten civilians. The government recorded over 15,000 incidents of sexual and gender-based violence in these four regions during 2013. The FARDC has also been implicated in previous attacks upon civilians, including widespread sexual violence. There are still more than 2.6 million IDPs in the eastern DRC.

In advance of offensive operations, the government and MONUSCO encouraged militias to participate in Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) programs. Although the FDLR announced plans to voluntarily surrender their weapons during April, no significant demobilization has occurred. During a 2 July joint meeting of the International Conference of the Great Lakes Region (ICGLR) and Southern African Development Community (SADC) Ministers of Defense established a six-month deadline for voluntary surrender of the FDLR before military action would be taken against them.

ANALYSIS

The threat posed by armed groups remains high with populations in North Kivu at ongoing risk of further attack. During their offensives the FARDC and MONUSCO have struggled to protect civilians. The weakness of government structures undermines attempts to prevent atrocities. This is particularly evident in the eastern DRC, where state authority is often absent and 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.

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. Without adequately addressing the root causes of conflict armed groups will continue to emerge and threaten populations.

The government of the DRC has struggled to uphold its Responsibility to Protect and its own forces have been complicit in some mass atrocity crimes. The DRC needs ongoing support to prevent atrocities, especially by the FDLR and ADF.

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 September 2014, [see GCR2P's Timeline of International Response to the Situation in the DRC.](#)]

On 28 March the UNSC extended the mandate of MONUSCO until 31 March 2015. The renewed mandate emphasized the need to assist the government with security sector reform and DDRRR, increase accountability for mass atrocity crimes

and combat the FDLR. The UNSC currently subjects 10 entities and 31 individuals in the DRC to sanctions.

On 22 September, on the sidelines of the UN General Assembly, SADC and ICGLR held the fourth meeting of the Regional Oversight Mechanism of the Peace, Security and Cooperation Framework for the DRC and the region. The group issued a joint communiqué, calling for increased efforts to neutralize armed groups and restore state authority in eastern DRC.

The UNSC issued a Press Statement on 3 October and a Presidential Statement on 5 November noting the FDLR's failure to voluntarily demobilize in keeping with the SADC-ICGLR timeframe. On 24 October the UN and AU envoys to the DRC urged leaders in North Kivu to support joint operations between FARDC and MONUSCO against the ADF.

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 the FDLR and other armed groups. The FARDC should initiate joint military operations with MONUSCO in order to protect civilians from the ADF.

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 to ensure justice for past atrocities.

Together with the UN Special Envoy for the Great Lakes Region, the AU, ICGLR and SADC must continue to ensure that signatories to the Framework Agreement fulfill their commitments.

MORE INFORMATION

- » [MONUSCO Website](#)
- » [UNSC Press Statement SC/11586](#), 3 October 2014
- » [UNSC Presidential Statement PRST/2014/22](#), 5 November 2014
- » [GCR2P Populations at Risk: DRC](#)



393,400+ IDPs

300+ people killed
since 16 October
in Benghazi

LIBYA

Civilians in Libya are at risk of war crimes as a result of escalating fighting between various armed groups allied to either the government or the “Libya Dawn” alliance.

BACKGROUND

Populations in Libya are at risk of mass atrocity crimes due to pervasive fighting between armed groups affiliated with the recently elected government or the former General National Congress (GNC). Two rival governments, based in Tobruk and Tripoli respectively, have divided the country east and west and are now locked in a military struggle for both territory and political supremacy.

A military offensive known as “Operation Dignity” was initiated by former Libyan military commander Khalifa Haftar on 16 May against the control exerted by allied Islamist militias in Benghazi and elsewhere. With violence growing, elections to the new House of Representatives, which would replace the GNC, were held on 25 June with Islamist forces losing political support.

Fighting among rival armed groups increased in the aftermath of the election, with several influential Islamist militias and their political allies refusing to accept the new government. These militias launched Operation “Libya Dawn” during July to counter the efforts of Operation Dignity and secure effective control of the country. On 6 November the Supreme Court of the GNC ruled the 25 June elections unconstitutional, exacerbating political divisions.

Rival armed groups associated with both operations have indiscriminately shelled civilian areas and committed widespread abuses of international humanitarian law, including attacks on medical facilities. According to UNHCR there are currently more than 393,400 IDPs in Libya, with an additional 100,000 refugees in neighboring countries.

The recent increase of fighting between Operation Dignity forces and the Islamist Ansar al-Sharia militia has caused

the deaths of an estimated 400 people in Benghazi since 16 October. Operation Dignity has also carried out aerial bombings of Islamist militia positions in heavily populated areas with the alleged assistance of foreign powers.

On 14 October UN High Commissioner for Human Rights Zeid Ra’ad Al-Hussein said that various armed groups have perpetrated possible war crimes. Amnesty International has reported that armed groups have committed forced disappearances, kidnapping, torture and summary killings with impunity and have targeted civilians for attack based upon perceived political allegiances.

Ethnic Tawergha, who were forcibly displaced by militias from Misrata in the aftermath of the 2011 civil war, also face the ongoing threat of persecution. On 23 October the Chief Prosecutor of the ICC stated that the forced displacement of the Tawergha and ongoing attacks against them may constitute crimes against humanity and war crimes.

ANALYSIS

With the new government fleeing to the eastern city of Tobruk during August, Islamist militias winning control of Tripoli and the GNC attempting to govern in opposition to the recognized government, Libya has entered a period of intense political and humanitarian crisis.

Civilians remain at grave risk of war crimes due to indiscriminate shelling of population centers and a failure to distinguish between combatants and civilians. Armed groups on both sides also continue to target civilians with impunity. The persecution, detention and extrajudicial killing of people on the basis of tribal affiliation and presumed political loyalties also continues.

The government needs intensive international support to uphold its 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 the country’s 2011 civil war, international engagement to assist Libya in rebuilding its government institutions waned.

The UN Support Mission for Libya was established in September 2011, but has significantly reduced personnel on the ground due to security issues.

On 13 August 2014 Libya’s newly elected House of Representatives called upon the UN to intervene again to protect civilians and state institutions. On 27 August the UNSC passed Resolution 2174, expanding the crimes punishable under the previously established sanctions regime.

On 29 September UN-brokered talks began between the new government and political actors linked to the GNC.

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 the current conflict, are held accountable.

Breaking the culture of impunity, demobilizing and disarming armed groups and establishing the rule of law are necessary to building an inclusive government in Libya. The international community should support all efforts aimed at meeting these objectives.

MORE INFORMATION

- » [UNSMIL Website](#)
- » [UNSC Resolution 2174 S/RES/2174](#), 27 August 2014
- » [“Libya: Rule of the Gun: Abductions, torture and other militia abuses in western Libya,” Amnesty International](#), 30 October 2014
- » [GCR2P Populations at Risk: Libya](#)

ACCOUNTABILITY WATCH

Democratic People's Republic of Korea:

On 12 November the UN Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK), Marzuki Darusman, said that there is enough evidence to establish the culpability of “supreme leader” Kim Jong-un for massive human rights violations. A report released during February by the UN Commission of Inquiry on DPRK established responsibility at the highest level of the DPRK government for ongoing crimes against humanity, including murder, enslavement, torture, imprisonment, rape, starvation, forced abortions and sexual violence. On 14 November Darusman supported the report's recommendation that the situation in DPRK be referred to the ICC.

Bosnia and Herzegovina:

The International Criminal Tribunal for the former Yugoslavia announced on 23 October that it will hear details regarding a mass grave that investigators believe has ties to former Bosnian Serb military commander Ratko Mladić. Mladić is on trial concerning 11 charges, including genocide and crimes against humanity, committed during the Bosnian War. The remains of more than 400 people discovered in the village of Tomasica are suspected to be those of Bosniaks and Croats killed during 1992.

Bangladesh:

On 29 October the International Crimes Tribunal for Bangladesh (ICT) sentenced Motiur Rahman Nizami, the leader of Bangladesh's Jamaat-e-Islami party, to death for atrocities committed during the country's war of independence from Pakistan in 1971. Nizami was tried on 16 charges, including genocide, murder, torture and rape, and was accused of direct responsibility for the deaths of nearly 600 people. On 2 November the ICT convicted another Jamaat-e-Islami leader, Mir Quasem Ali, of 10 charges of war crimes and also sentenced him to death. This was the eighth death sentence imposed by the controversial tribunal.

Democratic Republic of the Congo:

The ICC announced that the trial of former Congolese militia leader Bosco Ntaganda will open on 2 June 2015. Ntaganda faces 13 counts of war crimes and 5 counts of crimes against humanity allegedly committed during 2002-2003 in Ituri. On 7 November a Congolese court sentenced former rebel leader and army general Jérôme Kakwavu to 10 years imprisonment for war crimes and for failure to take necessary measures to prevent and halt atrocities committed under his command. Kakwavu is the highest ranking national army officer to be convicted of war crimes.



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