

## Gender and Genocide

New guest blog post by Akila Radhakrishnan of the Global Justice Center

*Akila Radhakrishnan is the Legal Director at the Global Justice Center. In her role, she works to ensure justice, accountability and equal rights to people in conflict and in post-conflict situations, and to establish global legal precedents protecting human rights and ensuring gender equality.*

"From time immemorial, rape has been regarded as spoils of war. Now it will be considered a war crime. We want to send out a strong message that rape is no longer a trophy of war." – Judge Navi Pillay [commenting](#) on the decision in *The Prosecutor v. Jean-Paul Akayesu*

The **International Criminal Tribunal for Rwanda's** (ICTR) revolutionary decision in the [Akayesu](#) case is often cited for setting the [precedent](#) that rape could be a constitutive act of genocide. And while the precedent is incredibly important, it's what that finding represents that's even more significant: **women's experiences of war and conflict may be different, but they are no less important or serious**



ISIS is committing genocidal crimes against the Yazidi people. Many people think of genocide in terms of mass killings and mass graves. **While mass killing is one genocidal act, the 1948 Genocide Convention laid out four other genocidal actions that can be used to systematically destroy a religious or ethnic group.**

**NON-KILLING GENOCIDAL CRIMES**

- Inflicting bodily or mental harm including rape and torture
- Denying basic necessities such as food and water
- Preventing births including forced abortion and sterilization
- Kidnapping and detaining children

**GENDER AND GENOCIDE**

At the same time Yazidi men have been executed en masse, women and girls have been disproportionately targeted by systematic **rape, sexual slavery, forced abortions and forced religious conversion. These are genocidal crimes.**

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## Democratic People's Republic of Korea:

On Tuesday, Signe Poulsen, a representative of the Seoul office of the U.N. High Commissioner for Human Rights, [said](#) that the international community could not ignore the human rights abuses occurring in North Korea and urged the community to take strong action.

Human Rights Watch (HRW) has [released](#) a new report ahead of the DPRK's 7th Party Congress scheduled for 6 May, urging the leadership of the country's Worker's Party to address serious human rights abuses committed by the government. HRW also pointed out that the forced labor of thousands has been used in connection with the congress itself.

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## Democratic Republic of Congo:

The DRC's justice minister has [ordered](#) an investigation into allegations that opposition leader and possible presidential candidate, Moïse Katumbi, recruited mercenaries. This comes during a time of increasing political tensions as opposition members believe that President Kabila may be looking to stay in power beyond his term, which ends this year.

The Congolese National Independent Electoral Commission has [requested](#) 16 months to organize elections, citing the need for time to register new voters and the fact that in both 2006 and 2011 this much time was also required. However, the UN Security Council stated in Resolution 2277 that the government should organize elections within the constitutional limits.

On Tuesday evening, assailants [raided](#) a village in the North Kivu province in the eastern region of the DRC and killed 16 civilians. It is believed that the attack could have been carried out by Ugandan rebels from the Allied Democratic Forces.

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### **Gaza/West Bank:**

The UN Committee Against Torture is set to [investigate](#) how Israel treats detainees, including minors, within Israel and in the occupied territories, regardless of Israel's previous assertions that the Convention Against Torture does not apply in occupied territories.

Israeli aircraft [attacked](#) five Hamas targets in Gaza on Wednesday in response to mortar fire, the most serious altercation since the end of the war in 2014 and putting a strain on the ceasefire between the two parties.

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### **Iraq:**

Following Saturday's protests and the sacking of the parliament building, Iraqi Prime Minister Haider al-Abadi has [called for](#) unity amongst political rivals in order for the country to be able to fight ISIL.

On Sunday, dual car [bombs](#) set off in southern Iraq killed 31 and wounded 50 others. ISIL claimed responsibility for the attacks in an online statement, specifying that the suicide bombers were targeting police officers. According to the United Nations Assistance Mission for Iraq (UNAMI), terrorism, violence, and armed conflict [killed](#) 741 Iraqis and injured 1,374 during April.

The Office of the UN High Commissioner for Refugees has [reported](#) that it requires more assistance in helping the 3.4 million people displaced in Iraq, as the ongoing conflict continues to force more people from their homes.

On Tuesday, Amnesty International [released](#) its latest report claiming that the Iraqi government is currently holding over 1,000 individuals, some as young as 15, in abhorrent conditions and without criminal charges.

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### **Kenya:**

Raila Odinga, the former Prime Minister of Kenya and leader of the opposition party, [stated](#) that he would not participate in next year's presidential election if the electoral commission is not reformed. Coming ten years after the violence of the disputed 2007/2008 presidential election, Odinga expressed concern about violence at next year's polls. Western diplomats from 11 different countries have also

[issued](#)

a joint statement urging Kenyans to consider what future steps are necessary to make sure the upcoming elections are free, fair, and peaceful.

Kenyan security services have [stopped](#) a potential biological terror attack on various targets in the country using anthrax. Kenyan and Ugandan authorities have arrested three suspects alleged to be part of an East African terror network with ties to ISIL and they are still looking for two others. This comes amid worsening fears that ISIL may be trying to establish a base in Kenya from which to launch attacks against Westerners like those in Mali in recent months.

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## Libya

Over 100 migrants [died](#) over the weekend while attempting to reach Italy from Libya. The dangerous route is becoming more popular with migrants since the closing of the safer route via the Balkans.

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## Mali:

In central Mali, local community leaders have [claimed](#) that pro-government fighters killed 13 more members of the ethnic Peuhl community, which has been accused of supporting the extremist Macina Liberation Front. A government security spokesman says that investigators are looking into the reports.

Hervé Ladsous, the head of the UN Department of Peacekeeping Operations, [visited](#) Mali this week and urged the country to quickly implement the 2015 peace agreements between the government and armed groups. Delays in the peace process have led to the strengthening of Islamist militant groups in Mali, who still pose a serious security threat in the region.

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## Nigeria:

Following continued recent attacks by armed herdsmen, President Buhari [stated](#) that the heads of Nigeria's national securities agencies will take all necessary action to halt the violence by apprehending those involved.

As [Boko Haram](#) loses ground in the country, the extremist group has increasingly [turned](#) to using women and children as suicide bombers. The latest briefing from the International Crisis Group suggests that to defeat the insurgency and achieve sustainable peace,

Nigeria must continue to work together with its regional and international partners and take advantage of the upcoming summit in Abuja to address issues such as the humanitarian situation and ensuring the return of the rule of law.

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## South Sudan:

UN Secretary-General Ban Ki-moon [lauded](#) South Sudanese President Salva Kiir's appointment of the new ministers of the Transitional Government of National Unity and encouraged the swift establishment of all of the transition institutions. He also called for an immediate end to hostilities on all sides. The African Union (AU) also [welcomed](#)

the new transitional government, which under the terms of the August 2015 peace agreement, will be made up of members coming from President Kiir's party, as well as those of Vice President Riek Machar, the opposition, and others.

On Wednesday, the UN Security Council also [called](#) on the transitional unity government to fully implement the peace deal and to end violence and [rights abuses](#)

in the country, including through the implementation of a permanent ceasefire. The Council also called for the UN mission, UNMISS, to have the freedom of movement to uphold its mandate, which includes the protection of civilians and investigation of human rights violations.

Although steps are being made towards peace in the country, South Sudanese leaders are still dealing with the need to acquire justice for the victims of the violence committed during the civil war. Human rights organizations have [called](#) for perpetrators to be held accountable for their crimes, but supporters of both sides have argued the need to pursue national healing and reconciliation before moving on to accountability. However, the African Center for Transitional Justice (ACT-J) has [argued](#), without real accountability, national reconconciliation is meaningless.

The latest numbers from humanitarian organizations show that around 54,635 refugees [fled](#) from South Sudan into Sudan between early February and the end of April, with an increase of around 700 people last week. Continuing conflict and food insecurity are the main drivers and more refugees are expected to flee by the end of this month before the South Sudanese rainy season begins. The UN Refugee Agency (UNHCR), the UN Children's Agency (UNICEF), and the World Food Programme (WFP) have also [issued](#)

a joint press release expressing their concerns about shortcomings in funding and how this may affect their abilities to provide assistance to South Sudanese refugees in Sudan.

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## Sudan/Darfur:

On Sunday, the Sudanese Air Force [killed](#) 6 children when two fighter jets bombed a residential area in South Kordofan. The children were aged between four and 12 years old.

Aristide Nononsi, the UN Independent Expert on the situation of human rights in the Sudan, has [urged](#) the Sudanese Government to establish a positive environment conducive to "a free and inclusive national dialogue by respecting the basic fundamental rights of Sudanese people, including the rights to freedoms of expression and association, and of the press."

## Syria/Iraq:

### *Surge in violence*

Violence increased in Syria this week in light of the recent breakdown of the nationwide ceasefire, especially in and around the contested city of Aleppo, where over 300 people have [died](#) in the past two weeks. A rebel coalition under the name, Fatah Halab, [launched](#) an assault on the government's position in Aleppo on Tuesday night, but they were pushed back by Wednesday morning. The attack proved to be the most intense in Aleppo in over a year.

The US and opposition leaders, supported by claims from residents, have [asserted](#) that the Syrian government's airstrikes have been largely focused on areas in Aleppo that were outside of the control of the Nusra Front. Instead, areas controlled by other groups, including those supported by the US and its allies, have been targeted. On Sunday night, the only road out of the rebel-held territory in the city was [bombed](#) and, if it were to be cut-off, almost 200,000 residents could be left without access to badly needed food and medical supplies, according to the opposition.

On Wednesday, the humanitarian adviser to the Special Envoy to Syria, Jan Egeland, [stated](#) that the government of Syria is refusing the United Nations access to provide humanitarian aid to thousands of Syrians affected by the ongoing war, including those caught in the middle of the surge of violence in Aleppo. He stated that there appear to be new besieged locations emerging, with relief workers unable to move around Aleppo. The Syrian government has denied aid for half of the almost one million people besieged, and has put tremendous conditions on the remaining aid.

The Syrian Army previously issued a temporary truce around Damascus and Latakia, but did not extend the truce to Aleppo until it was [agreed](#) upon by the US and Russia late Tuesday evening. By Thursday, the cessation of hostilities in Aleppo had [brought](#) a relative calm in the city, but Syrian President Bashar al-Assad said that he is still set on achieving a total victory over the rebels in Aleppo and throughout the country. On the same day, fighting continued elsewhere in the country as ISIL captured the Shaer gas field, the group's first major gain since losing the city of Palmyra last month.

Meanwhile, the number of Syrian refugees at the border with Jordan has risen to a new high of 59,000, with around 5,000 Syrians arriving between 3 - 5 May alone. Jordanian authorities say 52,000 people are currently gathered in Rokban, with another 7,200 people in Hadalat. In both places, conditions are dire and aid organizations are urging Jordan to speed up entry procedures.

*Response to attacks on medical facilities*

Following the deliberate attacks on hospitals and medical workers, including the deadly [airstrike](#) [last](#) Wednesday that hit the al Quds hospital in a rebel-held part of Aleppo and [killed](#) at least 55 people, civil society organizations called on the UN Security Council to act. Amnesty International [called](#) for the UNSC to impose targeted sanctions against those deliberately attacking hospitals and committing other war crimes. The organization, which has interviewed doctors and activists in Aleppo and documented attacks, stated that it has found that Russian and Syrian forces have purposefully and systematically targeted hospitals in opposition-controlled regions. Medecins sans Frontieres also [called](#) on the UN Security Council to stop attacks on all healthcare facilities, sparking a social media storm for establishing hospitals as #NotATarget.

In response, the Security Council strongly [condemned](#) the attacks on the wounded and ill, hospitals and medical facilities, and humanitarian and medical personnel engaged solely in their humanitarian or medical duties. The Council unanimously adopted resolution 2286 (2016), co-sponsored by over 80 Member States, which demands accountability for those responsible for such attacks and reaffirms that all warring parties comply with their responsibility to protect populations and their obligations under international law, including international human rights and humanitarian law. In the discussion of the resolution some Council members declared such attacks on humanitarian and medical facilities and personnel to be war crimes.

*Calls to reconvene peace talks*

UN Secretary-General Ban Ki-moon has [called](#) upon all parties, including regional and international actors such as Russia and the United States, to immediately recommit themselves to ceasing hostilities in Syria. He also called on all parties to uphold their responsibility to protect civilians throughout all parts of the country and urged them to redouble efforts to get the warring parties back to the negotiating table. In a step forward, the United States and Russia have [reached](#) an agreement to create a new monitoring group in Geneva that will observe compliance with the Syrian ceasefire agreement 24 hours a day, seven days a week. Staffan de Mistura, UN Special Envoy for Syria, [stated](#) that in order for the next round of negotiations to be credible, they must be supported by real and “tangible” progress made on the ground, which includes increased access for humanitarian aid throughout Syria. Mr. Mistura said he intends to re-convene the peace talks sometime this month in order to come to an agreement on a way forward by August.

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**Yemen:**



On 29 April, thousands of Yemenis [marched](#) in the city of Taiz calling for end to the conflict and urging rebel groups to adopt a UN ceasefire resolution. The following day, UN envoy for Yemen, Ismail Ould Cheik Ahmed, [announced](#) that peace negotiations in Kuwait ended on a positive note, commending Yemeni parties for expressing their commitment to UN Security Council

[Resolution 2216 \(2015\)](#)

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[abandoned](#)

the talks for a short time after receiving reports from the Amran governorate, but have since [returned](#)

to the negotiating table.

Human Rights Watch (HRW) has [reported](#) that numerous violations of international law have been committed by all sides in Yemen and they have yet to be investigated or addressed. HRW has also pointed out that it is crucial that participants in the peace talks prioritize justice for atrocities that have been committed.

Al-Qaeda militants are reportedly [pulling out](#) of Zinjibar and Jaar, two coastal cities east of Aden after progress made by the Yemeni government in fighting the terrorist group on Thursday.

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## What else is new?

On 8 May, Armenian Genocide Commemoration Committee of Quebec, in partnership with the Montreal Institute for Genocide and Human Rights Studies, Amnistie International Francophone, and the Alliance for Genocide Awareness and Remembrance will be leading a march against genocides and for human rights in downtown Montreal. For more information, visit [here](#) .

The United States Holocaust Memorial Museum is holding a conference, Partners in Prevention: A Global Forum on Ending Genocide, on 19 May in Washington, D.C. The event, which is free and open to the public, seeks to strengthen US policy on atrocity prevention and strengthen international partnerships on the issue. To reserve tickets visit [here](#) .

On 31 May, the Hague Institute for Global Justice will be holding a book launch for the text entitled, "Prosecuting Conflict-Related Sexual Violence at the ICTY." The launch will include a public panel discussion featuring Daniela Kravetz – SGBV expert practitioner, former ICTY staff member and book contributor; Stephen Rapp – Former US Ambassador-at-Large for War Crimes Issues and Distinguished Fellow at The Hague Institute for Global Justice; Patricia Viseur Sellers – Special Adviser on International Criminal Law Prosecution Strategies for the ICC, SGBV expert, and former ICTY staff member; with moderation by Michelle Jarvis – OTP Deputy to the Prosecutor. For more information and to RSVP, visit [here](#) .

The Global Centre for R2P released a report from a workshop convened from 18-19 February, entitled, UN Perspectives: The Future of Civilian Protection and the Responsibility to Protect, which brought together UN representatives, civil society actors, and academia to discuss



pressing challenges facing the United Nations. Read the report [here](#) . The organization will also be holding an event on 11 May entitled, The Future of Civilian Peace Operations Endorsing and Implementing the Kigali Principles. Visit the GCR2P

[website](#)

to learn more about the event, including how to RSVP, as they will be updating with more information.

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