

CONFLICT TRENDS

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Peacebuilding in the Great Lakes Region of Africa

The Great Lakes Region highlights the interconnected nature of conflict. This is particularly true for the four focus countries of the Great Lakes Project (GLP), namely Burundi, the Democratic Republic of the Congo (DRC), Rwanda and Uganda. This interconnectedness forms the basis of the GLP's regional approach.



The GLP is a collaborative effort by the African Centre for the Constructive Resolution of Disputes (ACCORD) in Durban, the Global Partnership for the Prevention of Armed Conflicts (GPPAC) in The Hague and the Nairobi Peace Initiative (NPI)-Africa in Nairobi and is funded by the Netherlands Ministry of Foreign Affairs.

The GLP aims to enhance the regional peacebuilding and conflict prevention capacities of civil society organisations and to strengthen the only regional infrastructure for peace that encompasses the entire Great Lakes Region, the International Conference on the Great Lakes Region (ICGLR). To achieve this, the GLP works with intergovernmental, state and civil society actors, particularly in Burundi, the DRC, Rwanda and Uganda.

The GLP connects three strands of work: undertaking capacity-building; facilitating platforms for collaborative action and influencing policy at national and regional level; and strengthening regional infrastructures for peace.

- **Capacity-building**

The GLP strengthens the capacities of key civil society organisations (CSOs) in Burundi, the DRC, Rwanda and Uganda through tailored trainings that contribute



to conflict prevention and peacebuilding with specific attention to the role of women peacebuilders.

- **Facilitating Platforms for Collaborative Action and Influencing Policy**

By working with, and facilitating processes, of the ICGLR Regional Civil Society Forum, Women's Forum and Youth Forum at national and regional level, the GLP contributes to the development of joint policy proposals and actions addressing the root causes of conflicts in the region.

- **Infrastructures for Peace**

The GLP engages closely with the ICGLR at regional and national level and links CSOs to this regional intergovernmental organisation. In doing so, the GLP supports multi-stakeholder engagements with existing national and regional peacebuilding frameworks in Burundi, Rwanda, Uganda and the DRC to ensure that various frameworks build on each other and that the political buy-in, capacity and willingness of stakeholders to work together is increased.

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EDITORIAL

The countries of Africa's Great Lakes Region are inextricably linked through geography, history and culture, tracing back over many centuries. The region comprises over 143 million people and 2.6 million square kilometres of land, and has been afflicted by persistent violent conflicts both during colonial times and since Africa's independence era. However, emerging comprehensive and multidimensional approaches to conflict prevention and peacebuilding mark a new era in Africa's ownership of its development.

The Great Lakes Project (GLP) constitutes one such effort in promoting a regionally focused programme for sustainable peace. The GLP was launched in 2013 through a partnership of the African Centre for the Constructive Resolution of Disputes (ACCORD), the Nairobi Peace Initiative (NPI)-Africa and the Global Partnership for the Prevention of Armed Conflict (GPPAC) Secretariat, with the support of the Dutch Ministry of Foreign Affairs. Under the programme, titled 'Consolidating Peacebuilding in the Great Lakes Region – A Regional Approach', the GLP has strived to achieve three core objectives:

1. to strengthen local civil society organisations' (CSOs) conflict prevention and peacebuilding capacities through shared experiences, insights and lessons across the region;
2. to support and complement the work of the International Conference on the Great Lakes Region (ICGLR) as a regional mechanism through which CSOs can voice local, national and regional concerns and issues; and
3. to support the review and streamlining of national peacebuilding frameworks in the Great Lakes Region for stability.

Over the past three years, the GLP has sought to channel the comparative advantages of each partner into promoting a regional dimension to sustainable peacebuilding. ACCORD's experiences in working with national and regional institutions on peacebuilding were combined with NPI-Africa's work in community-level peacebuilding and GPPAC's extensive body of knowledge in regional and international approaches to conflict prevention and peacebuilding.

Our collective efforts have accentuated the role of CSOs throughout the Great Lakes Region, in partnership with the ICGLR. The GLP has been an active partner of the ICGLR's Civil Society Forum, the ICGLR Women's Forum and the ICGLR Youth Forum. The holding of the inaugural General Assembly of the ICGLR Civil Society Forum in March 2016, with the support of the GLP, is a promising development in establishing sustainable regional peace infrastructures that bring together governments and civil society across the region. By providing targeted support to the ICGLR's institutions through dynamic trainings and workshops focusing on an array of peacebuilding issues, the GLP's efforts will contribute to the regional organisation's growth and strengthened capacities over the long term.

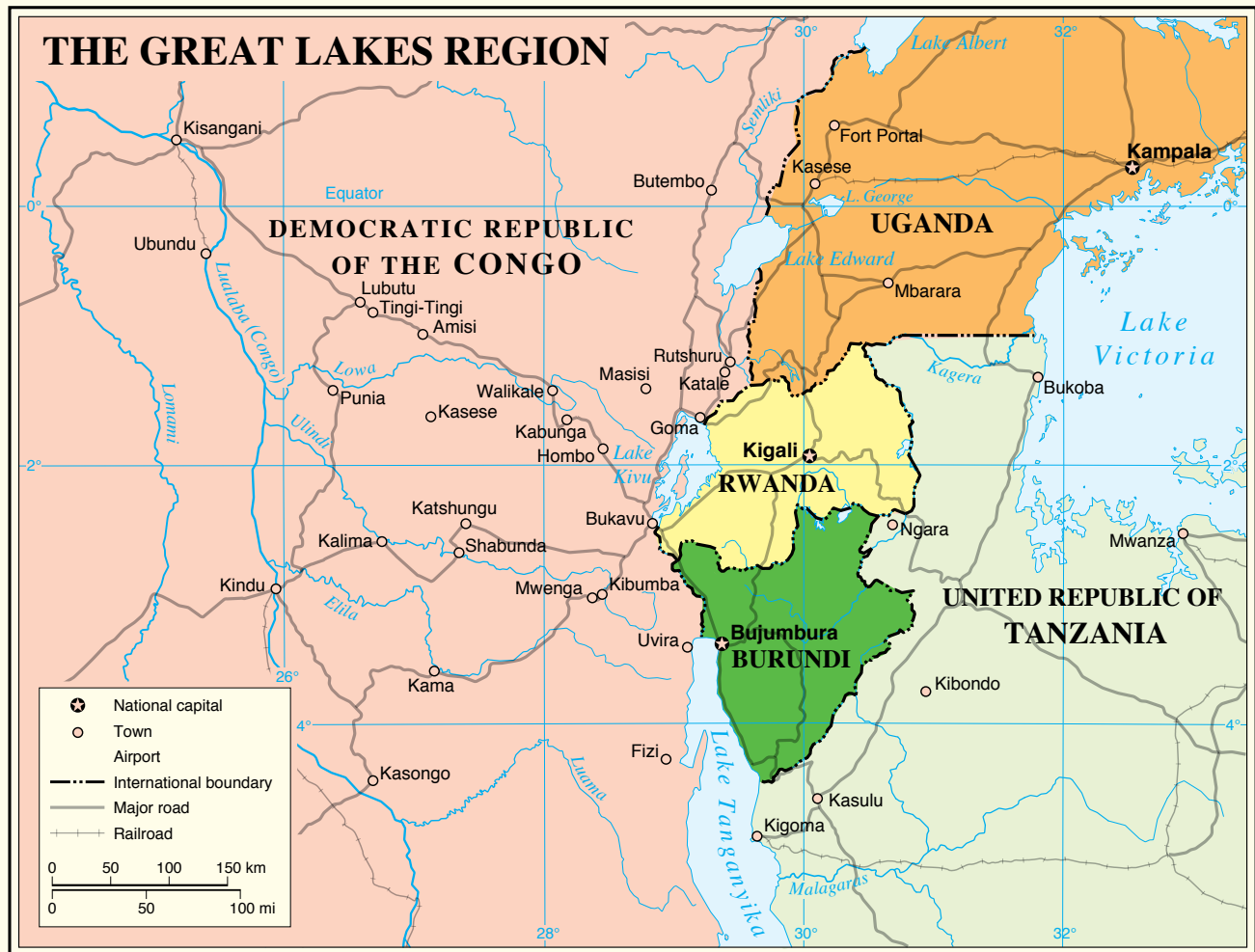
This special Issue of *Conflict Trends* highlights some of the most pressing peacebuilding challenges that confront the Great Lakes Region. It also reflects on some of our experiences in implementing a project that sought to forge relations across sectors (state and non-state) and across different countries, while keeping a clear and consistent focus on the common thread of peacebuilding.

Africa's Great Lakes Region will confront a further number of interrelated development challenges over the next few years. From potential conflicts over governance and land to promoting local-level economic growth and social cohesion, the actions undertaken by a variety of local stakeholders will have lasting impacts on the communities themselves and the region at large.

The GLP model, exemplified through non-state actors working to promote regional efforts for sustainable conflict prevention and peacebuilding, can be applied to other regions of the world, especially those confronted by complex regional security and peacebuilding challenges. While the GLP does not claim to have addressed all the peacebuilding dynamics confronting the Great Lakes Region, the outcomes achieved in this work will leave a lasting and positive influence on the region at large. ▲

CONFLICT IN THE GREAT LAKES REGION: ROOT CAUSES, DYNAMICS AND EFFECTS

BY PATRICK KANYANGARA



Introduction

While the name 'Great Lakes Region' was derived from the freshwater lakes and river basins within the central and eastern part of Africa,¹ for the purposes of this article the Great Lakes Region is defined within the context of the regional entity known as the International Conference on the Great Lakes Region (ICGLR).² In the ICGLR context, the area of focus is therefore the countries located in the east and central Africa – namely Rwanda, Burundi, Democratic

Republic of the Congo (DRC), Uganda, Tanzania, Zambia, Republic of Congo, Central African Republic (CAR), South Sudan, Kenya and Sudan.³ Thus, the Great Lakes Region constitutes a complex network of political and economic interactions with significant implications for peace, security and governance. It is also a region with interlinked conflicts and common fundamental problems that emanate from post-colonial challenges to state-building and nation-building.



Conflicts in the Great Lakes Region have common features relating to governance issues, identity division, structural violence, exploitation and access to natural resources and land, and so on.

This article analyses the main conflict dynamics in the Great Lakes Region. The causes, dynamics and effects of conflicts are summarised, but the scope of the article does not allow for the exhaustive delineation of the conflict in each country. Rather, the purpose here is to provide an overview of the root causes of conflicts in Great Lakes Region countries, their maintenance factors, their interconnectivity and their consequences on people.

Characteristics of Conflicts in the Great Lakes Region

The classic categorisation of conflicts as interstate and intrastate in the Great Lakes Region seems inapplicable, since the conflicts tend to expand geographically and their epicentre shifts from one locus to another. Furthermore, conflicts in the Great Lakes Region are dynamic and complex, as they involve multiple and interlocking regional and international actors.⁴ However, these conflicts have common features relating to governance issues, identity division, structural violence, exploitation and equal access to natural resources, which are prominently present. The inability of the governments of the day to manage multi-ethnic societies by ensuring equitable access to natural resources, rule of law and political inclusion creates a ripe context for conflict,

as social and political elites play on ethnic divisions and prevailing stereotypes. The difficulties in addressing basic needs for various ethnic groups equitably can be seen within the context of state policies that have been weakened by conflicts, and whose ability to guarantee security of the life and property of its citizens is diminished.⁵

In addition, conflicts in Great Lakes Region countries have always been interconnected. Although conflicts tend to be intrastate in the beginning, due to strong cross-border dimensions and transnational ethnic identities these conflicts have often spread to destabilise the whole region. Armed groups, including child soldiers, are coerced and driven across borders to fight. Exploitation and the illicit trade of natural resources fuel conflict at a regional level. Small arms and financial resources flow across borders, and people are forced to flee their homes and criss-cross the region to escape violence, starvation and injustice.

Roots Causes and Dynamics of Conflicts

The root causes and dynamics of conflict in the Great Lakes Region are multiple and complex. Inequitable access to state and natural resources, a lack of equal opportunities to access political power and the proliferation of small arms are just a few of the factors that perpetuate conflict in the region.

Often, these issues underlie actual or perceived inequalities and grievances between identity groups, which can lead to, among other outcomes, the violent expression of these grievances.⁶ These factors also relate to structural problems of weak governance and economic mismanagement – such as an unaccountable security sector, debt burdens, unpopular macro-economic policies, the collapse of social services and poor terms of trade. This section will focus on the main causes that trigger conflict in a country, which results in a regional spillover such as ethnic divisions, lack of access to land and natural resources, and democracy and governance challenges.

Ethnic Divisions

Existing literature on conflict in the Great Lakes Region recognises ethnic dynamics as a strong conflict driver in these countries.⁷ However, it must be noted that the presence of diverse ethnic groups in a specific country, in and of itself, is not sufficient to trigger conflict. Therefore, multi-ethnic societies can prosper on their diversity – as such, ethnic heterogeneity does not breed war, and its absence does not ensure peace. Nevertheless, unlike other countries and regions, conflicts in Burundi, Rwanda, DRC and Uganda have been motivated not by ideology, but typically by ethnicity or by political leaders' ability to arouse ethnic hostility for their own ends. To understand the regional dimension of ethnicity in the Great Lakes Region, one first has to understand that the ethnic distribution of Hutus and Tutsis is not confined

within political boundaries. More than two million Hutus and Tutsis are located across the boundaries of Rwanda and Burundi in neighbouring states. Some trace their ancestry to either the DRC's North Kivu province (*Banyarwanda*) or its South Kivu province (*Banyamulenge*).⁸ So, once a conflict with an ethnic factor erupts in Rwanda, Burundi or eastern DRC, it is very easy for politicians and other elites who have direct interests to manipulate and exploit these ethnic ties to create alliances, regardless of the boundaries of the three countries.

Inequitable Access to Land

Land use and land access are significant factors in a number of high-intensity conflicts in the Great Lakes Region. In Rwanda, unequal access to land is one of the structural causes of poverty that was exploited by the organisers of the genocide. Limited access to land, exacerbated by its inequitable distribution, and similarly insecurity (brought about by frequent episodes of population displacement and subsequent redistribution of land by the state), have been described as key aspects of the 'structural conflict' – patterns of economic domination and exclusion that create deprivation and social tension, and prepare the way for violence.⁹

Land claim and redistribution was one of the reasons for the failure of the Arusha Agreement (1993), which was supposed to end a four-year war between the government and Rwandan Patriotic Front (RPF) rebels, and perhaps



GALLO IMAGES/REUTERS/EDWARD ECHWALU

A Summit of the International Conference on the Great Lakes Region (ICGLR) in Uganda (August 2012).



Inequitable access to land is a significant factor in many high-intensity conflicts in the Great Lakes Region.

even prevent the 1994 genocide. Many researchers also consider land disputes to be at the heart of most conflicts in communities. It is estimated that in Rwanda, at district level, at least 80% of disputes reported to administrators are centred on land – and in certain areas, the figure is as high as 95%.¹⁰ The National Unity and Reconciliation Committee, which conducted consultations across the country, found that land disputes are “the greatest factor hindering sustainable peace”.¹¹

MANY RESEARCHERS ALSO CONSIDER LAND DISPUTES TO BE AT THE HEART OF MOST CONFLICTS IN COMMUNITIES

Inequitable access to land has long been one of several structural causes of conflict in Burundi, and contributes to poverty and grievances against the government and elite groups. In 1993, land disputes related to the return of refugees significantly contributed to the deterioration of the political situation, which culminated in a *coup d'état* and the assassination of President Melchior Ndadaye. Peace in Burundi is still being threatened by inadequate preparation to receive returning refugees and/or ineffective institutions

for addressing land disputes, and the fact that grievances related to land are manipulated for political purposes.¹²

In the DRC, land remains important for several reasons. First, insecure or insufficient access to land in many parts of the east is a significant factor in the impoverishment of thousands of rural people, and is a ‘structural’ cause of conflict. Second, in the case of the Ituri territory, contested purchase and the expansion of agricultural and ranching concessions have been identified as some of the proximate causes of violence,¹³ and the same may be true in Masisi. Third, the present conflict has radically changed land access patterns through a number of mechanisms, including forced displacement and shifts in the level of authority enjoyed by different customary and administrative leaders. Conflict is producing new competition for land, as part of a wider renegotiation of the local economic space and redrawing of ethnic, class and other ‘boundaries’ between groups.¹⁴

Exploitation of Natural Resources

The link between natural resources and conflicts in the Great Lakes Region has been demonstrated by a large number of studies and specialists. According to Le Billon,¹⁵ two different types of conflicts in the region are due to natural resources. The first type of conflict is when

two or more states engage in an open conflict over the exploitation of natural resources that are present along common borders. The second type of conflict is related to the illegal exploitation of natural resources, which are then used to finance conflicts in the region. Taking precedence has been the role of revenue-generating, non-renewable, lootable natural resources in the regionalisation of insecurity, proliferation of small arms, violent conflict and regional smuggling networks.¹⁶

The regional dynamics between natural resources and conflicts have created a security complex due to contextual challenges such as the multiplicity of actors and motivating factors; governance challenges due to a weak state presence, failed regulation enforcement and poor infrastructure; the state of the mining industry, which is largely informal and unregulated; and the prevalence of armed groups in the region, as well as their use of natural resources to finance conflicts.¹⁷ As a result, natural resources that should benefit the region – and its people – have been exploited to finance conflict in the absence of the rule of law. The regional dimensions of natural resources in conflict are exemplified by the cross-border activities of illegally armed groups, regional smuggling networks, trade in illegally exploited

natural resources, and interstate conflicts over shared natural resources.

Transnational Links and the Diffusion of Violent Conflicts

Research and empirical studies demonstrate that countries surrounded by conflictual neighbours face a higher risk of instability, and even civil war, than those with peaceful neighbours. Studies have pointed out a certain number of factors that play a contaminating role when violence and conflict in one country spreads to its direct neighbouring country. These factors include the division of ethnic groups, refugee flows, transnational arms trafficking, the weakness of 'infected' neighbouring states and porous boundaries.¹⁸

Naturally, the strength of transnational links and the danger of spreading internal conflict can differ from one country to the next. However, ethnic ties related to strategic alliances are strongly evident in the Great Lakes Region. In fact, in this region the existence of transnational ethnic groups plays an important role in conflict diffusion or escalation.¹⁹ For example, Hutu and Tutsi groups that are part of the social structure in Burundi, Rwanda and the DRC were directly involved in the eastern DRC conflicts between 1996 and 2003. After the 1994 Tutsi genocide in Rwanda,



GALLO IMAGES/REUTERS/FINBAR O'REILLY

The exploitation of natural resources allows for the funding of conflicts in the Great Lakes Region.



Miriki is a town 105 km north of Goma, in the eastern DRC, where 15 people were killed overnight when Hutu rebels from Rwanda attacked civilians in the latest ethnic killings in the region, according to authorities and the military (7 January 2016).

Hutus fled en masse into the DRC provinces of North Kivu and South Kivu, where they disrupted an already-volatile situation. They formed alliances with DRC Hutus and Mai-Mai groups against the DRC Tutsis, and created various armed groups to defend themselves. Both parties in conflict could recruit combatants from their ethnic groups in Rwanda, Burundi and the DRC, making the conflict significantly more regional.²⁰

Another factor that plays a crucial role in spreading conflict from one Great Lakes Region country to another is forced migration flows. At one time or another, every single Great Lakes Region country has received refugees from its neighbouring countries. For example, Burundi has received Rwandan and DRC refugees, the DRC has received Rwandan and Burundian refugees, and Rwanda has received Burundian and DRC refugees. As all these refugees fled conflicts with a strong ethnic background, it was very easy to see how these conflicts spread into the host countries, since there are similar ethnic groups and dynamics across borders. Once in the host country, refugees pose a threat to local stability by fuelling competition over resources such as food, land and jobs. However, the Great Lakes Region has experienced situations where refugees were

able to trigger significantly more destabilising dynamics by impacting directly on ethnic relations in their host countries, or by building a base for rebel group mobilisation and operations.²¹ Some refugee situations have created new conflicts in host countries, while worsening the conflict in their country of origin through cross-border attacks.

ANOTHER FACTOR THAT PLAYS A CRUCIAL ROLE IN SPREADING CONFLICT FROM ONE GREAT LAKES REGION COUNTRY TO ANOTHER IS FORCED MIGRATION FLOWS

Once again, the 1994 Tutsi genocide in Rwanda can be used as an example. Following the genocide, Hutus fled to the DRC, and crossed the border with their arms. From refugee camps, they then perpetrated attacks in Rwanda and later on created an armed group, the Democratic Forces for the Liberation of Rwanda (FDLR), which has been destabilising the eastern DRC. FDLR activities have also been a source of tension and conflict between Rwanda and the DRC, and between Rwanda and Burundi.



Crosses mark the spot where 32 victims of an interethnic killing spree are buried in the south Kivu village of Mutarule in the Democratic Republic of the Congo (March 2015).

Democratisation and Governance Issues

The Great Lakes Region has experienced a paradox of democracy and elections triggering violence, instead of entrenching good governance and contributing to stability. Extensive literature on democratic peace suggests that democracies are less likely than other regimes to experience violent conflicts.²² However, it is clear that the process of democratisation seems to be fraught with difficulties, and is often liable to produce violent conflicts in some Great Lakes Region countries. For almost five decades, the more regimes in the Great Lakes Region tried to open up the political arena and implement core democratic and good governance principles – such as freedom of speech, the right to demonstrations, a multiparty system, transparent and fair elections, and accountability – the more violence and conflict were likely to happen. Therefore, in Great Lakes Region countries there is a tendency to move to different forms of benign dictatorships, which are assumed to be more likely to build national unity and preclude ethnic violence than simple democracies. Democracy was imposed on African countries in the early 1990s and seems to have had unexpected results in Great Lakes Region countries. It has produced new tensions and highlighted old grievances relating to social

injustices and ethnic differences, which has led to violence and conflicts at national and regional level.²³ The question that must be raised is not about the value of democracy as such, but about the preparedness, readiness and ability of Great Lakes Region countries to embrace multiparty democracy in the form it was defined and in the way it has been applied in other parts of the world.

The current sociopolitical dynamics show that generally, political leaders in the Great Lakes Region have noticed that the application of universal democracy was passively correlated to violence and conflicts. They appear to have decided to define democracy in their own way, which is then adapted to the structure, history and development of their societies and people. Therefore, in Great Lakes Region countries, there is a tendency to restrict some democratic rights – such as the freedom of speech and free political activity – in the name of national security, peace and stability. Most importantly, there is also an increasing tendency to change the constitution and remove things such as term limits clauses.²⁴ These moves seek to allow leaders another opportunity to compete and possibly stay in power, so as to sustain the relative security and peace their countries have been enjoying during their political mandate. In some cases,



A crowded boatload of Rwandan refugees arrives at Kibiriti Port (1 December 1996).

citizens are allowed to vote for or against the change of the constitution through a referendum. Though consultation with citizens before any constitutional change is always considered as the application of a core democratic principle, its validity depends on the context and conditions in which the referendum vote is organised. The remaining crucial question is whether the new way of defining democracy in Great Lakes Region countries will be another significant underlying cause of further conflict, either in the near future or in the long run.

Effects of Conflicts in the Great Lakes Region

Violent conflicts in Great Lakes Region countries – especially in the DRC, Rwanda and Burundi – have inflicted enormous cost at national and regional level. For example, in Burundi, following the attempted coup in 1993, the conflict claimed about 300 000 lives and more than 800 000 people had to flee their homes.²⁵ Its current political crisis – relating to disputes over the 2015 election-related outcomes and respect of the constitution and the Arusha Agreement²⁶ – has already claimed about 400 lives and resulted in 175 000 refugees.²⁷ In Rwanda, the genocide claimed more than 800 000 victims and resulted in more than 2 000 000 refugees.²⁸ And since 1996, the eastern part of the DRC has been the scene of violent conflicts perpetrated by internal and external armed groups, which claimed around 6 000 000 lives and forced more than 2 000 000 people to flee their homes.²⁹ Not only have these conflicts in the Great Lakes Region impacted negatively and severely on civilians, they also have a huge emotional cost for survivors and perpetrators and

further facilitate the perpetuation of the cycle of violence by provoking reprisals and counter-reprisals.

Conflicts in the Great Lakes Region have also caused extensive damage to public and private infrastructure. They constitute a massive burden on the economy, especially in Burundi, the DRC and Rwanda, where national economies are already too weak and fragile to meet production requirements and support the institutions of a modern state. Finally, the negative consequences of conflicts in the Great Lakes Region are not limited to the national level. Most of the time, a violent confrontation within a state or society has negative regional effects: criminalisation of the regional economy, drug and mineral trafficking, money laundering, arms flow, and the use of mercenaries and armed groups to destabilise neighbouring weak states with fragile institutions.³⁰

Conclusion

Great Lakes Region countries – especially the DRC, Rwanda and Burundi – partly differ in terms of their history, extent of war and levels of development, but they have some similarities that may explain their interconnected endemic violent conflicts. In terms of democracy and governance, they have been struggling to establish a consensual electoral system which would, inter alia, guarantee a peaceful transfer of power. They also seem to have failed to establish inclusive political institutions, thus resulting in unequal representation in decision-making and access to land and natural resources. They are polarised along identity and ethnic dimensions that are regionalised and manifest in political violence.³¹

Transnational ethnic groups and porous boundaries facilitate the 'inter-contamination' of violent conflict. For example, the genocide in Rwanda increased cross-border ethnic affiliations between it, the DRC and regional ethnic-based rebel groups. It further resulted in a significant number of 'warrior' refugees, who destabilised Rwanda and the eastern part of the DRC at the same time. The instability in the eastern DRC then gave Burundian armed groups the opportunity and a rear base to attack their country. Furthermore, the availability of land and mineral resources in the DRC resulted in enormous economic interests for neighbouring and other countries, who benefit from the illegal trade of minerals during civil wars. Similarly, massive displacements and refugee flows across borders in each Great Lakes Region country also spreads the effects of the conflicts within and across neighbouring countries.

Finally, the analysis in this article is incomplete in explaining all possible root causes and dynamics of conflicts in the Great Lakes Region. Although the factors that have been identified as root causes of conflicts are important and tap into broader processes generally recognised in conflict literature to be conflict-generating, others factors such as extreme poverty, climate change and historical and colonial legacy would also be major sources of conflict in the Great Lakes Region. 🗿

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BUILDING REGIONAL CAPACITY FOR CONFLICT PREVENTION AND PEACE-BUILDING IN THE GREAT LAKES REGION

BY **BERNARD OKOK OBUOGA**



GALLO IMAGES/REUTERS/GOHAN TOMASEVIC

Introduction

The Great Lakes Region of Africa is characterised by, among other things, ongoing conflict. The region has been – and continues to be – a theatre of some of the most intractable, perverse and turbulent violent conflicts on the continent. These violent conflicts occur at two levels – intrastate conflicts (with great regional effects), and cross-border (interstate with intrastate ramifications) cyclic violence – which bear manifestations of never-ending problems of displacements and refugees, illegal exploitation of resources and human trafficking, growth of illegal armed groups and the upsurge of small arms and light weapons. This intrastate–interstate conflict web is closely linked to situations of poor management challenges around refugees and displaced persons, who harbour feelings of revenge and often cross back to their countries, seeking to retake power.

Issues of exclusive negative sectarian cleavages; poor and unconstitutional management of political governance and transitions; and irresponsible and unstructured development, management and distribution of resources are key to the sustained violent conflicts in the region. This is evident in the example of the fall of the Democratic Republic of the Congo’s (DRC) president, Laurent Kabila – who, after toppling Mobutu Sese Seko in 1997 with the help of Uganda and Rwanda, had “cupidity for power rather than governance which led him to political choices that were fraught with, among others, the citizenship dilemmas of his predecessor”.¹ The issues above are some of the factors that

Above: The Great Lakes Region of Africa is characterised by ongoing conflict.



The body of slain President Laurent Kabila lies in state in Kinshasa, the Democratic Republic of the Congo (DRC). Following his assassination, the president was succeeded by his son, Joseph Kabila.

have led the region to be described as “the most unstable... with protracted violent conflict and instability... manifesting as trans-boundary inter-communal violence with... election-triggered and political violence, and violence against civilians”,² with a myriad displaced persons and destroyed infrastructure as key features.

One way of deepening understanding of conflicts in the region would be to narrow down the named factors into specific theories. Four theories can be isolated: “political theory (competition for the control of state power); human needs theory (people are fighting in search of better living conditions); relational theory (conflicts are caused by identity related problems) and transformational theory (demand for change against resistance to change)”.³ Indeed, one of the violent conflict cases that cut across these theories is that of Rwanda’s conflict, which reached its climax in the 1994 genocide. Examining the causes of violent conflict in that country, it is observed that violence between Hutus and Tutsis “is connected with the failure of Rwandan nationalism to transcend the colonial construction of Hutu and Tutsi as native and alien respectively”⁴ – hence the continued struggle for state power along identity lines, and demanding change against resistance to change. Seeking to identify key factors along these identity lines and the redefinition of power created a framework or approaches through which stakeholders could develop and implement complementary, multipronged, collaborative efforts for peace and effective conflict management systems. These ranged from

intrastate actors to interstate (regional) approaches, as well as non-state or civil society contributions. In furthering the argument of complementary collaborative efforts, the International Peace Academy, at its policy seminar on the Great Lakes Region – which took place in Dar es Salaam, Tanzania, on 15–17 December 2003, with the theme ‘Peace, Security and Governance in the Great Lakes Region’ – pointed out that prospects for the consolidation of peace in the region would depend on an empowered civil society, strongly institutionalised and efficient subregional organisations, and strategic interventions by the international community. The Great Lakes Project (GLP), a collaborative framework by three organisations – the African Centre for the Constructive Resolution of Disputes (ACCORD) in South Africa, the Global Partnership for the Prevention of Armed Conflict (GPPAC) in the Netherlands, and the Nairobi Peace Initiative - Africa (NPI-Africa), based in Kenya – developed a three-year project in 2012: ‘Consolidating Peacebuilding in the Great Lakes of Africa’.

Great Lakes Regional Conflict and Prevention Architecture

As has been discussed, it is clear that the conflict landscape in the Great Lakes Region cannot be comprehensively understood and addressed without looking at the internal social, political and economic dynamics in the respective countries. This implies identifying and examining the domestic and regional dynamics that facilitate situations



Photographs of people who were killed during the 1994 Rwandan genocide hang in the Kigali Genocide Memorial Museum. An estimated 800 000 people were killed in 100 days during the genocide.

of both sectarian repression and widespread manipulation. These then give rise to identity-based struggles in the region, which find their strength in “idealised representation of ethnicity that, inter alia, become characterised by ethnic polarisation and politicisation of ethnicity”.⁵ These challenges call for the development of counter-narratives on social identity to the current narrations that have been inappropriately presented. This challenge is captured well by looking at the situation of Rwanda, where “for the period up to 1860, it is [was] correct to say that historians knew next to nothing about how the terms ‘Twa’, ‘Hutu’ and ‘Tutsi’ were used in social discourse or physical classifications”.⁶

BASED ON THIS, IT CAN BE ARGUED THAT EXPRESSIONS OF SOLIDARITY ALONGSIDE COMMON IDENTITIES, AS COMMUNITIES STRUGGLE FOR AND PURSUE CONTROL OF POLITICAL POWER AGAINST EACH OTHER WITHIN AND OUTSIDE DEFINED NATIONAL BOUNDARIES, ARE A COMMON FEATURE IN THE REGION

In looking at the role of social identity, it is noteworthy to seek the meaning and place of ‘identity’ within the social context of the Great Lakes Region. Identity can be viewed as a social and conceptual phenomenon and described as “the way individuals and groups define themselves and are defined by others on the basis of, among others, ethnicity, culture and religion... [and which] conceptually gives a deeply rooted psychological and social meaning to the individual in the context of group dynamics”.⁷ This describes the situation of the Great Lakes Region with regard to the theories highlighted earlier. Based on this, it can be argued that expressions of solidarity alongside common identities, as communities struggle for and pursue control of political power against each other within and outside defined national boundaries, are a common feature in the region. In simple analogy, a person or group of ethnicity A in country B will feel more ‘connected’ to a person or group A living as refugees in country C, rather than a person or group of ethnicity D in country A.

It is also necessary to identify, analyse and examine the challenges that exist within the regional conflict prevention architecture. These include the African Union (AU), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the International Conference

on the Great Lakes Region (ICGLR) and the Southern African Development Community (SADC). These organisations have defined peace and security architectures, most of which are in the form of protocols. However, several challenges in the application of these institutions towards the full realisation of peace – some cross-cutting, and others embedded in these structures – have emerged.

One cross-cutting challenge is that these structures do not speak to and complement each other, and hence only promote territorial protectionism. This element of competition can be illustrated by looking at the situation in 1998, when the DRC's President Kabila took his country into the SADC regional bloc – a much stronger rival to the EAC. This action did not sit well with Ugandan president, Yoweri Museveni, who had an idea to revive and make the EAC a stronger regional bloc, and had expected Kabila's support given Museveni's role in Kabila's ascendance to power.⁸

These regional bodies sound good on paper, but lack austerity in the implementation of the peace agenda in the region. ECCAS, founded on 18 October 1983, has demonstrated infrastructural weaknesses in terms of pursuing issues of peace and security in the region, and

well-established structures such as the AU, the ICGLR and the EAC have critical gaps in translating their protocols to the pursuit of peace. Two examples can be noted. First, while the role of non-state actors is advocated through Article 127 of the Treaty for the Establishment of the East African Community, there is only a mention that “the partner states agree to provide an enabling environment for the private sector and civil society to take advantage of the community and... among others... promote a continuous dialogue with the private sector and civil society at the national level and that of the community...”⁹, with no clear implementation plan and accountable framework. Second, in Article 15 of the Protocol for the Prevention and the Punishment of the Crime of Genocide, War Crimes and Crimes against Humanity and All Forms of Discrimination, for example, the ICGLR identifies civil society as a major actor in the area of prevention of genocide, war crimes and crimes against humanity, but only briefly mentions the aspect of collaboration with civil society. Other examples also highlight the importance of conflict prevention – for example, the EAC Protocol on Peace and Security puts ‘prevention’ as central and, in particular, Article 4 concentrates on Conflict Prevention, Management and



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Identity in the social context of the Great Lakes Region refers to the way individuals and groups define themselves and are defined by others on the basis of, among others, ethnicity, culture and religion and which provides deeply rooted meaning to the individual in the context of group dynamics.



Presidents (from left) Salvar Kiir of South Sudan, Joseph Kabila of the Democratic Republic of the Congo (DRC), Yoweri Museveni of Uganda and Paul Kagame of Rwanda at the start of the Extraordinary Summit of the International Conference on the Great Lakes Region (ICGLR) in Kampala, Uganda to address the resumption of hostilities in the eastern DRC (September 2013).

Resolutions (CPMR). Two challenges arise here: one, there is a deliberate lack of strategies and accountable systems to ensure that these protocols are followed and governments are held responsible in their failures; and two, in spite of realising the need to target and involve ex-combatants or former members of militia groups in conflict prevention and peacebuilding, no protocol or express action has been developed and/or undertaken in its accomplishment. From these challenges emerge two further issues: the continuous shrinking spaces for civil society; and conflict relapses as a result of unstructured and uncoordinated regional disarmament, demobilisation and reintegration (DDR) programmes.

Spaces for Capacity Building and Collaboration for Peacebuilding

To develop, situate, advance and comprehensively implement capacity building and principles of collaboration for peacebuilding in the Great Lakes Region requires one to understand both local dynamics and contexts as well as the emerging regional and global political and economic trajectories. To address the conflict challenges understood

by the previously identified theories – political, human needs, relational and transformational – it is important to develop and undertake approaches that take into cognisance the gaps and institutional blockades in the regional bodies, as previously illustrated. This should include identifying and providing mechanisms for solving challenges that “characteristically involves or generates hegemonic-directed competition, cooperation and conflict, under conditions of scarcity, about who should control the state and direct its core functions of authoritative regulation, allocation, and distribution through its presumed monopoly of physical force and policy directives”¹⁰ on one hand, and citizen participation in political affairs of respective countries and regional affairs on the other.

There exist many structures – both state and non-state – that work in the area of conflict resolution and peacebuilding. These include intrastate bodies, such as the EAC, AU and ICGLR, with the express mandate of mobilising state efforts in building a peaceful and economically progressive and stable region.

Taking into consideration the regional context of conflict relapses and the existing conflict prevention architecture

and peace infrastructures, any capacity building for conflict prevention and peacebuilding approaches must address the following key areas:

- lack of structure and coordinated state and non-state actors' joint regional conflict analysis and intervention approaches;
- inadequate civil society organisation (CSO)-intergovernmental approaches to addressing specific conflict drivers in the region;
- understanding of, and participation in, intergovernmental peacebuilding and conflict mitigation and policies;
- identifying, developing and/or enhancing the existing common peace values; and
- mobilising and developing the capacities of local communities, especially those living across and along the borders, to appreciate and utilise intergovernmental structures in peacebuilding, peacemaking and conflict mitigation.

Since it was formed, the GLP, through assessment, has successfully identified challenges to peace and responses to conflict among CSOs in the region, and has created various platforms, including the National Civil Society Forum (NCSF) and its regional structure, the Regional Civil Society Forum (RCSF), to effect structured coordination with the ICGLR, among others, in conflict prevention. At the initiation of the

project, a baseline survey was carried out. Affirming some of the challenges above, this baseline survey determined the following key issues that impede the full contribution of CSOs to regional stability:

- unfavourable and/or shrinking spaces for the CSOs – for example, there are very few CSOs operating in Rwanda (confirmed by the very few CSOs that responded to the baseline surveys conducted in 2013) while in Uganda, the CSOs that responded confirmed the emergence of government-initiated laws that restrict their free operation;
- some of the countries in the region do not have national structures that coordinate their peacebuilding efforts, and at a regional level, uncoordinated CSO efforts contribute to the lack of effective influence on regional interstate bodies, such as the ICGLR, towards the peace agenda;
- inadequate capacities to engage with and effectively address continuous and ever-changing conflicts in the region; and
- uncoordinated conflict prevention and regional approach in conflict analysis and programming.

Considering the previous points, addressing and/or avoiding the re-emergence of violent conflicts in the region – or even undertaking comprehensive conflict prevention – is a big challenge overall. One factor that contributes further



UN PHOTO SYLVAIN LICHTI

The United Nations Peacekeeping Mission in the Democratic Republic of the Congo (MONUSCO) was established in 1999 but never received full community acceptance due to its alleged failure to fully protect citizens from attacks.

to the challenge is the lack of local ownership of various interventions, including United Nations (UN)-related peace work. For example, the UN peacekeeping mission in the DRC (MONUSCO) was established in 1999 but has never received total community acceptance, due to its alleged failure to protect citizens from attacks, such as from the Lord's Resistance Army. Therefore, arguments such as "embedded multilateralism... an institutionalised but nuanced mechanism of collaboration between the UN and regional organizations in multiple issue-areas"¹¹ as a means that can facilitate the avoidance of conflicts in the region, need further thought and development. To have effective conflict prevention strategies in the region, such UN-regional organisations engagement must be supported by structured involvement of CSOs. Among other things, this would ensure that the principles, values and vision of a conflict-free society is not only at the level of leadership, but is commonly owned and shared at a local level. For this to happen, CSOs must have the capacity to engage and participate in such approaches. The question is how CSO frameworks, such as the GLP-created National and Regional Civil Society Forums, can remain focused and sustainably pursue what benefits a society in political dilemmas, such as the current Burundi turmoil. Another question is how those CSOs can avoid internal leadership struggles, which can threaten their operations to the extent of them fragmenting.

Strategies that focus on the contribution of CSOs in the building of regional capacity for conflict prevention and peacebuilding in the Great Lakes Region must take into cognisance the internal and external challenges discussed here. The approach must include enhancing capacities and deepening the understanding of conflict analysis; the development and implementation of intervention strategies; and the sharpening of skills in joint lobbying and advocacy for conflict prevention. In addition, the ability of CSOs in building/forming, managing and leading multi-issue frameworks – such as the forums guided by the development and implementation of a common vision, principles and values of peace and conflict prevention – can ensure sustainable joint approaches. Once the frameworks have been built and principles of operations adopted, capacity enhancement development must consider how CSOs, at national and regional level, can effectively engage in and influence contemporary conflict management processes, such as peace or cessation of hostilities agreements. This can enhance interrogative, local ownership and the monitoring of such agreements, which ultimately contributes to the eradication of multiple interpretations – such as the failure to implement the Burundi Arusha Accord, signed in 2005 by conflict parties in Burundi and which apart from facilitating the end of violence, among other things, contained specifics on the presidential term limits. Failing to adhere to the provisions of the agreement and the constitution due to, inter alia, the vigilante role of non-state actors, including CSOs, plunged the country into a crisis in 2015.

Conclusion

In conclusion, regional capacity for conflict prevention and peacebuilding in the Great Lakes Region must look "beyond ending violent conflict... and seek to create the capacity for a culture of just peace which requires people to know how to take responsibility for shaping their culture and all of their society's architecture, including structures, institutions, policies, and organizations that support it".¹² This implies not only having a common agenda for regional peace through common principles, values and operative policies, but also developing long-term, issue-oriented plans. These plans must resonate well with the needs and desires of the communities. Linking actions with, and continuous interrogation of, national and regional processes – including those of regional interstate bodies such as the ICGLR and EAC – must also be undertaken. The established national and regional CSO forums must be viewed as effective vehicles towards stability in the Great Lakes Region. **A**

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REFUGEES IN THE GREAT LAKES REGION: CHALLENGES TO PEACE-BUILDING

BY **KITENGE FABRICE TUNDA**

In 2014, the Republic of Tanzania granted citizenship to more than 160 000 Burundian refugees.¹ Most of them had fled the country during the 1972 massacres and the 1993–2005 civil war. Tanzania’s decision to grant naturalisation certificates to Burundian refugees was commended by the United Nations High Commissioner for Refugees (UNHCR) and other international organisations.² It was hoped that the decision would encourage other countries in the Great Lakes Region to grant citizenship to refugees born in their territories, including those who had held refugee status for several years.

The Great Lakes is one of the regions in Africa that has been affected by a high number of refugee-related

problems. Conflicts, famine and violence have pushed millions of people away from their places of origin. For several decades, the region has also been engulfed in violent intrastate and proxy interstate conflicts. The Rwandan genocide in 1994, the Burundi and South Sudan civil wars, and the conflict in the Democratic Republic of the Congo (DRC) are still ongoing deadly conflicts that have caused an irregular migration of refugees and internally

Above: Tanzania’s decision to grant naturalisation certificates to Burundian refugees was commended by António Guterres, United Nations High Commissioner for Refugees, and other international organisations.

displaced persons (IDPs) in the region. Scholars have identified the Great Lakes Region as consisting of not only the DRC, Uganda, Burundi, Rwanda, Kenya and Tanzania, but also including South Sudan, Somalia, Sudan, Angola, Ethiopia, Eritrea, Zambia, Malawi, Zimbabwe, Mozambique, Central African Republic (CAR) and Republic of Congo³ – all of which share the ravages and fallout of these intractable conflicts.

Under the 1969 Organisation of African Unity (now the African Union) Convention, a refugee is any person who, reasonably fearing persecution on account of their race, religion, nationality, membership to a social group or political opinions, is outside the country of which they have nationality/citizenship status but cannot, or will not, because of this fear, claim its protection.⁴ The 2009 African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons in Africa, identified as the Kampala Convention, defined IDPs as persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence,

violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border.⁵

During the Rwandan genocide, more than two million people fearing retribution, including Hutu civilian militias who were accused of having committed the genocide, fled to the neighbouring countries of Burundi, Tanzania and the DRC. The Hutu militias' plan to regain control of power was the reason for the Rwandan authorities to pursue them and attack their rear bases in the DRC. This conflict paved the way for the creation of a new Congolese rebel group, the Alliance of Democratic Forces for the Liberation of Congo-Zaire, which attacked and toppled former president Mobutu Sese Seko, culminating in the two Congo Wars in 1996 and 1998. In November 1996, 640 000 refugees left their camps⁶ in Goma (DRC) and returned to Rwanda after their camps were attacked by the Rwandan Defence Force. However, more than 200 000 refugees remained in Goma while several others moved westward, deeper into the DRC. The *Interahamwe*, one of the youth militias involved in the Rwandan genocide, fled into the Congolese forests. These militias came



GALLO IMAGES/REUTERS/JAMES AKENA

A refugee is any person who, reasonably fearing persecution on account of their race, religion, nationality, membership to a social group or political opinions, is outside the country of which they have nationality/citizenship status but cannot, or will not, because of this fear, claim its protection.



A fighter from the Liberation Forces of Rwanda (FDLR) rebel group in eastern Democratic Republic of the Congo (DRC). Rwanda and the DRC undertook a joint operation to flush out the FDLR (February 2009).

together with the former soldiers of the Armed Forces of Rwanda, and founded a rebel group called the Army for the Liberation of Rwanda, which would become the Democratic Liberation Forces of Rwanda (FDLR).

THERE ARE CURRENTLY MORE THAN TWO MILLION REFUGEES AND IDPS IN THE GREAT LAKES REGION

During the same period (1993–2009), an armed conflict broke out in neighbouring Burundi. The civil war was triggered by the assassination of Melchior Ndadaye, the first democratically elected Hutu president. The war caused the killing of thousands of Burundian citizens, Hutu and Tutsi alike. Relative peace returned to most of the country in 2005, when one of the former rebel groups, the National Council for the Defense of Democracy – Forces for the Defense of Democracy, became the ruling party. The Arusha Peace Agreement, signed in 2000 by most of the parties in the conflict, paved the way for an end to the civil war.

As a result, thousands of refugees who had fled to neighbouring countries after the assassination of President Ndadaye were able to return.

The current Burundian political crisis, which erupted due to disputes relating to the incumbent president's decision to continue his presidency against the provisions of the constitution limiting the presidential terms, has again forced thousands of refugees into Tanzania, Rwanda and the DRC. Owing to continuing instability and despite the calls by various international bodies for people to return home, most refugees remain reluctant to return, fearing a potential return to sustained armed conflict.⁷

The eastern region of the DRC (North Kivu and South Kivu provinces) has been unstable with regard to security. Armed groups, such as the Allied Democratic Forces (ADF), continue to kill men and women in the city of Beni. These attacks have pushed thousands of people out and away from their villages. Kenya harbours the world's largest refugee camp complex in Dadaab. Kenya hosts more than 330 000 Somali refugees in Dadaab⁸, over 42 000 Somali refugees and some 270 000 South Sudanese, who have taken refuge in the Kakuma refugee camp to escape from civil war.⁹



An aerial view of a camp for Burundian refugees in Lusenda, South Kivu, Democratic Republic of the Congo (July 2015).

There are currently more than two million refugees and IDPs in the Great Lakes Region. Table 1 indicates the number of refugees and IDPs, and shows that countries in the region will always be affected when conflicts flare up. Peacebuilding programmes need to be pursued in earnest in this region to address the causes of these huge human migrations.

Table 1: 2015 UNHCR Subregional Operations Profile¹⁰

Countries	Refugees from	Refugees to	IDPs
Burundi	232 881	52 936	78 948
DRC	5 167 770	1 594 440	2 658 000
Kenya	8 556	580 460	0
Rwanda	79 411	85 020	0
Uganda	7 191	560 170	0
Tanzania	857	296 000	0

The presence of refugees has been a major security issue for all the countries in the region, while some highlight the added advantages that come with the movements of these

refugee groups into the various neighbouring countries. Some reports indicate that certain refugees join armed groups or terrorist organisations operating in the countries they have settled in, while other refugees may also bring skills and knowledge into the host country, where they will begin to participate in development projects that contribute to the local economy.

SOME REPORTS INDICATE THAT CERTAIN REFUGEES JOIN ARMED GROUPS OR TERRORIST ORGANISATIONS OPERATING IN THE COUNTRIES THEY HAVE SETTLED IN

The large number of refugees and IDPs poses immense challenges to peacebuilding processes within the region. These huge numbers of refugee movements impact on peace and security, and cause citizenship challenges and cross-border conflicts among different ethnic groups, among a plethora of other problems. As a result of the ever-growing numbers of refugees and IDPs, competition for land and economic resources has often been the trigger for conflict.

The countries in the Great Lakes Region are not only concerned about these huge numbers of refugees as a threat in the region. There are also other concerns relating to the refugees' impact on the environment, healthcare and cultural identity. However, as stipulated in the 2006 International Conference of the Great Lakes Region Pact on Security, Stability and Development, the region's focus should be more on democracy, humanitarian and social welfare, economic development and security.¹¹ These latter protocols in general focus on the challenges to peacebuilding processes in the region.

Security Challenges

The refugee and IDPs crisis has been an issue of concern with regard to peace and security. When refugees are settled in camps, there are security challenges for both the refugees' country of origin and the host countries. After the Rwanda genocide in 1994, Hutu extremists used refugee camps in the DRC to recruit combatants for cross-border attacks to destabilise Rwanda. In 2014, to appease Rwandan authorities, hundreds of FDLR combatants were moved to a camp in Kisangani, thousands of kilometres away from the borders. The process was carried out under the supervision

of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).¹²

Refugee camps may also be used by terrorist organisations to recruit and attack host countries. In recent years, the Kenyan government accused Al-Shabaab, a Somali rebel group, of conducting attacks in the country. Officials have claimed that it is from the Dadaab refugee camps, inside Kenyan territory, that Al-Shabaab plans its acts of terror – such as the 2015 attacks at Garissa University and the 2013 Westgate Mall attack – and that this camp must be shut down.¹³ Though 5 000 refugees have voluntarily returned to Somalia from the Dadaab camps in the past year, security and socio-economic conditions in many parts of Somalia are still not conducive for large-scale returns.¹⁴

Insecurity can exist within the camp itself. Despite the fact that the Lusenda refugee camp in the DRC is far from the border, as per the UNHCR policies, refugees report that they are not safe. A Burundian man was recently taken into custody by the DRC police after a woman recognised him in the camp as an *Imbonerakure*¹⁵ member from her community back in Burundi. The *Imbonerakure* is a youth political wing of the ruling party, reported to have committed violent crimes and accused of intimidating political opponents in



DFID KENYA / AMANDA ROSE

The Dadaab refugee camp, near the Kenya-Somalia border, is home to thousands of Somali refugees. Kenya's government threatened to close Dadaab, the world's biggest refugee camp, as it is believed to be a recruitment ground for Al-Shabaab terrorists and a security risk.



Burundian refugees gather on the shores of Lake Tanganyika in western Tanzania, as they wait for transportation to Kigoma township (May 2015).

Burundi. After being questioned, the man said that he was forced to join the group and he wanted asylum in the DRC. Refugees also report that the camp may be infiltrated by members of both Burundi security forces and the opposition. This puts them in a situation where they cannot speak freely for or against either party, due to fear of retaliation.¹⁶

IT IS A CHALLENGE FOR CAMP AUTHORITIES AND HUMANITARIAN ORGANISATIONS TO DIFFERENTIATE REFUGEES FROM REBELS, TERRORISTS OR INFILTRATORS IN THE CAMP

In Burundi, a number of high officials who held dissenting opinions about the incumbent president's decision to run for a third term in 2015 went into exile in Rwanda.¹⁷ There is a high likelihood that they will remain politically active, even though they are refugees. When refugees remain active while in a foreign land, their sympathies can lead to them offering support to armed groups with similar ideas. There have been several reports of non-state armed groups

recruiting Burundian refugees in camps in Rwanda to join Burundian rebel groups.¹⁸

Burundian top government officials have accused the Rwandan government of tacitly aiding their enemies – that is, former ruling party members who sought refuge in Rwanda.¹⁹ This alleged support to enemies, if true, contravenes the convention governing the specific aspects of refugee problems in Africa, which stipulates: “Signatory States undertake to prohibit refugees residing in their respective territories from attacking any State Member of the AU, by any activity likely to cause tension between Member States, and in particular by use of arms, through the press, or by radio.”²⁰

It is a challenge for camp authorities and humanitarian organisations to differentiate refugees from rebels, terrorists or infiltrators in the camp. Within communities or camps, rebels or terrorists live like ordinary refugees. Last year, Kenya threatened to expel thousands of Somali refugees living in camps to curb terrorism perpetrated inside its territory.²¹ This challenge has posed a serious security threat for the region in terms of weapons smuggling and trafficking contraband, leading to a variety of transborder crimes.

Another political crisis that could cause refugee numbers to swell further may come from Rwanda and the DRC, where

leaders are trying to amend their constitutions to enable them to run for a third term in office. The amendment of the constitution was approved in Rwanda through a referendum. A constitutional change in both countries could have a negative effect on the refugee crisis, as well as on political and economic stability in the region. People will likely protest and that could then lead to more violence and foreign assistance, or investments may be cut.

Socio-economic Challenges

The countries in the Great Lakes Region are among the poorest in the world, with most of them emerging from protracted conflicts that may reignite if the root causes are not resolved. Countries in the region have to promote economic development and job creation within the framework of good governance and human security to alleviate poverty, which is one of the main causes of instability.

Due to political crisis, Burundi is currently under threat to be excluded from the African Growth and Opportunity Act.²² The United States government is reviewing Burundi's eligibility to the group in matters of human rights, following

the disputed elections in July 2015, and the German government has suspended any cooperation with the Burundi regime, although assistance programmes that serve the population will continue through cooperation with non-state organisations.²³ Deducing from such developments, it becomes easier to speculate that if the crises were to escalate further, donor countries could freeze their direct investments. This would negatively impact the economy of those countries affected, and the region as a whole.

The consolidation of peace in this conflict-prone region is linked to issues of democracy, respect of human rights and the rule of law. Without these factors, more conflicts will erupt and lead to more people seeking refuge in neighbouring countries. Once a conflict has been successfully resolved, refugees can return home without any fear of being persecuted, but their concern might be to arrive and find their land(s) or properties occupied.

Land and its significance is frequently an underlying cause of widespread violence, as well as a critical element in peacebuilding and economic reconstruction in post-conflict situations.²⁴ Consequently, if the access to, control



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Once a conflict has been successfully resolved, refugees can return home without any fear of being persecuted, but their concern might be to arrive and find their land or properties occupied.



When they return home, refugees and IDPs bring new skills and become part of the active labour force.

and usage of land is not well managed, it can undermine the consolidation of peace in a post-conflict region. Some countries in the region have land institutions and policies that are in place as mechanisms for the management of land-related conflict. In Burundi and the DRC, land issues have been one of the causes that have triggered conflicts in rural communities; and Rwanda has put in place a legislation, as part of the Arusha Agreement, for refugees to repossess their properties upon return.²⁵ This has been an effective way to prevent land-based ethnic conflicts.

It should be noted that, in host and original home countries, refugees and IDPs also positively impact the economy. When they flee to neighbouring countries and when they return home, they bring new skills and become part of the active labour force. Tutsi refugees, who were in refugee camps in Uganda, returned to Rwanda after the genocide in 1994 to contribute to the rebuilding of a sustainable economy in the country.

Conclusion

In May 2013, Jim Yong Kim, World Bank president, and Ban Ki-moon, UN Secretary General, launched a socio-economic initiative for the Great Lakes Region. The objective

of this regional programme, which is valued at US\$1 billion, is to facilitate the rebuilding of infrastructure that was destroyed during conflicts, and implement a long-term strategy to assist and reduce refugee and IDP numbers.²⁶

The reduction of refugee and IDP numbers can be achieved through one of three solutions: voluntary repatriation, local integration and resettlement. A resettlement programme could be adopted by rich or stable African countries to receive high numbers of refugees by granting them permanent residencies, but it may also promote an increase in the number of 'bogus refugees'. The latter factor remains a bottleneck with regard to resettlement in a third country, especially in the Western part of the globe. It is hard to identify a bogus refugee in a camp – they could be economic migrants who are in pursuit of a better life and social benefits, and not refugees.²⁷ Even when the security situation has improved, some refugees are reluctant to participate in a voluntary repatriation programme, in the hope that they will be resettled in a Western country.

Whether positive or negative, challenges due to an influx of refugees and IDPs will affect peacebuilding processes in the region. Some countries in the region are still fragile states with strong leaders, and lack democratic institutions.

There is a need to transform these fragile states into stable states that will protect civilians and prevent protracted conflicts and an expansion of violence in the region.

The general elections in CAR in December 2015, security in the DRC and the Burundi peace talks could end the violence in the region and encourage the return of many refugees and IDPs back to their communities and countries. Regional peacebuilding actors need to design a comprehensive and sustained strategy to consolidate peace in the Great Lakes Region, by addressing the root causes of the conflicts and building the capacity of local and national actors to prevent, manage and peacefully transform conflicts. **A**

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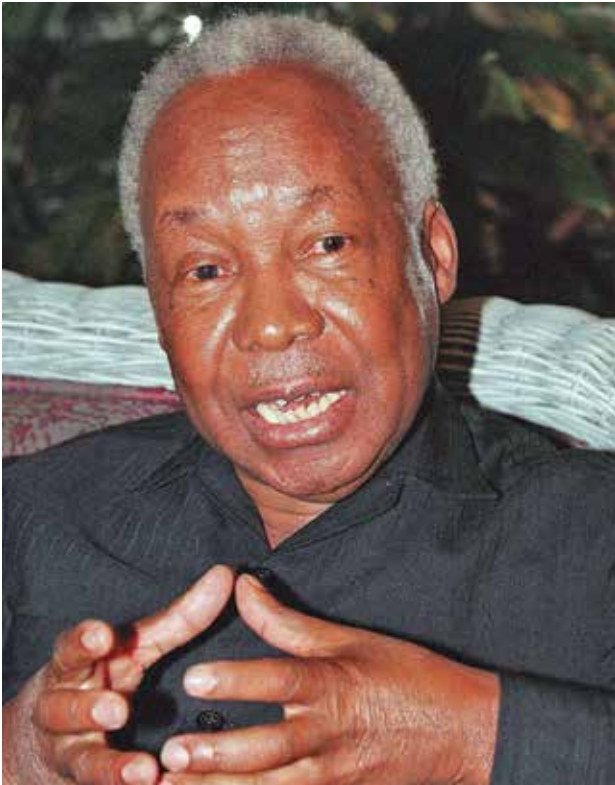
CIVIL SOCIETY–GOVERNMENT COOPERATION: CONSOLIDATING THE PEACE AND RECONCILIATION AGENDA IN THE GREAT LAKES REGION

BY JOSEPH W. BUTIKU

Introduction

Since they obtained their independence from their colonial masters, the countries that now make up what is commonly referred to as the Great Lakes Region have experienced conflicts and internal wars, leading to loss of life and property. Before the International Conference on the Great Lakes Region (ICGLR) was established (prior to the Dar es Salaam Declaration, in 2002), those countries included Kenya, Uganda, Tanzania, the Democratic Republic of the Congo (DRC), Rwanda and Burundi. In 2004, the number

Above: DRC President Joseph Kabila (center), Burundi's President Pierre Nkurunziza (right) and Rwanda's Prime Minister Bernard Makuza (left) sign the Declaration on Implementation of the Pact on Security, Stability and Development in the Great Lakes Region during the last day of the 'Second Summit of Heads of States and Government of the Great Lakes Region' at the United Nations offices in Kenya (15 December 2006).



Retired president Julius Nyerere of Tanzania was appointed as an independent facilitator to bring together the conflicting parties in Burundi (1998).

of countries increased to 12 to include Sudan, Zambia, Angola, Central African Republic (CAR), South Sudan and the Republic of Congo.

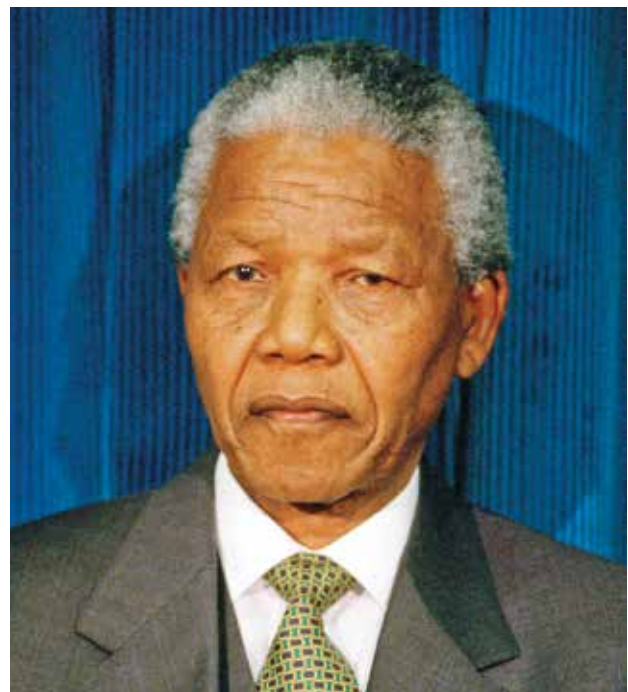
The countries in this region share the common problem of constant crises and entwined, ongoing conflicts. The Pact on Security, Stability and Development of the ICGLR contains five Programmes of Action and 33 Protocols – and governments and civil society in the region, with the support of the international community, are expected to find lasting solutions to the volatile situation through the Pact's implementation. The Regional Programme of Action for Good Governance and Democracy captures and describes the situation in these words:

These last decades (1999–2004) the Great Lakes Region has been the theatre of deep and repetitive crises. Bad governance, policies of exclusion and of structural adjustment, constant violence of fundamental human rights... are all factors having contributed to the instability in the region. In the countries directly affected by conflicts and social political crises, the situation has been exacerbated by the destruction of economic and social infrastructure, paralysis or malfunctioning of the key public services, economic slump, increase of military budgets, aggravation of poverty, the HIV/AIDS pandemic, decrease of foreign aid and investments, etc.¹

This situation was made worse by the existence of non-democratic regimes, especially in the DRC (under Mobutu Sese Seko) and CAR (under Jean-Bédél Bokassa). Under such regimes, security forces marginalised non-governmental entities such as civil society organisations (CSOs). However, through the determination of the people of the region, the struggle for democracy and good governance persevered.

Early Efforts to Stabilise the Region

During early efforts towards peacebuilding, conflict management and resolution in the Great Lakes Region (prior to the 1994 genocide in Rwanda), the government of Tanzania – under the leadership of President Ali Hassan Mwinyi and assisted by Ambassador Ammy Mpungwe – attempted to help Rwanda resolve its political instability and crisis. Many CSOs were also involved, and played a major role. In Burundi, retired president Julius Nyerere of Tanzania, using his newly created non-governmental organisation (NGO) The Mwalimu Nyerere Foundation, was appointed by the United Nations (UN)/African Union (AU) to act as an independent facilitator to that country's conflict. He began work in 1998, bringing together most – if not all – parties to the Burundi conflict. It was a very difficult task, needing much diplomacy and patience in dealing with people, nations and governments. Nyerere died in October 1999 before a peace and reconciliation agreement was brokered. Retired president Nelson Mandela of South Africa took over



Retired president Nelson Mandela of South Africa succeeded in getting Burundi to accept and sign a peace agreement following a long process of negotiations.

the next and last phase of the peace process. He succeeded in getting Burundi to accept and sign a peace agreement following a long process of negotiations – and sometimes the use of coercive tactics. CSOs, especially those including women, played a significant role – after they secured their participation in the peace talks and negotiations. Indeed, it was a long process to get the men already involved in negotiations to include women, who were seen to be divided and loyal to the government, the army, parliament or political parties. The UN Development Fund for Women (UNIFEM) played a major role in mobilising women in Burundi, even helping them include their issues in the draft agreement.

Prior to the talks in Rwanda and Burundi, the situation in the DRC had grown from bad to worse. The genocide in Rwanda had produced many refugees, who joined those who had fled earlier to the DRC. According to the government of Rwanda, the UN and AU, these refugees were a source of instability – not only in the DRC (especially eastern DRC) and Rwanda, but also in the region generally. Many refugees in Tanzania, Uganda, Burundi and, to a smaller extent, Zambia, came from the DRC. While initially invited and tolerated, these refugees were eventually disliked or even hated by the citizens of the host countries, especially when they became involved in criminal acts and destroyed the environment. Efforts by the governments of the countries concerned, the UN and the AU – and even bilaterally between these states and foreign governments – did not end the conflict or the

loss of property, nor overcome the suspicion between and among countries and people in the region.

Escalation of the Situation and United Nations–African Union Interventions

The UN (since 1994), the Organisation of Africa Unity (since 1995) and later the AU had, on many occasions, expressed concern about the volatile situation in the Great Lakes Region. In December 1999, the UN Security Council document S/1999/1296 brought attention to the need to deal with the conflicts and potentially explosive situation in the Great Lakes Region. It was also in 2000 that the government of Uganda, through the support of President Yoweri Museveni, extended substantial financial support to the Mwalimu Nyerere Foundation, which organised the first-ever International Symposium on the Consolidation of Regional Solidarity. It was this initiative that qualified the Mwalimu Nyerere Foundation to be appointed by the Joint UN/AU Secretariat as the institution to coordinate civil society input into and during the consultations under the ICGLR.

The International Conference on the Great Lakes Region

It can be said that formal, sustainable efforts towards civil society-government cooperation in consolidation of the regional and national peace and reconciliation agenda were unleashed and consolidated in an inclusive consultative process involving 11 countries of the Great Lakes Region.



ACCORD PHOTO

Participants in the Regional Peacebuilding Training for Women Peacebuilders, a training conducted by the Great Lakes Project in Bujumbura, Burundi (17–21 November 2014).



Rwandan refugees cross the Rusumo border into Tanzania as they flee their country due to ongoing violence and fighting (May 1994).

In its evolution, dialogue, discussions, debates, research and ultimate formulations and establishment, the consultative process that resulted in the ICGLR had, as its principal objectives, inclusiveness, ownership and partnership. The stakeholders of the process and the ICGLR were:

- the 12 member states (Angola, Burundi, CAR, DRC, Kenya, Rwanda, Republic of Congo, Sudan, South Sudan, Uganda, Tanzania and Zambia) and six co-opted countries (Botswana, Zimbabwe, Mozambique, Namibia, Ethiopia and Egypt);
- governments and civil society;
- the private sector;
- youth;
- women;
- the AU and the UN, as key international institutions;
- the Group of Friends and Special Envoys (co-chaired by Canada and the Netherlands), which offered substantial diplomatic, political, technical and financial contributions and support; and
- regional economic communities: the East Africa Community (EAC), Southern African Development Community (SADC), Common Market for Eastern and Southern Africa (COMESA), Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD) and so on.

At the end of the all-inclusive consultative process involving governments and society, two key documents were adopted and signed by the region's heads of state and government: the Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region and the Pact on Security, Stability and Development for the Great Lakes Region. For both governments and civil society, these two documents provide the agreed-upon framework within which the four main Regional Programmes of Action (sometimes referred to as 'Themes'), the 33 Priority Projects and 10 Protocols will be implemented, under the supervision and monitoring of the Regional Follow-Up Mechanism. It is important to emphasise that this framework, and the contents of the work agenda for the region, are supported by civil society in the region. It is a unique regional initiative through a genuine partnership to identify, analyse and synthesise the problems and challenges of security and development, and agree on a way forward in solving them together. This is indeed a real area for even further dialogue and research on strategies for peacebuilding.

The two documents are the key working tools of the ICGLR. Both are clearly defined in legal language so that they are binding to the governments of member states and people, including CSOs, who are expected to use them.



Then Secretary-General of the United Nations, Kofi Annan (left) and Tanzanian president, Benjamin William Mkapa (right), at a press conference following the First Summit of the International Conference on the Great Lakes Region in Dar es Salaam. Fifteen African presidents signed a common declaration pledging to promote peace and security in the continent's volatile Great Lakes Region (20 November 2004).

The Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region was adopted and signed at the First Summit of the Conference in Dar es Salaam, Tanzania, on 20 November 2004. The Declaration presented a statement, with the intention of addressing the root causes of intractable conflicts and constraints to development in a regional and innovative approach.² It has a vision "to transfer the Great Lakes Region into a space of sustainable peace and security for states and peoples, political and social stability, shared growth and development, a space of cooperation based on convergent strategies and policies driven by common destiny".³ It also includes four Priority Policy options and guiding principles, a Follow-up Mechanism and final provisions.

The heads of state and government convened in Nairobi in 2006 to sign the Pact on Security, Stability and Development in the Great Lakes Region. The Pact serves as a legal framework and an agenda of the ICGLR, with the aim of creating the conditions for security, stability and development between member states.⁴ The Pact included

the Dar es Salaam Declaration, Programmes of Action and 10 Protocols.⁵

The Role of Regional Civil Society Organisations and the Regional Civil Society Forum

The Regional Civil Society Forum (RCSF) is a consultative mechanism aimed at, inter alia, deepening democratic principles in the Great Lakes Region through the development of appropriate strategies, and the facilitation of engagements and interactions between civil society actors from various countries in the region. RCSF structures are composed of elected national fora coordination committees and bureaus that elect a Regional Coordination Committee and Bureau led by a chairperson. From July 2014, the RCSF supported by different partners including the African Centre for the Constructive Resolution of Disputes (ACCORD), the Global Partnership for the Prevention of Armed Conflict (GPPAC) and the Nairobi Peace Initiative (NPI)-Africa through the Great Lakes Project initiated a long process of establishing national civil society fora in 12 ICGLR Member States in order to revitalise the Regional Civil Society



Augustine Mahiga, the foreign minister of Tanzania, speaks during the opening session of the International Conference on the Great Lakes Region (ICGLR) - Civil Society Forum's General Assembly, organised by the Great Lakes Project partners and the Mwalimu Nyerere Foundation in Dar es Salaam, Tanzania (7–9 March 2016).

leadership. At the end of the process national civil society fora elections were organised in the DRC, Zambia, Rwanda, Uganda, Tanzania, South Sudan and CAR, thus enabling the RCSF leadership to convene a second General Assembly in Dar es Salaam on 7–9 March 2016. The main objective of the General Assembly was to set up a more coherent and coordinated CSO structure at national and regional levels with the aim of strengthening the General Assembly's voice in relation to interactions with national government, inter-governmental mechanisms (mainly the ICGLR), and other inter-governmental organisations such as the EAC and UN. The General Assembly also created opportunity to renew effective involvement of civil society stakeholders in the implementation of the Pact on Security, Stability and Development and the Peace, Security and Cooperation Framework.

CSOs have always played a major role in promoting democracy, resolving conflicts and participating in peacebuilding processes in the region. This has involved first living with and working under oppressive colonial regimes before independence, and second, working with and under

national regimes of different perceptions and characteristics – including many that are not democratic, and therefore do not necessarily respect their citizens and are not ready to observe the human rights principles and requirements of social justice.

Within the ICGLR, CSOs are recognised as important and key stakeholders. In the spirit of inclusiveness and ownership, ICGLR CSOs played a major role as partners in the development and production of the Dar es Salaam Declaration and the Pact on Security, Stability and Development.

In the Dar es Salaam Declaration, CSOs are recognised in paragraph 33 and are assigned the role to participate in the consolidation of democracy and good governance, particularly through the promotion of good governance at local levels, and the emergence of independent and responsible media. In paragraph 76, they are mandated to assist the Regional International Committee to prepare selected concrete, achievable and measurable draft Protocols and Programmes of Action, together with specific short-term, medium-term and long-term objectives.⁶ Through these

assignments, CSOs worked – and still work – very closely with the governments of member states.

On the basis of the Pact, CSOs participate in the meetings of the summit, the inter-ministerial meetings, and the regional coordinators' meetings. They make their statements in these meetings, relating to their own issues or in support of key declarations by heads of state. They also have the responsibility of understanding and implementing the Pact, especially the Democracy and Good Governance Programme of Action.

Through the Regional Civil Society Forum and in close collaboration with other regional fora – women, youth, parliament and the recently established Private Sector Forum – CSOs have been assigned to implement a project: the Regional Civil Society Forum Project 2.5.4. Its main objective is to facilitate CSOs that are playing a determining role in peacebuilding and consolidation of the democratisation process, as well as in long term socio-economic development.

The Regional Civil Society Forum, operating as an umbrella organisation for all CSOs in the region including at national grassroots level, offers a unique opportunity for civil society to build capacity in many fields, and effectively and efficiently collaborate at national, regional or even international levels, including the UN, the AU and other regional economic community organisations. CSOs have a big responsibility, in collaboration with their governments, to ensure that 'deficiencies' in the region, at national and regional level, are eliminated. Civil society is aware of these deficiencies, as recognised and defined in the Dar es Salaam Declaration:

The Dar es Salaam Declaration recognizes that accumulated deficiencies in the area of governance and the failure of democratization processes are the main factors causing the violent socio-political conflicts in the region. In fact, the most significant facts of poor governance, such as massive violations of human rights, exclusion and marginalization policies, impunity of crimes of genocide, crimes against humanity, war crimes, disparities between men and women, and the use of violence to serve political purposes constitute the main factors causing endemic conflicts in the Great Lakes Region. In the same way, political systems in effect are still characterized and dominated by the institutionalization of non-democratic management methods, namely the absence of political diversity and of a consensus on the constitutional principles, the non-separation of legislative and judicial powers and their control by the executive power, and the manipulation of the judicial power and security services by the executive power. The socio-political crises the Great Lakes region is going through has also been exacerbated by issues of economic management, namely the appropriation of power by the Executive, the non-adherence to the principles of transparency and

integrity in resource management and decision-making, the aggravation of corrupt practices and the illegal exploitation of natural resources.⁷

Tackling these deficiencies of the past, which are still in effect today, is the joint responsibility of the people – through CSOs in the region, and their governments. Civil society and governments share joint accountability in this broad field of responsibility. They are partners, sharing a common stakeholders' vision for peace, security, stability and development in the Great Lakes Region.

The structure of the ICGLR includes its objectives; its three principles of ownership, inclusiveness and partnership; its vision and mission; its broadly defined agenda, covering the key areas of peace and security, democracy and good governance, economic development and regional integration, humanitarian and social issues, and other cross-cutting issues; and the well-established Follow-Up Mechanism, which involves governments, CSOs and the UN/AU. Ample opportunity for effective, efficient and productive cooperation between governments and CSOs is made available through the ICGLR Pact. The agenda for cooperation and involvement is not a temporary one: it is permanent. It is based on broad policy options, specific projects and activities to be implemented within the legal framework of the Pact. The potential definitely exists for greater and increased scope for government-civil society work and cooperation for peace, security, stability and development in the Great Lakes Region. **A**

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REGIONAL CONFLICT MANAGEMENT RESPONSES IN BURUNDI AND UKRAINE

BY PASCAL RICHARD



Regional approaches to conflict prevention, mediation and crisis management have received increased attention over the past decade. They are particularly relevant today, when security threats often transcend state borders and challenge regional security. This is why regional intergovernmental organisations are key actors, offering complementarity and subsidiarity between the United Nations (UN), continental organisations such as the African Union (AU) or the European Union (EU), their member states and civil society.¹

Regional organisations are recognised as important building blocks in addressing regional peace and security

issues.² But how can they deal with crises that occur within or between their own member states? What enabling environment is required for them to make use of their political agency effectively, and what resources and capacities do they need to develop meaningful responses?

These questions are of particular interest when considering the Organization for Security and Co-operation in Europe (OSCE) and the International Conference on the Great Lakes Region (ICGLR).³

The OSCE includes 57 participating states, covering the area “from Vancouver to Vladivostok”. The organisation covers a range of activities – from conflict prevention to strengthening economic development and promoting the



Riot police clash with protesters during a rally to support European Union integration in central Kiev, Ukraine (24 November 2013).

respect of human rights and freedoms. The OSCE takes a comprehensive view on security through its political-military, economic, environmental and human dimensions.

The ICGLR covers 12 countries in the African Great Lakes Region and aims to create conditions for security, stability and development between member states. It strives to do this through various forms of cooperation, including:

- defence;
- justice;
- natural resources;
- the protection of internally displaced persons and women;
- the prevention of violence; and
- the promotion of good governance.

Faced with such ambitious aims, the ICGLR and the OSCE have recently had to confront major crises within their respective areas. For the OSCE, it is the crisis in and around Ukraine, and for the ICGLR, it is the challenges raised by the crisis in Burundi. This article examines the responses to these crises by these two regional organisations, and provides initial considerations on factors that can strengthen the potential for meaningful regional responses.⁴

At a Juncture: Demise or Revival?

Following the end of the cold war and the fall of the Berlin Wall, the OSCE was perceived by many as circling in the

backwater of international diplomacy. In the very early days of the crisis in and around Ukraine in 2013–2014, relations between the West and Russia deteriorated dramatically, and commentators suggested that it was time to write the OSCE's obituary. Ironically, the crisis in Ukraine, which challenged the *raison d'être* of the OSCE and its fundamental values and norms, actually revived the OSCE's political relevance, since this consensus-based regional organisation proved to be the only space for negotiations acceptable to all parties involved in the conflict.

The ICGLR was established in 2003 and covers almost all African states that took part in the 'African World War'. It was set up under great encouragement from the UN, and with the facilitation of the AU. Its member states developed a very ambitious pact and protocols to guide its operation. However, the ICGLR was not provided with adequate resources to fulfil its mandate, and was described as "another framework promising much but threatening to deliver little".⁵ The Burundi crisis, then, is a real threat to the political relevance of the institution.

The Crises in Burundi and Ukraine

The crises in Burundi and Ukraine flared up because of the domestic political contestations of key choices made by their respective leadership. But both are, to varying degrees, also linked to the internal socio-economic developments and aspirations of the population, as well as their ambiguous

geopolitical position and the competing interests and interventions of outside powers.

Ukraine

In late 2013, Maidan Nezalezhnosti, the main square of Ukraine's capital, attracted peaceful protesters gathering in response to the Ukrainian government's decision to suspend integration into the EU. Seeking to leave Soviet legacies behind, protesters claimed that Ukraine belonged to Europe. Largely pro-Russian, the then-government in the Ukraine responded with violent crackdowns by riot police, which further mobilised hundreds of thousands of protesters on the streets – this time demanding the resignation of the government. The killing of protesters in early 2014 escalated the situation and eventually led to the flight of the then-president, Viktor Yanukovych.

By the time elections were held and the new Ukrainian government came to office in 2014, tensions started to emerge in the mostly Russian-speaking eastern and southern regions bordering with Russia. Initially peaceful, the

protests against the new government gradually escalated. They became violent and local government buildings were occupied by armed groups. This evolved into armed confrontations between the post-revolutionary Ukrainian government forces and volunteer battalions on one side, and pro-Russian separatist groups, supported by the Russian army, on the other. Eventually, heavy weaponry replaced small arms and light weapons.

Russian soldiers without insignias took over the Crimean Peninsula, using the pretext of protecting its Russian-speaking population. This resulted in the annexation of Crimea by Russia through an internationally unrecognised referendum, in March 2014. In September 2014 and February 2015, ceasefire protocols were signed between Moscow, Kyiv and pro-Russian separatists in east Ukraine. Although the ceasefire agreements are regularly violated, they currently provide a stabilising factor for engagement between the various parties, and prevent further escalation of violence.

At the time of writing, the UN estimates the death toll from the crisis at over 7800 people, with over 17000



GALLO IMAGES/REUTERS/GLEB GARANICH

Protesters hold upturned portraits of Ukrainian president Viktor Yanukovych during a protest rally in front of the Ukrainian Ministry of Internal Affairs in Kiev (26 December 2013).



People march in protest of Burundi's president Pierre Nkurunziza's bid for a third term in office (June 2015).

wounded. One-and-a-half million people are displaced internally, and one million externally. Five million people are in need of support as an immediate consequence of the conflict.⁶

THE CONTROVERSIES AROUND THE PREPARATIONS FOR ELECTIONS, AS WELL AS THE PROTESTS – FIRST PEACEFUL AND THEN TURNING VIOLENT – TRIGGERED EFFORTS AT THE LOCAL, REGIONAL AND INTERNATIONAL LEVEL TO FIND A SOLUTION THROUGH MEDIATION AND DIALOGUE, BUT WITHOUT SUCCESS

Burundi

At first, the most recent crisis in Burundi was a political and socio-economic contest. The party in power since 2005, the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD), won elections unopposed in 2010. This was a major setback for the consolidation of democratic institutions and processes and

enabled the ruling party and its president, Pierre Nkurunziza, to run the country unilaterally for five years.

The process leading to President Nkurunziza running for a third term was vehemently – and, ultimately, violently – contested from 2013 onwards, with its culmination in 2015. A broad range of actors – from the church to the opposition party – protested against the legality of the third term and the poor socio-economic track record of Nkurunziza's 10-year rule. The controversies around the preparations for elections, as well as the protests – first peaceful and then turning violent – triggered efforts at the local, regional and international level to find a solution through mediation and dialogue, but without success. In April 2015, Nkurunziza was presented as CNDD-FDD's presidential candidate. This sparked more demonstrations, mainly in the capital city of Bujumbura, accompanied by violence from police, militias and protesters. A failed coup attempt in May 2015 led to increased violent polarisation, leaving at least 439 dead by January 2016.⁷ Most independent media channels have been closed, civil society (seen as extensions of the opposition by the government) has faced threats, and more than 200 000 Burundians have sought refuge in neighbouring countries.⁸ Despite this hostile and fearful context, legislative and presidential elections were organised. Some opposition political parties boycotted elections, the CNDD-FDD won and

Nkurunziza was sworn in as president for the third time on 20 August 2015. However, neither continental, regional nor international bodies considered the elections credible.

The Burundian government now faces an internal and external legitimacy problem. Since the elections, killings are reported on a daily basis – mainly in the capital city, but also in the countryside. Elements associated with the exiled opposition have announced a rebel movement, and killings have taken a more distinctive ethnic dimension. The EU, UN and AU have applied or threatened to apply sanctions. At the same time, member states on the continent have engaged the new government, with CNDD-FDD seen as the most likely stabilising factor, and therefore the need to work with them. Simultaneously, African states and regional bodies, including the ICGLR, have tried to mediate in the ongoing crisis.

Responses from the OSCE and ICGLR

Responses from the OSCE and the ICGLR to the respective crises in Ukraine and Burundi were developed at different levels. Centred at the political and operational levels, they were also complemented by ongoing structural measures by the two regional organisations, such as the promotion of human rights and freedoms, strengthening

democratic institutions, and assisting with legal and judicial reforms.

Political Responses

Both the OSCE and the ICGLR initiated, supported or were involved in high-level diplomacy and multilateral dialogue between member states as political responses to the unfolding crises.

• OSCE

Faced with a crisis that threatened its very existence as a regional intergovernmental organisation, the OSCE was able to seize the political window of opportunity that presented itself after other international and regional actors, including the EU, were unable to tackle the challenge of the crisis in Ukraine.

The initial political response provided by the OSCE was through its most senior political arm, the OSCE Chairperson-in-Office. Since the early days of the crisis, the Chairmanship engaged participating states at the presidential and ministerial levels, aiming to reach a diplomatic solution. In early 2014, the Chairmanship addressed the UN Security Council on the crisis and proposed an assessment mission



GALLO IMAGES/REUTERS/MIKE HUTCHINGS

Protests during the elections in Bujumbura's Niyakabiga district, Burundi (21 July 2015).



Ukrainian president Petro Poroshenko (3rd left) talks to Austrian diplomat and Organization for Security and Co-operation in Europe (OSCE) Ambassador Martin Sajdik (2nd right) during their meeting in Kiev, Ukraine (1 September 2015). A fragile truce between Ukrainian government forces and pro-Russian separatists appears to be holding as both sides made a renewed effort to silence their guns and make the ceasefire work.

to Ukraine and the establishment of an international contact group. Later in the year, the Chairmanship, together with the governments of Ukraine and the Russian Federation, established a Trilateral Contact Group, with the OSCE facilitating dialogue between the two states. This work resulted in the signing of the Minsk Agreements, which included measures to alleviate the war in the eastern region of Ukraine. While a major step in stabilising the situation, the agreements have not been fully implemented so far.

Parallel to the OSCE's efforts, the Chairmanship's engagement in diplomatic dialogue was particularly helpful in ensuring that all 57 of OSCE's participating states unanimously agreed to deploy the Special Monitoring Mission (SMM) to Ukraine. Within 24 hours of the decision, the OSCE Secretariat, based in Vienna, Austria, mobilised the deployment of civilian observers drawn from different OSCE field missions.

• ICGLR

The Burundi crisis saw a broad range of actors attempting to play an intervening role. These actors included the UN, which initially took a central role in trying to facilitate dialogue among all parties, building on its longstanding involvement in Burundi through its various

missions and envoys. However, at some point, trust in the various UN envoys was revoked, by either the government or members of the opposition. The AU took explicit and strong positions on both the government and the opposition. The Common Market for Eastern and Southern Africa sent delegates to Burundi, in conjunction with the Eastern African Community (EAC) Panel of Eminent Persons. After various other initiatives failed, the EAC designated Ugandan president Yoweri Museveni as its mediator for the Burundi crisis. This process is ongoing, and has been backed by the other international organisations that attempted to align some of their initiatives. The ICGLR participated, assisted or co-authored many of these initiatives, but it did not take a leading role.

In contrast to the Ukrainian situation, where the OSCE filled a void left by other international bodies, the ICGLR, faced with the presence of a multitude of actors and with a small secretariat, limited resources and divisions among some of its key members on Burundi, was ill placed to take a lead role in responding to the crisis.

Responses on the Ground

At the operational level, both regional organisations tried to build on or develop a solid institutional response

to the crises. The OSCE set up the SMM as an innovative tool to monitor the ceasefire agreement and the security situation. The ICGLR, on the other hand, offered to use its existing conflict prevention instrument – the Expanded Joint Verification Mechanism (EJVM) – to monitor the alleged presence of armed militias involving other member states.

• **OSCE – the Special Monitoring Mission**

Following the agreement brokered at the political level, the OSCE SMM was initially set up to assist in facilitating dialogues in Ukraine. However, as the crisis evolved, the objectives of the mission transformed. Consisting of more than 756 international observers from more than 40 OSCE participating states, the mission provides the international community with fact-based reports on security situations and developments on the ground.⁹ Largely perceived as a credible source of impartial information, the mission also monitors the human rights situation and, importantly, the implementation of the ceasefire protocol. In addition to the monitoring function, the SMM has developed contacts with different parties, allowing it to facilitate dialogue as a de-escalation measure and to establish humanitarian corridors.

As the largest-ever deployed OSCE civilian peace operation, its presence is not sufficient to end the military confrontation, but it certainly is a deterrent that prevents further escalation.

• **ICGLR and other regional organisations**

Due to its supportive political role and limited technical and financial resources, the ICGLR is not in a position to develop a far-reaching operational response to the Burundi crisis. Intervention measures available under the ICGLR were, however, invoked by the EAC and the government of Burundi itself, in response to the formation of armed militia. At its July 2015 summit, the EAC requested the ICGLR, through its EJVM, to verify allegations of the presence of the Democratic Republic of the Congo-based militia Democratic Forces for the Liberation of Rwanda (FDLR) in Burundi. The EJVM consists of a team of 24 senior military officers drawn from the member states of the ICGLR, and is a prevention mechanism aimed at jointly raising and addressing potential violent conflict situations among member states. The EJVM undertook an investigation into the FDLR presence in Burundi and presented its findings to the ICGLR Chairperson. These findings have not been shared in public, but were discussed by the ICGLR ministers of foreign affairs during their October 2015 Extraordinary Meeting.

The Burundian government engaged the ICGLR in response to reports of Rwandan support for the recruitment of ex-combatants to destabilise Burundi. It accused Rwanda of acts of aggression against its territory, and requested an EJVM mission to Rwanda. The ICGLR attempted to deploy such a mission, but Rwanda refused.



GALLO IMAGES/AP/FILBERT RWEMAMAMU

(From left to right) Uganda's Minister of Defence and representative of the mediator of the Burundi Dialogue, Crispus Kionga; Tanzania's Minister of Foreign Affairs, Augustine Mahiga; the Secretary General of the East African Community, Richard Sezibera; and Angola's Minister of Foreign Affairs and Chair of the International Conference on the Great Lakes Region, Georges Chicoti at a meeting in Arusha to discuss the Burundi situation (6 January 2016).



Members of the Special Monitoring Mission of the Organization for Security and Co-operation (OSCE) to Ukraine walk along a convoy of Ukrainian armed forces in Paraskoviivka, eastern Ukraine (February 2015). Ukrainian troops towed artillery away from the front line following the recent ceasefire agreement.

With a less prominent role given to the ICGLR, the EAC has been attempting to host an inter-Burundian dialogue after the UN's efforts faltered. To bolster this dialogue, and considering the limited regional capacities, the AU has also taken a more prominent role in Burundi as part of its complementarity function. It sent a special envoy and deployed a number of human rights observers in the country and, in its strongest move yet, its Peace and Security Council authorised the deployment of a 5000-strong African Prevention and Protection Mission to Burundi.¹⁰ To do this, the AU invoked a provision in the AU Constitutive Act, which allows it to act in a country "in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity" if its Assembly of Heads of State agrees to it.¹¹ Whether this mission will be brought into effect and authorised will depend both on political momentum and technical and financial resources. However, to be successful, it will need to move in tandem with the inter-Burundian political dialogue.

Conclusions

The ICGLR and the OSCE offer a standard of behaviour for their members and provide means for reducing tensions through the constitutive documents, programmes and toolbox they have developed over time. The importance of the mere

existence of an inclusive and consensus-based regional arrangement cannot be overemphasised. It has enabled both Ukraine and Russia to engage across the divide, and has provided the operational basis for joint interventions such as the EJVM in the Great Lakes Region. Through their inclusive nature, regional organisations offer regional platforms that can accommodate different political processes, even if participating states disagree on norms and values or confront each other politically or militarily. The levels and issues for which each regional organisation can be used will, however, depend significantly on the enabling environment and the capacity and resources available at a given time.

The OSCE faced an environment in which other regional and international players were ill placed to play a strong role, and it took centre stage, almost by default. Political confrontation, mistrust and diverging values between Russia and the West strongly influenced the relations between participating states in the OSCE. However, its consensus-based principles and a common agenda around decreasing tensions in Ukraine made it possible for the OSCE to step in. In contrast, the ICGLR faced limitations in its operating environment, including the physical location of the secretariat in the crisis country and a divided membership, while other regional bodies took a more important role in the Burundi crisis. An inclusive, consensus-based approach that ensures

the practical alignment of member states appears to be a key factor for regional organisations to be successful building blocks for peace and security. This must be supplemented by the principles of complementarity, subsidiarity and coordination, so that other regional and international organisations reinforce existing initiatives or address shortcomings.

For the potential of such regional arrangements to be fully exploited, adequate political backing is essential. A lesson that can be drawn from the OSCE's response to the Ukraine crisis is that an operation designed to build or keep peace needs the support of a clear and practical political strategy by the leadership of a regional organisation that is also supported by its membership.

There is also a need for adequate long-term resourcing of such institutions. While the OSCE was able to deploy a sizeable monitoring mission in a very short period of time, the ICGLR has neither the infrastructure nor the resources at its disposal to do so. By the same token, the OSCE's current German Chairmanship emphasised that the Ukraine crisis highlighted the need to strengthen the OSCE's capacities over the entire conflict cycle.¹² At the ICGLR, an encouraging conflict prevention tool such as the EJVM remains severely underfunded. Increased and sustained financial and political support for regional international governmental organisations by member states and international partners is needed.

Finally, regional organisations must pay adequate attention to longer-term inclusive processes. The Burundi crisis has highlighted the need for continued engagement by the international and regional community, and key member states to adhere to and expand on political settlements. Local actors such as civil society, women and youth groups need to be engaged alongside political and government actors, to achieve progress on signed agreements. Only through sustained engagement with all actors combining technical and political assistance can, for example, an institution such as the National Truth and Reconciliation Commission, agreed upon in the Arusha Agreement for Burundi, become a useful and timely tool for the aims originally envisaged. The long delays and politicising in the establishment of this commission left it with too little time, legitimacy and capacity to undertake its crucial tasks effectively. There is a need for longer-term sustained engagements to ensure the follow-through of agreements reached, from the international and interstate level down to local communities.¹³ Regional organisations are ideally placed to play a key 'conveyor belt' role in such processes, linking and ensuring complementarity between local, national, regional and international levels. This role needs further bolstering by strengthening, expanding and resourcing instruments at their disposal, if regional organisations are to move beyond merely promising frameworks that deliver little. 🇦

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Endnotes

- 1 See, for example: Makinda, Samuel M., Okumu, F. Wafula and Mickler, David (2015) *The African Union: Addressing the Challenges of Peace, Security, and Governance*. Routledge.
- 2 See, for example, African Union (2008) 'Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa', Available at: <<http://www.peaceau.org/uploads/mou-au-rec-eng.pdf>> [Accessed 12 January 2016].
- 3 This is of particular interest, also because the OSCE has often been cited as an inspiration for the development of the ICGLR, and both organisations share similar institutional architectures. See Heyl, Charlotte (2010) 'The International Conference on the Great Lakes Region – An African CSCE? In: Wahlers, Gerard (ed.) 'KAS International Reports 12/2010', pp. 87–105, Available at: <<http://www.kas.de/wf/en/33.21242/>> [Accessed 20 December 2015].
- 4 See the websites of the two organisations for more information: <www.osce.org> and <www.icglr.org>.
- 5 Deirde, Clancy (2011) *Lessons from a State of Flux: The International Justice Laboratory of the Great Lakes Pact*. In Lutz, Oette (ed.) *Criminal Law Reform and Transitional Justice: Human Rights Perspectives for Sudan*. Farnham, Surrey: Ashgate, p. 213.
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- 10 African Union (AU) (2015) 'Communiqué of the 565th Meeting of the PSC on the Situation in Burundi', Available at: <<http://www.peaceau.org/en/article/communique-of-the-565th-meeting-of-the-psc-on-the-situation-in-burundi>> [Accessed 19 January 2016].
- 11 AU (2000) 'Constitutive Act of the African Union', Available at: <http://www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf> [Accessed 22 January 2016].
- 12 OSCE (2016) 'Renewing Dialogue, Rebuilding Trust, Restoring Security: The Priorities of the German OSCE Chairmanship in 2016', p. 5, Available at: <<http://www.osce.org/cio/215791?download=true>> [Accessed 21 January 2016].
- 13 While regional organisations are used to working with states, engaging with non-state actors and local communities poses new challenges and is often done on an ad hoc and/or limited fashion. The ICGLR provides an interesting and innovative example of how to structure engagements with non-state actors in an ongoing basis through its various inclusive fora.

PREVENTION OF AND RESPONSE TO CONFLICT-RELATED SEXUAL VIOLENCE, EXPLOITATION AND ABUSE BY PEACE-KEEPERS IN THE GREAT LAKES REGION OF AFRICA: LESSONS FROM CENTRAL AFRICAN REPUBLIC

BY IRENE LIMO



UN PHOTO/ALEX SIMPSON

Introduction

In today's violent conflicts, civilians are increasingly caught on the frontline. Africa's Great Lakes Region has witnessed some of the most intense violence and protracted conflict of the last half-century. The region is home to some of Africa's most intractable and turbulent conflicts, reflected by the genocide in Rwanda, civil war in Burundi and South

Sudan, conflict in Sudan (Darfur), cross-border conflict in the Democratic Republic of the Congo (DRC), exacerbated

Above: Conflict situations create new protection risks and exacerbate children's vulnerability to violence, exploitation and abuse.



Three children living in the internally displaced people camp of Mpoko claim to be victims or witnesses of sexual abuse on minors by peacekeeping soldiers of the Sangaris Operation (11 February 2016).

by internal and external illegal armed groups; and, more recently, sectarian conflict in Central African Republic (CAR). One of the most devastating forms of extreme hostility waged against civilians in the region is conflict-related sexual violence (CRSV). While women and girls are often the primary targets, CRSV is also strategically perpetrated against men and boys. Even with all the measures put in place in the region and in CAR, recent and fresh allegations against peacekeepers continually surface. The circumstances that render women and children vulnerable to these situations include low economic empowerment and displacement due to conflict, leading to a lack of food, security and shelter. For some women and children, this may lead to transactional sex in exchange for these basic needs, while others are coerced or sexually violated by armed groups or security forces. Sexual violence, exploitation and abuse impacts on the social fabric of society and hinders effective post-conflict reconstruction.

This article draws from the experiences of CAR and discusses the lessons learned regarding sexual exploitation and abuse (SEA) as a result of conflict in the country.

Conflict in CAR, the Plight of Civilians and a Peacekeeping Mandate to Protect Civilians

In December 2013, the mainly Christian anti-Balaka (anti-machete) movement took up arms against the mainly Muslim Séléka rebel coalition which had staged attacks in the country, leading to intercommunal clashes. The conflict

also took on increasingly sectarian overtones. Months of violence led to wrecked state institutions, leaving millions on the brink of starvation. Thousands of people are believed to have been killed, and 2.5 million people – more than half of the entire population – needed humanitarian aid.¹ Widespread human rights violations were reported during this period. Following the continued escalation of the conflict, the United Nations (UN) Security Council authorised an African Union (AU)-led International Support Mission to the CAR (MISCA) and a French-backed peacekeeping force (known as Operation Sangaris) through its Resolution 2127 (2013), to quell the spiralling violence. MISCA transitioned to the UN Multidimensional Integrated Stabilisation Mission in the CAR (MINUSCA) in 2014, due to the security requirements on the ground that called for a bigger force. MINUSCA is mandated to protect civilians and undertake the promotion and protection of human rights in CAR, among other key tasks. The conflict in CAR has increased the vulnerability of its civilians to CRSV, including SEA.

CAR is currently home to peacekeepers from all over the world, among them UN peacekeepers and European troops (authorised by the UN Security Council). The Great Lakes Region contributes 40.6%² of all the uniformed peacekeepers in MINUSCA. Some UN peacekeepers in CAR – from Bangladesh, the DRC, Morocco, Niger and Senegal – have been implicated by the allegations of SEA. Troops from Europe have also been named in recent SEA allegations in the country. While the peacekeepers have made gains in

protecting civilians, the allegations of sexual misconduct have tainted their work.

Conflict-related Sexual Violence, Exploitation and Abuse in CAR

Levels of sexual violence often rise in crisis and conflict settings, where systems of protection, security and justice break down and women and children are left particularly vulnerable. Reports indicate that the militia in CAR have used rape to deter women from undertaking economic activities.

WHILE CARRYING OUT THEIR RESPONSIBILITIES, PEACEKEEPERS ARE EXPECTED TO UPHOLD PRINCIPLES OF GOOD CONDUCT AND DISCIPLINE AND NOT VIOLATE THE RIGHTS OF THE HOST COMMUNITY

Other cases indicate that perpetrators used rape to punish women and girls suspected of interacting with people on the other side of the sectarian divide. Further compounding this scourge are reports of SEA by peacekeepers in

the country. While carrying out their responsibilities, peacekeepers are expected to uphold principles of good conduct and discipline and not violate the rights of the host community. When peacekeepers sexually or otherwise exploit the vulnerability of the people they have been sent to protect, it is a fundamental betrayal of trust. Prosecution of the peacekeepers implicated in these allegations – once substantiated – is the responsibility of the member states. The lack of adequate national capacity and expertise to investigate and prosecute acts of sexual violence remains one of the main impediments to ensuring accountability for such crimes.

Cases and Allegations

The allegations documented by the UN Conduct and Discipline Unit, as at 31 November 2015,³ reflect that in 2015, 22 allegations have been made against its peacekeepers in MINUSCA – a mission only established in 2014. Nineteen of these allegations implicated the military, two implicated the police and one implicated civilian personnel. So far, in 2016⁴, 22 allegations have been made against peacekeepers in MINUSCA; 19 of these allegations implicate the military, two implicate the police and one allegation is yet to be accounted for in terms of the mission component category responsible.



GALLO IMAGES/AFP/ISSOUF SANOGO

Sexual violence, exploitation and abuse threatens the well-being of individuals and communities, and undermines the legitimacy of peacekeeping missions.



The United Nations (UN) Security Council adopts Resolution 2272 (2016), endorsing the decision of the Secretary-General to repatriate a particular UN peacekeeping military unit or formed police unit of a contingent when there is credible evidence of widespread or systemic sexual exploitation and abuse by that unit (11 March 2016).

These numbers are suspected to be higher, noting that there may be more allegations that were not reported.

SEA Allegations for All Categories of UN Personnel per Year⁵

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016 ⁶
Allegations (total)⁷	127	83	112	85	75	60	66	52	69	25
Civilians	32	26	35	30	22	23	20	14	15	1
Military	56	49	55	38	40	19	37	25	38	21
Police	24	7	16	13	10	9	7	13	16	3
Unknown	12	0	3	0	0	1	0	0	0	0
Other	3	1	3	4	3	8	2	0	0	0
MINUSCA	-	-	-	-	-	-	-	No data	22 (out of 69)	22 (out of 25)

In 2015, Human Rights Watch documented at least 25 cases⁸ of sexual violence in CAR. This was followed by other allegations, reported recently in 2016, of UN peacekeepers sexually abusing or exploiting at least eight women and girls, including the rape of a 14-year-old girl and the gang-rape of an 18-year-old woman. Other reports by Amnesty International⁹ and Médecins Sans Frontières document similar allegations. Distinctively and increasingly, most of the cases reported involve minors.

Vulnerabilities of Children to Sexual Violence, Exploitation and Abuse in CAR

Conflict situations create new protection risks and exacerbate children's vulnerability to violence, exploitation and abuse. Further, poverty renders children vulnerable to exploitation, neglect and abuse. The UN Office of the High Commissioner for Human Rights (OHCHR) recently highlighted the continuing allegations of the SEA of minors in CAR by members of foreign military and police forces in 2014, 2015 and 2016. Sexual activity with children (persons under the age of 18) is prohibited, regardless of the age of majority or age of consent locally.¹⁰ Mistaken belief regarding the age of a child is not a defence.¹¹ Ten of the 22 allegations reported to have been committed by MINUSCA peacekeepers in 2015, and 18 of the 22 allegations reported



Poverty, conflict, lack of education and unemployment can all contribute to vulnerability and exploitation. The scarcity of economic opportunities for displaced populations may result in commercial and exploitative sex as a means of income generation to meet basic needs.

in 2016, involved minors.¹² This translates to 45.5% of all MINUSCA allegations involving minors in 2015 (10 out of 22), and 81.8% of all MINUSCA allegations involving minors in 2016 (18 out of 22). Thus in comparison with all the UN Missions, in 2015, MINUSCA recorded allegations involving minors standing at 43.5% (10 out of 23 cases); in 2016, MINUSCA is at the lead with allegations involving minors standing at 100% (all 18 cases) as at end of February 2016¹³.

THE CHILDREN WHO REPORTED THE VIOLATIONS ALSO INDICATED THAT THEY KNEW OF OTHER CHILDREN WHO HAD BEEN REPEATEDLY SEXUALLY ABUSED BY PEACEKEEPERS

In 2014, the records stood at 13 cases involving minors in all UN missions. This increase in the involvement of minors in recent years is a worrying trend, with 2016 numbers already at 18 in the first quarter of the year. Other allegations, implicating French troops, involved boys as young as 11 years old – more often in exchange for basic needs such as bottled water and food. Allegations also indicate

that members of a European Union (EU) peacekeeping contingent raped two girls and paid two others for sex. The girls were 14–16 years old at the time. The children who reported the violations also indicated that they knew of other children who had been repeatedly sexually abused by peacekeepers.

The Reasons for Sexual Violence, Exploitation and Abuse

Social and economic factors can influence and shape the decisions made by the civilian population. Poverty, conflict, lack of education and unemployment can all contribute to vulnerability and exploitation. The scarcity of economic opportunities for displaced populations may result in commercial and exploitative sex as a means of income generation to meet basic needs. In addition, the support system for children has been weakened by conflict, which makes them vulnerable to sexual predators. Some peacekeepers exploit these situations to commit rape and other forms of SEA. The recent abuse allegations implicating French troops are reported to have involved children living on the streets. In the displacement camps, levels of protection and security are generally poor, and justice



Prosecutor Fatou Bensouda of the International Criminal Court pledged to make sexual and gender crimes a priority in investigations by her office.

and policing is weak. Most of the abuse cases reported were against young boys, girls and women around the camps. There are also glaring gaps in holding perpetrators accountable. When cases are reported, far too many of these crimes continue to go unpunished, with the perpetrators enjoying impunity.

Few awareness-raising efforts have been carried out among vulnerable groups in the wake of the escalation of sexual violence. The peacekeeping environment has been described by many as stressful, mostly due to factors such as exposure to atrocities, alien culture and battle fatigue, among others, which can adversely affect the adjustment of soldiers in mission environments and may lead to them committing SEA acts. The 12361 peacekeepers serving in MINUSCA as at December 2015¹⁴ are of 48 different nationalities. They bring with them to the mission their cultures, attitudes, experiences and perceptions on gender and human rights.

**Unintended Consequences of Peacekeeping:
The Impact of Conflict-related Sexual Violence,
Exploitation and Abuse**

While the arrival of peacekeeping personnel has the obvious advantage of providing the local population with an increased sense of security, it may also have some negative

repercussions. SEA threatens the well-being of individuals and communities, and undermines the legitimacy of peacekeeping missions. The presence of peacekeepers in an environment has been reported to be a trigger for increased prostitution, thus leading to cases of sexually transmitted diseases and the related risks of HIV transmission. SEA can have serious and irreversible consequences that threaten the physical, mental, spiritual, moral and social development of children, and even their survival. Sexual violence, exploitation and abuse, particularly involving minors, affects the child's mental health, cognitive and emotional orientation to the world, often resulting in low self-esteem. It also causes trauma by distorting their self-concept and affective capacities. Pregnancy as a result of sexual violence, and the plight of children born of rape by peacekeepers, is a consequence that affects the life of the victim or survivor for a very long time. SEA, particularly through rape, exposes women and girls to reproductive health challenges, and some may not have children in the future or may develop other health complications. Sexual violence and SEA present foundational constraints on women's and children's capacities to exercise their citizenship rights and their societal roles, and to contribute fully to reconciliation. SEA also hinders the local promotion of gender equality – an objective that the peacekeepers are supposed to promote. Further, experiences of survivors of CRSV indicate that complete healing is a prerequisite for peacebuilding and sustainable development; without the healing of the body, mind and soul, they cannot engage fully in building sustainable peace in their communities.

WHEN CASES ARE REPORTED, FAR TOO MANY OF THESE CRIMES CONTINUE TO GO UNPUNISHED, WITH THE PERPETRATORS ENJOYING IMPUNITY

What is Being Done to Prevent and Respond to SEA?

After numerous allegations of SEA committed by UN peacekeepers and other foreign peacekeepers in CAR, several efforts and measures have been taken to respond to the abuse allegations and to prevent any further SEA by peacekeepers.

Investigations: The responsibility for investigating SEA allegations by UN peacekeepers and taking subsequent disciplinary action rests with the troop- and police-contributing country. The EU, Georgia, France and other European countries are investigating the alleged crimes, including rapes, mostly committed in 2014. The UN undertakes its own investigation if the countries implicated do not respond to the UN's request to take the lead on the matter. Further, since 2014, the International Criminal Court has been conducting investigations in CAR. Prosecutor Fatou Bensouda adopted a policy paper on sexual and gender

crimes in June 2014, and pledged to make these crimes a priority in investigations by her office. More recently, more than 10 years after the Zeid Report,¹⁵ the UN appointed an independent panel of experts to look into the allegations of SEA by peacekeepers in CAR, including French troops, and how the UN handled the SEA allegations.

Leadership and responsibility: Highlighting the commitment to zero tolerance of SEA, and following reports on the allegations of SEA by MINUSCA peacekeepers, UN Secretary-General Ban Ki-moon called for and accepted the resignation of Babacar Gaye of Senegal, who was head of MINUSCA. Further, senior military leaders¹⁶ from Benin, Burkina Faso, Côte d'Ivoire, Guinea, Mali, Niger and Togo met in January 2016 for a sensitisation workshop on SEA within the context of peacekeeping operations.

Feedback loop and information-sharing: The UN has continued to correspond with member states on the allegations made against UN peacekeepers, requiring them to complete investigations on SEA within six months and report back to the UN on the outcomes of investigations and actions taken.¹⁷ The disciplinary sanctions and any other judicial actions taken against the individuals involved are not often shared with the survivors of SEA.

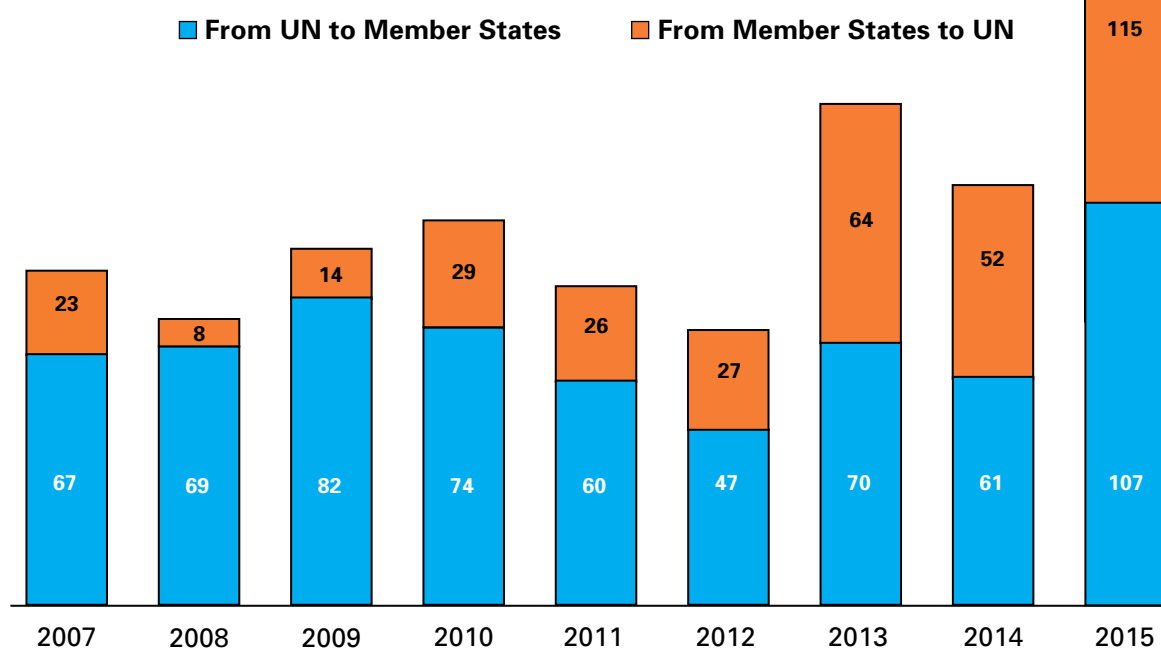
The years 2013, 2014 and 2015 reflect more interactions and responses by member states compared to preceding

years, indicating an increased commitment to responses relating to SEA.

A human rights-based approach: The 2015 report titled *Taking Action on Sexual Exploitation and Abuse by Peacekeepers*,¹⁸ emphasised SEA being a human rights issue, besides it being a criminal offence. This reflects similar recommendations by the UN Peace Operations review (2014), as well as the global study on UN Security Council Resolution 1325 (2015). In February 2016, the UN Secretary-General appointed Jane Holl Lute as Special Coordinator, to improve the UN response to SEA committed by peacekeepers and facilitate the better alignment of peacekeeping and human rights systems.

A disciplinary approach: Implementing zero tolerance to SEA has recently led to the mission's repatriation of 120 DRC troops, following allegations of SEA in CAR. A recent UN Resolution 2272 (2016) reinforces the UN's action of replacing all units of troop or police-contributing countries whose peacekeepers are implicated in SEA allegations. The UN has also adopted (and implemented) a new policy of suspending payments – which countries normally receive for the troops they contribute to peacekeeping missions – to countries where allegations are credible. The money that is suspended is expected to go into a trust created by the UN for victim assistance and support initiatives. The Secretary-General has

UN Follow-up with Member States on SEA Allegations in all UN Missions (2007–2014)





United Nations (UN) Secretary-General Ban Ki-moon swears in Jane Holl Lute as Special Coordinator on improving the UN response to sexual exploitation and abuse (14 March 2016).

also announced that countries whose troops and police are serving in UN peacekeeping missions and are facing credible accusations of SEA will be listed on a website, scheduled to be ready in March 2016. In addition, the Secretary-General announced that countries which are repeatedly listed in annual reports on children and armed conflict, and on CRSV, will not be allowed to participate in peacekeeping.

Coordination, synergies and collaboration: The establishment of a police force joint brigade to identify SEA perpetrators and deter the occurrence of new cases is one of the steps underway in MINUSCA. This will be complemented by increased patrols in the displacement camps, in close collaboration with CAR security forces. The UN is working with civil society organisations (CSOs) in CAR to implement victim assistance programmes for victims and children born out of SEA. OHCHR is also planning to carry out joint actions, as part of the reinforcement of MINUSCA's ability to combat SEA.

Regional frameworks: The Pact on Security, Stability and Development in the Great Lakes Region, adopted by the heads of state and government of the International Conference on the Great Lakes Region (ICGLR) in 2008, contains the Protocol on the Prevention and Suppression

of Sexual Violence against Women and Children. The UN and AU have also condemned acts of CRSV and SEA in the region. This is reflected in the UN-AU joint framework, signed in 2014,¹⁹ on the prevention and response to CRSV in Africa. In addition, similar sentiments are emphasised in the framework of cooperation between ICGLR and the UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC), signed in 2014.²⁰

The Role of Female Peacekeepers in Prevention and Response to SEA

Not a single female peacekeeper has been accused of SEA in MINUSCA. Further, women's participation in the security sector at all levels has been recognised as a critical component of mission success. The UN encourages this role and emphasises the inclusion of women in peacekeeping missions in civil, military and police functions, recognising that their presence may encourage women from local communities to report acts of sexual violence.

Gender Statistics in MINUSCA Uniformed Personnel (Strength of 12361) as at December 2015 ²¹					
MILITARY					
Military experts		Troops		Total	Female %
M	F	M	F		
151	7	10089	131	10378	1.3%

POLICE					
Individual police officers (IPUs)		Formed police units (FPUs)		Total	Female %
M	F	M	F		
288	54	1543	98	1983	7.7%

In 1993, women made up 1% of the UN's deployed uniformed personnel. As at December 2015, MINUSCA had 1.3% female military representation and 7.7% female police representation. Most CAR abuse victims point out military personnel as the major perpetrators, with few allegations implicating the police and civilians. Among member states from the Great Lakes Region, the DRC has been implicated in allegations of SEA, and some of its peacekeepers were sent back home. As at December 2015, the DRC had a total of 919 peacekeepers serving in MINUSCA, amounting to 7.43% of the mission force (out of 12361). They included formed police units, comprising 101 males and 17 females, and contingent troops, comprising 799 males and two female soldiers.²¹ The percentage of female peacekeepers from DRC is 2.07%. The rape and SEA allegations reported often reflected gang rape by male peacekeepers. If there were female peacekeepers in these groups of male peacekeepers, chances are that the male peacekeepers would not naturally commit these acts. The presence of women raises the awareness of women's issues and improves operational effectiveness. Thus, the presence of female peacekeepers can act as a deterrent to sexual violence, exploitation and abuse. Therefore, it is key to encourage and support member states to deploy more female military and police officers to peacekeeping missions.

Lessons Learned and Recommendations

Allegations of sexual exploitation and abuse by UN peacekeepers were first reported in 2004. Twelve years later, we are still reading about the increase in the misconduct of peacekeepers. The UN and the international community have strengthened their efforts in preventing abuse; however, more needs to be done.

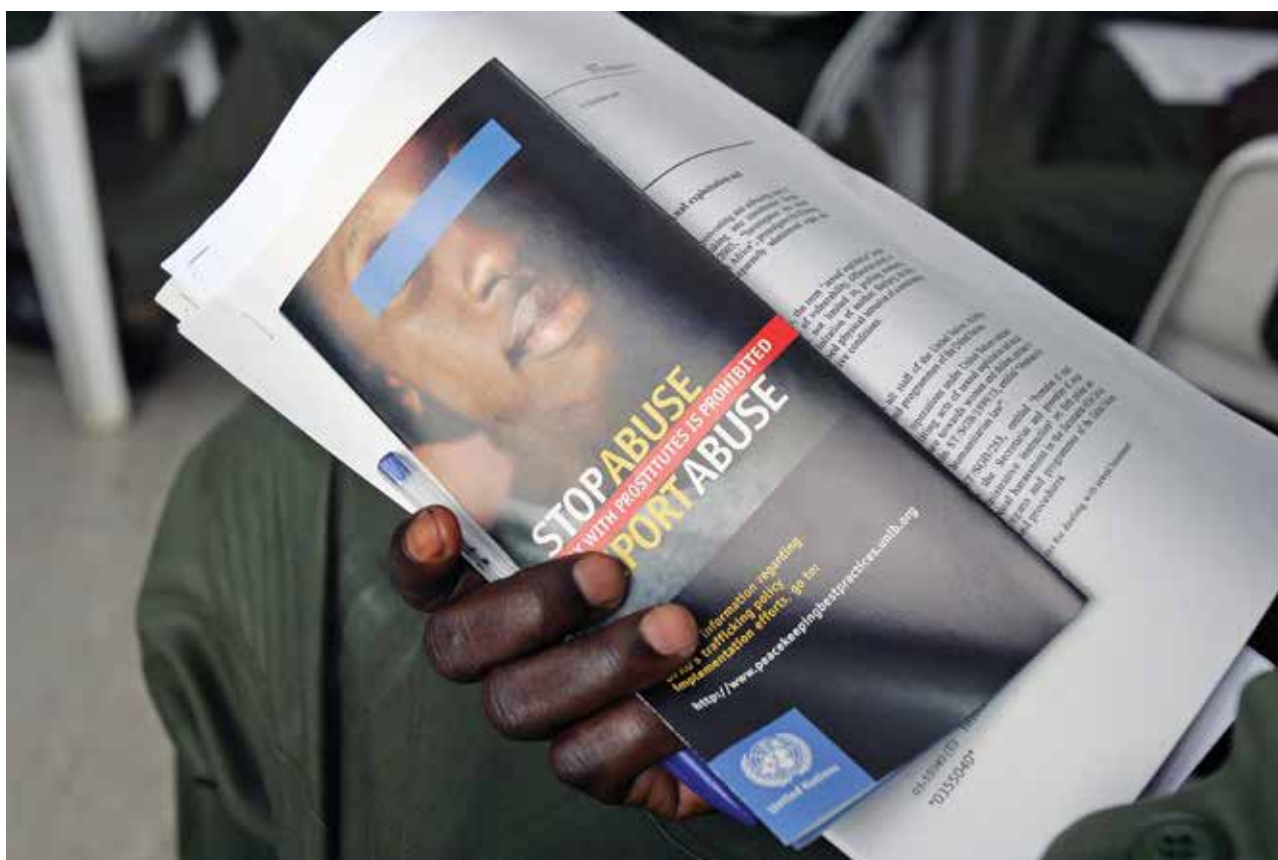
Economic empowerment: Issues of poverty often lie behind all forms of exploitation. Reports indicate that transactional sex with peacekeepers earns women food or 1000 CFA (approximately US\$1.60).²³ Thus, programmes that address livelihood issues and provide appropriate job training, income-generation schemes and credit for micro-enterprises are vital in preventing exploitation. These potential solutions go hand in hand with the provision of basic needs such as food, shelter, health and security.

Attitude change and a human rights approach: Peacekeepers should be trained in human rights issues, with the aim of changing their attitudes towards the rights of women and children. Peacekeepers who come from countries with better records of gender equality may hold values that are more in line with treating women as their equal, instead of potential sources of exploitation. Human rights should be at the heart of all peacekeeping operations. There is the need for strengthened modalities for AU-UN peacekeeping transitions, ensuring strict adherence to the human rights screening policy and capabilities.



UN PHOTO/CHRISTOPHER HERWIG

The presence of female peacekeepers can act as a deterrent to sexual violence, exploitation and abuse.



Peacekeepers should be trained in human rights issues, with the aim of changing their attitudes towards the rights of women and children.

A conducive environment for prevention and response:

Peacekeepers are obliged to create and maintain an environment that prevents SEA and promotes the implementation of the agreed code of conduct in a peacekeeping environment. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

Strengthen leadership, command and control in prevention:

As stipulated in UN Security Council Resolution 1960, missions should hold all peacekeepers in leadership positions accountable for the actions of their teams, including sexual misconduct. Thus, early warning systems on SEA should be strengthened, and better checks and balances for managers and commanders at all levels should be introduced.

Accessible, inclusive and responsive reporting mechanism:

MINUSCA and other foreign peacekeeping forces in CAR should ensure that complaint mechanisms for reporting SEA are accessible to the civilian population. When SEA allegations came to light through a confidential report (not publicly released) on the sexual abuse of children by French and other peacekeeping troops in CAR - the *Sexual Abuse*

on Children by International Armed Forces Report, delays were reported in providing the children with basic medical care, psychological support, shelter, food, and protection. There were further claims that no steps were taken to locate additional child victims to determine if they also required protection and care. The loop between reporting and response should therefore be strengthened to ensure that all victims receive support. There is the need for more mechanisms or avenues for the community to report cases of SEA by peacekeepers and other armed groups – for example, the establishing of a SEA reporting hotline. There is also the need to strengthen community-based protection and response systems, by involving families and communities in identifying areas and situations of vulnerability for women and children.

Establishment of an international tribunal for SEA by UN peacekeepers and UN staff in the field:

Once SEA allegations are reported, investigations completed, and the allegations substantiated, the UN cannot prosecute the peacekeepers implicated in these SEA allegations; this responsibility rests with member states. It is recommended that the UN General Assembly should authorise the establishment of an international prosecuting mechanism. This will be

a professional investigative capacity (staffed by experts who have experience in sex crime investigations) to probe allegations of SEA by peacekeeping personnel.²³ This can be complemented by an on-site court-martial for SEA allegations and can facilitate access to witnesses and evidence in the mission area, as well as demonstrating to the local community that there is no impunity for acts of SEA by members of military contingents.

Protecting and encouraging whistleblowing: A senior UN official, Anders Kompass, director of Field Operations and Technical Cooperation Division, OHCHR, was suspended following accusations of him breaching UN protocols by leaking details of a confidential report on the sexual abuse of children by French peacekeeping troops in CAR. While he was later exonerated, this trend discourages other peacekeepers who may want to blow the whistle on such violations. Thus, more needs to be done to create favourable conditions for whistleblowers to report cases of SEA.

Strong communication and feedback loop: The communication loop is weak, and troop-contributing countries fail to advise the local civilian population (or the victims) of the steps taken towards delivering justice. This gives the perception that nothing is being done. This is damaging – not only for the individual victim, but also for the relationship between the civilian population and the mission. Effective and visible means of bringing offenders to justice is an extremely important factor in deterring exploitative behaviour. Therefore, accountability to the beneficiary community should be strengthened and institutionalised.

Establishment of rapid response teams: The UN should establish immediate response teams within the mission that are able to deploy immediately, or in one to two days, to collect and preserve evidence and protect victims. This should be part of a larger strategy that also involves strong in-country partnerships, consisting of community-based organisations and CSOs which provide support to victims.



UN PHOTO/MOLANNE MARTIN

Anders Kompass, director for Field Operations and Technical Cooperation of the Office of the High Commissioner for Human Rights, was suspended following accusations of him leaking a confidential report on sexual abuse of children by French peacekeeping troops in CAR. He was later exonerated, but this trend discourages other whistleblowers to report cases of sexual abuse.

Effective child protection strategies: Specific strategies to address the challenges faced by street children and children separated from their parents in conflict situations should be developed. States must respect and promote the rights of children living in poverty, including by strengthening and allocating the necessary resources for child protection strategies and programmes.²⁵ All contributing countries must ensure the implementation of the Convention on the Rights of the Child through national action plans. If the peacekeepers are exposed to these frameworks in their home countries, they will be expected to respect similar frameworks in the peacekeeping environment.

THERE IS MUCH TO BE DONE TO IMPLEMENT A ZERO TOLERANCE POLICY ON SEXUAL VIOLENCE, EXPLOITATION AND ABUSE – NOTING THAT IMMUNITY MUST NOT MEAN IMPUNITY

Strengthen an evidence-based approach: A stronger evidence base – as indicated in the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict²⁶ – will lessen the burden on survivor testimony as the basis for prosecutions, as well as ensuring that victims are not further stigmatised or traumatised by the trial process. To avoid repeated stigmatisation, an audio or video recording of the child victim’s story could be made, so that child victims do not have to repeat the story many times, or tell it when the criminal is in the same room.²⁷

Strengthen the capacity and capability of justice sector actors: The judiciary, police, magistrates, prosecutors and advocates/lawyers are part of the prevention and response cycle, and their capacities should be further strengthened to handle allegations of sexual violence crimes appropriately. This goes hand in hand with improved systems, strengthened institutions (including laws and policy) and greater synergy between national and international approaches. The ICGLR Regional Training Facility (RTF) on Prevention and Suppression of Sexual Violence in the Great Lakes Region runs training programmes to strengthen the capacity of military justice systems within ICGLR member states to investigate and prosecute cases of sexual violence and related crimes. The facility is still new and should be supported to cover the region.

Conclusion

Sexual violence in conflict is now recognised as a core security challenge. Women and children are frequently the targets of sexual violence before, during and after armed conflict, with rape, sexual slavery and other forms of SEA increasing. The issue of SEA by peacekeepers and humanitarian workers remains a problem for the UN – one

that requires effective and strong action. Many allegations are not properly investigated by member states – or are considered unsubstantiated – and when resolved, the perpetrators get very lenient disciplinary measures or criminal sentences. Strengthening the prevention of and response to CRSV, exploitation and abuse therefore calls for pragmatic reforms at the national, regional and international level. Protecting and promoting women’s human rights and resolving the problem of SEA by peacekeeping personnel is a shared responsibility, and can only succeed with firm commitment and action by the UN, member states and non-state actors. There is much to be done to implement a zero tolerance policy on sexual violence, exploitation and abuse – noting that immunity must not mean impunity. Training for peacekeepers on the protection of human rights should be continuous. Sustainable funding is also necessary for building long-term sustainable engagement with communities, therefore funding for frontline responders should be long term and not only focused on emergency phases. All these measures should be complemented by physical protection and the economic empowerment of the community (especially women and children) to reduce their vulnerability to sexual violence, exploitation and abuse. Further, cooperation among the different professionals involved in managing cases of SEA is essential to avoid revictimisation in the judicial process. ▲

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ACCORD IS PLEASED TO ANNOUNCE THREE NEW PUBLICATIONS

Peace Agreements and Durable Peace in Africa

This edited volume is the result of a joint project between the Department of Peace and Conflict Research (DPCR) at Uppsala University in Sweden, and ACCORD. Co-edited by Grace Maina, former Manager of ACCORD's Knowledge Production Department, and currently Political Affairs Officer at the United Nations Mission in South Sudan; and Erik Melander of DPCR, this book is a reflection of ACCORD's long-established approach of bridging the knowledge gap between the

practice and theory of conflict resolution. The volume was published in January 2016 by the University of KwaZulu-Natal (UKZN) Press. This publication contributes to the body of knowledge on peace agreements by examining cases of African countries' post-conflict experiences in negotiation and the implementation of peace agreements. Profiled country case studies include: Angola, Burundi, Chad, Côte d'Ivoire, the Democratic Republic of the Congo, Somalia, South Sudan and Uganda. Readers have the opportunity to examine conflicts on the continent, and understand the factors that promote or undermine the success of peace agreements. The publication provides in-depth insights on peacemaking that will aid researchers and practitioners and will inform better practice in articulating and implementing peace agreements in Africa. The book is currently available for purchase from UKZN Press and online book sellers.

Deconstructing Women, Peace and Security – A Critical Review of Approaches to Gender and Empowerment

Published in March 2016, this edited volume offers a critical review and analysis of a number of gender and empowerment focused policies and approaches implemented since 2000; examines lessons learnt and an in-depth study of four case-studies in particular. Co-edited by Martha Mutisi, former Manager – Interventions at ACCORD and currently at the International Development Research Centre, and Sandra Cheldelin, professor at the School of

Conflict Analysis and Resolution (S-CAR) at George Mason University, the book calls out the need for conceptualising gender as a social structure in policy construction. The book's critical review of rights and protection of women and empowerment efforts is organised around initiatives in nearly a dozen African countries. The data are also informed (and confirmed) outside the continent in Nepal, Sri Lanka and Indonesia. Drawing on the authors' unique expertise, the book assesses the 'good intentions' of policies designed

and implemented with core beliefs that they will be good for women and provides an insightful analysis of what is (and is not) working. The volume is currently available for purchase from HSRC Press and online booksellers.

The African Union Panel of the Wise: A Concise History

This book, authored by João Gomes Porto and Kapinga Yvette Ngandu, was published by ACCORD in January 2016, in collaboration with the African Union (AU). Focused on the work of the AU Panel of the Wise, which since its launch in 2007 has become an important component of the African Peace and Security Architecture, this groundbreaking book highlights the considerable efforts being made to develop African institutions and infrastructures to ensure peace, stability and development now and into the future. The book discusses phases in the gradual institutionalisation of the Panel,

including the formation of the Pan-African Network of the Wise and Friends of the Panel of the Wise. The book may be accessed for free on ACCORD's website at www.accord.org.za, and print copies may be obtained via ACCORD's Resource Centre.

