Report from a high-level symposium on

Enhancing capacities to protect civilians and build sustainable peace in Africa

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Introduction

How can civilians be best protected from gross human rights abuses, crimes against humanity, or genocide? How can peace be best supported and sustained after periods of violent conflict? What are the duties of national governments, regional organisations, civil society and the wider international community when it comes to civilian protection and peacebuilding?

These questions are of global importance, but they are particularly critical to Africa. In recent decades, the African continent has suffered disproportionately from violent conflict and gross abuses of human rights. From Somalia to Rwanda, from Northern Uganda to Sierra Leone, from the Democratic Republic of the Congo to Darfur, millions of Africans have been killed, injured or displaced by violence and armed conflict. African and wider international responses to these crises have been woefully inadequate.

A critical starting point for thinking on this issue is the work of the International Commission on Intervention and State Sovereignty (ICISS). The Commission, a body composed of eminent personalities across the world, including prominent Africans, presented its report titled *The Responsibility to Protect* in late 2001.

The report proposed a reconceptualisation of sovereignty – as a responsibility rather than only a right. It asserted that "sovereign states have the primary responsibility for the protection of their people from avoidable catastrophe – from mass murder, rape, starvation – but when they are unable or unwilling to do so, that responsibility must be borne by the wider community of states".

The report suggested that the responsibility to protect embraced three specific responsibilities. Firstly, a "responsibility to prevent": to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk. Secondly, the "responsibility to react": to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and

international prosecution, and in extreme cases military intervention. Thirdly, the "responsibility to rebuild": to provide, particularly after a military intervention, full assistance with recovery, reconstruction and reconciliation, addressing the causes of the humanitarian crisis the intervention was designed to halt or avert.

The report has generated considerable debate among governments and civil society organisations worldwide. Some of its key recommendations were taken on board by the High Level Panel on UN Reform in 2004, and by the UN Secretary General in his March 2005 *In Larger Freedom* report. In July 2005 a broad conception of the responsibility to protect was endorsed by over 500 civil society organisations through the Global Partnership on the Prevention of Armed Conflict (GPPAC). The principle of the responsibility to protect was endorsed by over 170 governments at the UN Millennium Review Summit in September 2005.

Alongside the work of the ICISS Commission and the debate it has generated, there has been much discussion and action on these issues in Africa. Interestingly, Africans and non-Africans who have addressed these questions have reached broadly similar conclusions. In his keynote address to the Symposium, Ambassador Said Djinnit, AU Commissioner for Peace and Security, noted that the thinking underlying the shift from the OAU's policy of non-interference to the AU's new policy of non-indifference mirrors the ideas of conditional sovereignty and the responsibility to protect developed by the ICISS. As he put it, we are all responding to the same failures, not least the monumental failure to prevent genocide in Rwanda in 1994.

At the Symposium, Africans and non-Africans also agreed that the real challenge now is to develop institutions, structures and capacities that operationalise these new commitments and close the large gap between the declared aspiration to protect civilians and the all-too-common abuses that occur on the ground. In his remarks, Ambassador Djinnit outlined some of the concrete steps that the AU has recently taken in this regard. The Ambassador stressed that the AU has made commitments to deliver on the entire prevention-reaction-rebuilding spectrum. These include the work of the AU Peace and Security Council, plans for the establishment of

a Continental Early Warning System, the creation of the African Standby Force, and the recent release of a draft post-conflict reconstruction and development framework.

This gap between aspiration and reality is most acute in Darfur, where the African Union Mission in Sudan (AMIS) has – despite its best efforts – clearly not been able to provide effective protection or prevent massive human rights abuses. In different ways, there are also issues about protection and its linkages to sustainable peacebuilding in Burundi, and this formed another important focus of our discussion at the Symposium.

The purpose of the Symposium was to help think through how Africans and the wider international community could significantly strengthen their capacity to ensure greater civilian protection, particularly on the reaction and rebuilding pillars of the responsibility to protect spectrum. It brought together 30 distinguished participants from the AU, African, European and North American governments, the African Development Bank, ECOWAS, the United Nations, as well as selected civil society organisations. Participants were invited to address a number of key questions:

- What role can the AU Peace and Security Council, the Continental Early Warning System and the African Standby Force play in providing more effective civilian protection in Africa?
- How can emerging AU capabilities in this area build on those of Africa's Regional Economic Communities?
- What deficits of capacity may need to be filled by the UN and other international partners?
- What are the lessons to be learned from Darfur and Burundi, for ensuring civilian protection during the "reaction" and "rebuilding" phases?
- How and when should the responsibility to protect civilians be transferred from international actors to national stakeholders, in a way that serves the interests of the most vulnerable populations?
- What is an appropriate division of labour between national, regional and international actors in delivering on the responsibilities to prevent, react and rebuild?

The Symposium was divided into four sessions. The opening session enabled participants to hear an address by Commissioner Djinnit, comments by Canadian Ambassador Yves Boulanger and by the organisers. The second session focused on enhancing African capacities to react. The third session focused on the responsibility to rebuild. The organisers presented a preliminary synthesis of the discussions in the final session.

This report reflects the structure of the day's discussions. Since the main part of the Symposium was conducted under Chatham House rules, from this point onward contributions will not be attributed to particular participants. A full list of participants is included at the end of this report.

Enhancing the Capacity to React

The second session of the Symposium focused on the responsibility and capacity to react to gross human rights abuses, war crimes, genocide or crimes against humanity in Africa. The formal presentations addressed respectively: 1) the African Standby Force (ASF), 2) the experience of ECOWAS in its interventions in the Mano River conflicts, 3) the role of the United Nations in supporting AU and African regional initiatives in the area of peace and security and 4) the operational challenges and dilemmas facing AMIS.

The African Standby Force (ASF)

The stated rationale for the ASF is that the AU needs a collective peacekeeping and peace support operations capacity to deliver on the ambitious peace and security objectives set out in the AU's Constitutive Act. Another stated reason for Africa to acquire this capacity is because there are clear limits to which the UN or the wider international community will be willing or able to address peace and security issues on the continent. Although references to civilian protection in AU founding documents are limited, the AU has publicly asserted that its approach to peace and security is very closely aligned with the idea of the 'responsibility to protect', as developed by the ICISS. And the ASF, which derives from the provisions of the AU's Constitutive Act and the Protocol establishing the Peace and Security Council, is clearly envisaged by the AU as having a role in the protection of civilians in Africa.

It is proposed that the ASF be based on five regional brigades drawn from each of the five African sub regions, based on the five Regional Economic Communities (RECs), namely the Arab Maghreb Union (UMA) for North Africa, the Economic Community of West African States (ECOWAS) for West Africa, the Economic Community of Central African States (ECCAS) for Central Africa, the Inter Governmental Authority for Development (IGAD), the Economic Community of East Africa (EAC) for East Africa and the Southern African Development Community (SADC) for

Southern Africa. It is intended that the ASF should be able to operate across a broad range of conflict and security situations. The thinking within the AU's Peace and Security Council is that the ASF will need to plan for six distinct scenarios along a spectrum. These scenarios include small observer missions, classic peacekeeping operations, and, the most challenging of all, large-scale interventions in response to grave human rights violations and conflict. While the rationale for this initiative is for Africans to lead and be seen to lead operations on their continent, in many cases they may co-deploy with the UN. It is also proposed, for example, that these regional brigades should be linked to the UN Standby Arrangement System (UNSAS). This is receiving further thinking within the AU system.

Despite the scale of challenges facing the operationalisation of the ASF, some progress has already been made in starting to develop its planning and operational structures. It has been agreed that at the AU Commission level there will be a single continental planning element (PLANELM) and a single continental military logistic depot (MLD). For each African region, it is now agreed that there will be a permanent Brigade HQ, a permanent planning centre, a Standby Brigade, a MLD and training facilities. Moreover, a series of workshops are being held on the ASF in each of the five African sub-regions. These have been designed to think through institutional and operational issues including questions of doctrine.

The Symposium discussion highlighted four particular issues of concern about the ASF which need to be addressed. Firstly, there are difficulties in basing the proposed regional brigades on Africa's existing RECs. As a result of overlapping membership of the RECs, there is some confusion as to where certain countries fit. Angola and Tanzania, which have dual membership in two regions, serve as an example. Secondly, some of Africa's regional groupings have a more significant peace and security capacity than others. For example ECOWAS is an established player on peace and security issues within West Africa, while Central Africa has limited capacity. Thirdly, there needs to be greater clarity over the relationship between the ASF and the UN, particularly with regard to the UNSAS. If the ASF simply becomes part of the UN standby arrangements, should the UN approach individual countries, RECs or the AU for UNSAS contributions? Fourthly, there are

real issues about whether Africa currently has the capacity or sufficient political will to undertake major interventions, specifically to address gross violations of human rights, crimes against humanity or genocide, particularly when the government of the country in question is primarily responsible for these abuses. The experience with AMIS in Darfur suggests that broader international engagement and support is required to ensure more effective civilian protection at the operational level. A priority issue for the AU's Peace and Security Council is therefore to examine what kind of capacity would be required for Africa to play a more effective role in extreme scenarios and what support is required from the international community in such cases.

The experience of ECOWAS

Through ECOWAS, West Africa has one of the most developed peace and security institutions on the continent. The involvement of ECOWAS in a diverse range of security missions over the last decade has also generated some important lessons for regional peace and security initiatives elsewhere on the continent and for the AU, not least in respect of civilian protection. The first phase of ECOWAS operations included missions in Liberia between 1990 and 1998 and in Sierra Leone from 1997 to 1998. These were described by our speaker as 'hybrid missions', in that the declared objectives of the missions were partly humanitarian and partly the restoration of constitutional order. In neither of these two cases was civilian protection explicitly articulated as a mission objective, even though humanitarian concerns motivated the decisions for intervention.

However, these missions also involved serious weaknesses. These included: poor planning, no clear mandate for civilian protection, poor civilian oversight of missions, limited coordination with relief agencies and poor logistics and communications strategies. While the ECOWAS Monitoring Group (ECOMOG) did succeed in ending Liberia's civil war and contributing to the stabilisation of the situation in Sierra Leone, it had a poor record of protecting civilians. Sustainable peace required further interventions by the UN and the international community.

In an attempt to strengthen the role of ECOWAS in respect of peace and security, in 1999 a Protocol was adopted Relating to Conflict Prevention, Management, Resolution, Peacekeeping and Security. And in 2001 a Supplementary Protocol on Democracy and Good Governance was adopted. These protocols are the current normative frameworks for ECOWAS peace support operations. Some clear benefits have resulted from these protocols. There are now codified principles of civilian oversight of peace support missions and clearer guidelines on civil/military cooperation. There are also clearer lines of accountability from ECOWAS headquarters to field operations.

These changes have fed through into improvements in the operational performance of ECOWAS supported missions, for example ECOMIL in Liberia in August 2003. But further improvements are needed, not least to strengthen ECOWAS's contribution to civilian protection and its links to the AU's Peace and Security architecture. Key priorities identified in the Symposium were: embedding ECOWAS structures into the ASF and linking it to the AU and UN systems, the development of better civilian and policing capacities, the development of a clearer operational framework for ECOWAS-supported missions and more effective interfaces with civil society organisations and think tanks.

Three further issues were raised in the discussion about ECOWAS' role in peace and security and civilian protection. Firstly, there was a concern about the precise relationship between regional organisations like ECOWAS and the AU. A fairly widely held view at the Symposium was that there needed to be a clearer division of responsibilities between regional bodies and the AU and more thought given to how the two should relate. This should include a standardisation of doctrine across the continent. Secondly, there was a concern about the hegemonic role of Nigeria within ECOWAS and whether this body could really be considered a genuinely regional grouping, given the dominance of one state within it. It was suggested by some that the appropriate response to this concern was not to denigrate the role of Nigeria but to urge other states in West Africa to make a larger contribution to ECOWAS-supported peace and security and civilian protection operations. Thirdly, there was an issue raised about the role of

donor support for regional capacity. There is a tendency for donors to work with preferred regional partners, particularly those that already have more developed institutional capacity and/or strategic significance. But this approach could distort the AU's attempts to build its peace and security capacity on solid regional foundations. Donor policy therefore needs to be sensitive to this and should seek to achieve balance in enhancing the capacities of African regions.

UN support for African peace and security

When it comes to peace support and protection operations in Africa, no single organisation is right for every single circumstance. There needs to be a range of organisations with a range of capabilities, expertise, and effective collaboration between different organisations. In this context, it is an unhelpful debate to suggest that the choice is between an African *or* UN response. "Afro-centrists" suggest that there should be African solutions to African problems and play down the role of external actors. By contrast, "Afro-sceptics" suggest that Africa lacks the capability or the will to undertake these missions and that a stronger UN or international role is required. The reality, however, is less clear cut. African regional organisations, the AU and the UN all have a crucial role to play in addressing peace, security and protection issues on the continent.

But what specific contribution can the UN make, directly and through its support for African-led operations? There is already considerable work underway in the Department for Peacekeeping Operations (DPKO) in UN Headquarters on how more effective support can be provided to Africans in this area based on the recognition that "peacekeeping is no longer the exclusive preserve of the UN." In the short to medium term, the UN is focused on providing the AU with the support needed to conduct effective "bridging operations" (an initial response to a crisis before a more robust UN-led mission is deployed). This includes support with strategic planning, the matching of troops with equipment from member states, and securing strategic air and sea-lift capabilities.   In the longer term, the UN is keen to use the ASF as a vehicle for promoting effective African participation in UN peacekeeping and peace support operations. It also wants to see greater

harmonisation of doctrine and training standards across the regional, continental and UN levels.

To take forward these initiatives – and to secure greater UN and international support for African initiatives in this area – it is proposed that a strategic framework document be presented by DPKO to the UN Secretary General for inclusion in his next report to the General Assembly. This could potentially provide the UN and DPKO with a clearer mandate for assisting the AU on peace support and protection missions.

The experience of the AMIS

AMIS' role in Darfur has been a critical test case for the AU's capacity and willingness to protect civilians on the continent. Its mission has been an enormously difficult and complex one. AMIS has been tasked to monitor, as far as possible, the humanitarian ceasefire agreement of April 2004 and to report on violations; remain in touch with local authorities to build confidence and increase dialogue; monitor humanitarian convoys (these are often attacked); and establish police stations in various locations to reduce attacks.

However, despite some limited achievements, AMIS has largely been unable to provide effective protection to most of the population of Darfur. Over three years, the conflict has claimed between 70,000 and 400,000 lives, and two million people have been displaced. Many of the abuses have been carried out by militias linked to the Sudanese Government – particularly the *Janjaweed* – but a growing number have also been committed by the Darfurian rebel groups, the Sudan Liberation Army/Movement (SLA/M) and the Justice and Equality Movement (JEM).

AMIS has lacked the necessary troops, equipment and resources and, more fundamentally, has operated within a very weak mandate that does not address the desperate humanitarian situation on the ground. The ceasefire between the Government and the rebels (which AMIS is supposed to be monitoring) is frequently violated. The situation has actually deteriorated in recent months, with humanitarian access at its lowest in two years.

In principle, a decision has now been taken by the AU Peace and Security Council in March 2006 to replace AMIS with a UN Mission, although this

Mission may not take over until September 2006. An AU force will stay on in the interim, but the transfer of the AU mission to the UN is being contested by the Government of Sudan. This transitional phase will need increased international support. But it was suggested at the Symposium that the new UN force in Darfur needs to be established on much stronger foundations. The challenge of securing more effective civilian protection in Darfur has three   related elements.

First, a new UN mission needs to be properly resourced, with a significantly increased number of troops, with appropriate equipment and logistical support. Only the major powers are really in a position to provide these resources, though there are other countries that could be encouraged to provide troops. The escalating proxy war between Chad and Sudan threatens to produce a further deterioration in the humanitarian situation and reinforces the need for a larger and more effective international security presence, particularly in West Darfur and along the border with Chad.

Second, the mission needs a more robust and comprehensive mandate. A serious diplomatic effort is needed to get support on the UN Security Council for a Chapter VII mandate focusing on civilian protection. To date, the Chinese and Russian governments have both opposed stronger international action in Darfur. The Sudanese Government has also sought to block the deployment of a UN civilian protection force. If the responsibility to protect is to be a meaningful commitment, then the Sudanese Government and others should not be allowed to exercise a veto over such a deployment. On the other hand, there is also need for greater unanimity among the permanent five members of the Security Council.

Third, there needs to be much more energy put into trying to find a lasting resolution of the dispute. The AU should remain the lead actor in trying to secure a political breakthrough at the ongoing talks in Abuja, but with increased international pressure and support. While there is sometimes a tension between peace and justice, in this case, the threat of sanctions and tougher legal action against the guilty parties could help to focus minds on the need for an early resolution of the conflict. Part of the problem with recent policy decisions has been that there have been no costs for flagrant breaches of the ceasefire. That means that there should be close

cooperation between AMIS, a future UN Mission and the International Criminal Court (ICC). International actors also need to recognise that the considerable effort they have invested to secure the comprehensive peace agreement between the North and South will be put in jeopardy if violence continues with impunity in Darfur.

The Responsibility to Rebuild

The afternoon session of the Symposium was devoted to the responsibility to rebuild. Several participants questioned why the AU seemed to be focusing more on developing capacities to react, rather than capacities to prevent and rebuild. Several African participants suggested there might be a tension between the considerable investment in creating an African Standby Force and the need for greater civilian capacities – in areas like political oversight and human rights monitoring – if the AU wishes to be more effective in its support for peacebuilding on the continent.

AU strategy on post-conflict reconstruction

The AU has developed a draft Policy Framework for Post-Conflict Reconstruction and Development (PCRD), currently under consultation. The draft Framework suggests several principles that should guide AU contributions to PCRD. First, there should be African leadership of PCRD efforts. Second, there needs to be broad national and local ownership of PCRD. Third, it is important that there be greater coordination and coherence between the different actors involved in the process. Fourth, building sustainable peace is something that requires long term commitment and engagement. Fifth, it is important to learn from the experiences of recent attempts to promote peace in post-conflict situations.

The document also outlines desirable approaches to PCRD in five areas:

- Security, focusing on the security of people and promoting "the transformation of the organs of state, especially those relating to security and justice."
- Political governance and transition, focusing on the promotion of inclusive and accountable political processes from the local to the national levels.
- Human rights, justice and reconciliation, promoting context-specific approaches to challenges such as the tension between impunity and reconciliation.

- Humanitarian/emergency assistance, linking urgent life-sustaining and protection measures to longer-term recovery strategies.
- Reconstruction and socio-economic development, combining measures to stabilise the economy, renew growth and address distributional imbalances that may fuel conflict.

In the discussion, several participants commended the AU for taking a comprehensive approach to PCRD, yet cautioned that putting this ambitious approach into practice would remain very difficult. Within the AU Commission, there is still a need for inter-departmental coordination and greater financing. Beyond the AU, there is also a need for a sensible division of labour with other organisations, including the UN's new Peacebuilding Commission. However, other participants cautioned that one should have realistic expectations about this new UN body.

The coming months provide a crucial window of opportunity for broad input into the AU's emerging policy on post-conflict peacebuilding. Indeed, the draft Framework will be discussed with civil society leaders and experts at meetings in April-May 2006, and is expected to be approved by member states at the July 2006 AU Summit in The Gambia.

The wider development context

Participants also heard an update on the African Development Bank's (ADB) new approach to peacebuilding and state fragility. Like most multilateral development banks, the ADB has traditionally not been an active lender in situations of violent conflict, mainly because war-affected states are rarely credit-worthy. This began to change several years ago when, following the example of the World Bank, officials recognised that the ADB could not afford to ignore states affected by war. This shift has been supported by ADB President Kaberuka, who is determined that no African country should relive Rwanda's experience at the beginning of its reconstruction process in 1994, when the ADB "came empty-handed" to a country in dire need.

As such the ADB recently developed three instruments to engage in war-affected economies. Firstly, an Emergency Assistance Policy; secondly,

some Post Conflict Assistance Guidelines; and thirdly, a Post-Conflict Assistance Facility of USD 140 million/year. The latter is focused on helping to clear war-affected countries' arrears through a combination of concessional lending and one-off grants. At the heart of this new approach is a shift from lending based on strict economic performance criteria to lending based on a recovery model.

The ADB is currently formulating a Fragile States Strategy that extends this approach to a broader range of African economies in crisis. Its priorities will be to support the re-building of state capacities, especially to deliver essential public services, and to promote broader economic reforms. The ADB recognises that it takes at least 20-25 years to consolidate post-conflict reconstruction, and that this requires the long-term engagement of many international agencies. The ADB has recently reached an accord with the AU and the UN Economic Commission for Africa (UNECA) to coordinate efforts in this area. It is also exploring ways of cooperating with the World Bank's Low-Income Countries Under Stress (LICUS) initiative, and the OECD Development Assistance Committee's Learning and Advisory Process on Fragile States.

Burundi – a case study

At the official level, the AU Mission (AMIB) and the UN Operation in Burundi (ONUB) are widely seen as successful. AMIB helped stabilise the political-security situation in 2004 and laid the foundations for a more multi-dimensional peacebuilding process in mid-2005, when ONUB took over the peacekeeping mandate, including subsuming the African Mission. Five reasons were put forward at the Symposium to explain the relative success of the Burundi process.

- Long-term engagement by the OAU/AU, the UN and key African member states such as Tanzania, Uganda and South Africa, including the personal engagement of key individuals, such as the late President Julius Nyerere and former President Nelson Mandela.
- A common vision and principled cooperation among international actors based on a clear division of labour.

- Predictability of deployments, including the planned transition from AMIB to ONUB.
- Ownership by the Government of Burundi throughout the process.
- Social inclusiveness of the peace process in Burundi, namely the inclusion of a wide range of stakeholders from the Army to human rights and women's organisations.

However, despite these achievements, a number of concerns were expressed about the process. Chief among these, from the standpoint of human protection, is security sector reform (SSR). Reforms to the Army and Police were seen as central to the peace process, because violations of human rights and democratic norms by these institutions have historically been a major source of instability and conflict. For this reason, the Arusha Peace Accords included provisions for the:

- Demobilisation, disarmament and reintegration (DDR) of 20,000 combatants.
- Creation of a new National Police.
- Sharing power between the two ethnic groups, through fusion of the former national army (dominated by Tutsi) with former Hutu rebel movements to attain a 50-50 balance in the new army and police.
- Exclusion from these processes of personnel responsible for grave human rights violations and efforts to professionalise these bodies.
- International monitoring of these processes.

It was noted in this session that real progress had occurred towards the implementation of these Accords, particularly since a former rebel group – the CNDD-FDD – took office in August 2005. Advances include the demobilisation of over 17,000 ex-combatants, the creation of a new National Police and the integration of Hutu movements into the Army and Police. Yet there remain huge issues about civilian protection and human rights violations. It was suggested that the recruitment of former irregular combatants into the Army and Police, without proper screening of their human rights records, explains why serious human rights violations in Burundi are still continuing. In addition, the PALIPEHUTU-FNL has

not yet signed a ceasefire with the government and remains engaged in armed conflict in three western provinces. The situation is compounded by the fact that the new army and police have been accused of targeting civilians suspected of sympathising with PALIPEHUTU-FNL rebels. A more effective strategy for civilian protection will require:

- The Government of Burundi to replace senior Army and Police officers who are responsible for grave human rights violations.
- Deeper reforms to the judicial system.
- A greater role for civil society organisations in documenting and exposing human rights violations, assisting victims, and in lobbying the Government to meet its responsibilities to protect all of its citizens. The media may also have an important role in this regard.
- The international community, including the AU, to provide more training for Army and Police personnel on the protection of human rights, and intensify dialogue with the CNDD-FDD Government on these issues.
- Greater support for civil society involvement in processes related to SSR, ending impunity and long-term peacebuilding.

During the discussion, several participants noted that the AU and UN could reflect systematically on these issues through a joint lessons-learned exercise in Burundi. Some suggested that this might yield relevant lessons for AU-UN sequencing in Sudan, and in future missions deployed by the AU. However, one senior African participant pointed out the critical difference between the two contexts: while the Government of Burundi was formally committed to the peace process, the Sudanese Government continues to resist further international involvement in Darfur.

Internally displaced persons

A final theme of this session was the need for greater protection of internally displaced persons (IDPs). Over 20 million African IDPs remain without protection. There also tends to be insufficient focus on the needs of IDPs during post-conflict reconstruction and peacebuilding. This is despite the recent development of new international instruments to safeguard the

rights of IDPs. The AU is also in the process of developing a normative framework to protect the rights of IDPs.

In addition, it was suggested that better protection for IDPs might be secured through greater use of bodies such as the African Commission for People's and Human Rights (ACPHR) and the Coordinating Committee on Forced Displacement, as well as field missions and new mechanisms such as the AU Special Representative for the Protection of Civilians. It was suggested that more capacity building assistance may also be required to assist countries meet their commitments to IDPs.

However, it was also noted that some African governments show limited interest in protecting internally displaced people or are themselves the source of that displacement. In these cases, the dilemma for regional or international policymakers is an acute one, and mirrors the wider dilemmas around the responsibility to protect. Denouncing abuses alienates the governments that are responsible and may make it harder to get practical assistance through to those who need it. But a serious commitment to protect IDPs may require a sizeable protection force or other forms of pressure that are able to bring about a change in those policies that fuel forced displacement. Several participants suggested that more research is required on practical solutions to this dilemma in particular circumstances.

Conclusions

It is possible to identify a number of tentative conclusions arising from the Symposium.

- At the normative level, there has been considerable progress over the last few years in integrating the idea of a responsibility to protect civilians into the new peace and security architecture of the African Union. The thinking underlying the shift from the OAU's policy of non-interference to the AU's new policy of non-indifference mirrors and merges the ideas of conditional sovereignty and responsibility to protect developed by the International Commission on Intervention and State Sovereignty (ICISS).

- There is a spectrum of intervention required to secure more effective protection of civilians, from preventive actions, to reaction, through to post-conflict reconstruction and peacebuilding. The AU, and some African sub-regional organisations, are making progress in developing their institutional and operational capacity in these three areas.

- However, the AU's existing capacities fall well short of what is required to ensure effective protection. As one participant at the Symposium put it, "Africa's existing capacities for addressing these issues are being stretched to their limits".

- In terms of the responsibility to react, the AU is farthest from having a capacity to intervene forcibly, in a non-permissive environment, to protect civilians. Thinking through what kind of capacity and institutional machinery is needed for this type of scenario should be a real priority for the AU, the UN and the international community which need to concretise international support for the AU.

- There needs to be a clearer division of labour between regional organisations and the AU and between the AU and the UN.

- For peace processes to be effective, not least in protecting civilians, they need to be more inclusive, giving everyone, including regional stakeholders, a stake in the process. Where people feel they have no

stake in the process, there is a real risk that countries slip back into violence and war.

■ The African Union is developing its thinking and capacity on post-conflict reconstruction, including the formulation of a draft Policy Framework for Post-Conflict Reconstruction and Development. Similarly, the African Development Bank has also developed new norms and mechanisms in this field, and is currently drafting a Fragile States Strategy. The immediate challenge will be for African institutions to implement these new commitments.

■ Security sector reform is a key element in protecting civilians. Demobilised soldiers and ex-combatants are sometimes responsible for human rights abuses against civilians. A reformed security sector, one that is restructured and subject to proper civilian control, is essential for greater civilian protection.

■ It is important to think through the spatial dimensions of protection. The standard assumption is that what matters most is protection at the national level, but many abuses occur at the local level. Protection strategies need to focus greater attention on ground level realities. .

■ It is important to locate protection strategies within their international legal context, in particular in light of the existing protection mechanisms established under human rights and international humanitarian law. All the existing legal norms pertaining to protection, whether in time of war or of peace, and to the use of force and armed intervention under international law, must be fully complied with by both states and non-state actors.

■ At present, there are no adequate triggers to prompt strong and concerted action in response to grave human rights abuses and international crimes, and no systematic and universal accountability mechanisms for those responsible for these crimes. While political calculations governing interventions cannot be ignored, it is inappropriate that responses (of any description) occur only when individual governments feel inclined to act. Faced with clear evidence of massive human rights abuses and systemic crimes, there should be

a requirement on governments and the international community to explain how they intend to address these crimes.

■ There are inadequate mechanisms to monitor states' and international organisations' performance on the responsibility to rebuild. How could key bodies be held to account for their contributions to sustainable peacebuilding, including security sector reform, in Africa?

■ The how of intervention matters as much as the when and the why. As the ICISS report notes, it is important that good intentions are not tarnished by inappropriate means, across the entire R2P spectrum from prevention to reaction to rebuilding.

Next Steps

There will be several opportunities over the next year to feed into African and wider international debates on the issue of civilian protection. These include:

- Ongoing workshops on the African Standby Force.
- Consultations by the AU on its draft Post-Conflict Reconstruction Framework.
- Consultations by the African Development Bank on its Fragile States Strategy.

The organisers of the High-Level Symposium may also host a second event in late 2006 exploring how civil society actors and others can generate the requisite political will to implement protection measures across the R2P continuum. This Symposium brought together two tracks of research which will be continuing in 2006 and beyond.

The Institute for Public Policy Research (ippr, UK) and the Institute for Security Studies (ISS, South Africa) will contribute through their 15-month joint research project to:

- Examine existing mechanisms for preventing and reacting to large-scale violent conflicts and gross human rights abuses in Africa; and
- Set out new policy proposals for strengthening national, regional and international responses to these conflicts and abuses.

This project is supported by the Swedish Ministry of Foreign Affairs, the Ford Foundation and the Norwegian Ministry of Foreign Affairs.

The Canada-based North-South Institute (NSI) and Burundi's Centre d'Alerte et de Prevention de Conflits (CENAP) will contribute primarily through their joint project on reforming the security sector to protect the most vulnerable in Burundi. This project is a follow-on initiative from policy research that NSI conducted on the African Union's capacity to deliver on the responsibility to protect in Burundi and Darfur. The NSI-CENAP research project seeks to:

■ Understand the modalities of re-transferring the responsibility to protect back national actors in the wake of external military interventions.

■ Explore the challenges and possibilities of human rights-based, pro-poor approaches to security sector reform in Burundi and beyond.

The overarching theme of both research projects is to think through how the 'Responsibility to Protect' principles could be operationalised in Africa along the prevention-reaction-rebuilding continuum. Given the complementarity of these projects, the relevant organisations are exploring possibilities for further collaboration.

Further Information

For further information about the organisations and their projects, see

- Centre d'Alerte et de Prévention des Conflits: www.cenap.bi
- The Institute for Public Policy Research: www.ippr.org.uk
- The Institute for Security Studies: www.issafrica.org
- The North-South Institute: www.nsi-ins.ca

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