



## International Peace Support Training Centre Nairobi, Kenya

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SECOND QUARTER



*Transnational Insurgency in Africa:  
A Review of Al Shabaab, Lord's  
Resistance Army (LRA) and Boko  
Haram*

*Implementation of the code of  
Conduct in PSO: Case Study of  
AMISOM and MONUSCO*



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## Foreword

The International Peace Support Training Centre (IPSTC) is a research and training institution focusing on capacity building at the strategic, operational and tactical levels within the framework of the African Peace and Security Architecture and has grown into a regional Centre of Excellence for the African Standby Force (ASF) in Eastern Africa. IPSTC addresses the complexities of contemporary UN/AU integrated Peace Support Operations (PSOs) by analysing the actors and multi-dimensional nature of these operations. The research conducted covers a broad spectrum of issues ranging from conflict prevention through management to post-conflict reconstruction. The Centre has made considerable contribution in training and research on peace support issues in the Great Lakes and Horn of Africa regions through design of training curricula, field research and publication of Occasional Papers and Issue Briefs. The Occasional Papers are produced annually, while Issue Briefs are produced quarterly. The issue briefs are an important contribution to the vision and mission of IPSTC.

This Second Quarter Issue Brief No. 3 (2015) has two titles on peace and security Architecture in East Africa: *Transnational Insurgency in Africa; A Review of Al Shabaab, Lord's Resistance Army (LRA) and Boko Haram* and *Implementation of the Code of Conduct in PSO: Case Study of AMISOM and MONUSCO*. The Issue Briefs provide insights into pertinent peace and security issues in the region that are useful to policy makers and aims to contribute to the security debate and praxis in the region. The articles in the Issue Brief are also expected to inform the design of training modules at IPSTC. The research and publication of this Issue Brief has been made possible by the support of the Government of Japan through UNDP.

**Brig. Robert Kabage**

**Director, IPSTC**

## Acronyms

AMISOM	African Mission in Somalia
AS	Al Shabaab
AU	African Union
BBC	British Broadcasting Corporation
CAR	Central African Republic
CDU	Conduct and Discipline Unit
DFS	Department of Field Support
DPKO	Department of Peace Keeping Operations
DRC	Democratic Republic of Congo
EA	East Africa
HSM	Harakat al Shabaab al Mujahideen (Al Shabaab)
ICC	International Criminal Court
IHL	International Humanitarian Law
IS/ISIS	Islamic State
LRA	Lord's Resistance Army
MINUSTAH	United Nations Stabilization Mission in Haiti
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO	United Nations Organization Stabilization Mission in the DR Congo
MOU	Memorandum of Understanding
NGOs	Non-Governmental Organizations
PSOs	Peace Support Operations
SEA	Sexual Exploitation and Abuse
SMA	Status of Mission Agreement
SPLA	Sudan Peoples Liberation Army
SSR	Security Sector Reforms

TCCs	Troop Contributing Countries
TFG	Transitional Federal Government
UK	United Kingdom
UN	United Nations
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Missions in Sudan
UNOCI	United Nations Operation in Côte d’Ivoire
UNOSOM	United Nations Mission in Somalia
UPDF	Uganda Peoples Defence Forces
US	United States of America
WW II	World War II (Second World War)

## Introduction to the Issue Briefs

The topics presented in this Second Quarter Issue Brief No. 3 of 2015 derive from two papers by IPSTC-based researchers: transnational insurgency in Africa and implementation of the Code of Conduct in PSOs with a Case Study of AMISOM and MONUSCO. The first paper examines the phenomenon of transnational insurgency with special attention to al Shabaab, LRA and Boko Haram organisations. The second examines the implementation of the Code of Conduct in Peace Support Operations drawing examples from AMISOM and MONUSCO.

The first paper analyses the occurrence of transnational insurgency and its impact on peace and stability in the region. Transnational insurgency is one of the characteristics of the Post-Cold War Era, and has had a negative impact on destabilizing the regions in which they operate. The fact that they operate in more than one state makes counterinsurgency efforts particularly difficult. In addition, the three insurgencies analysed by the author operate within at least one fragile state. Al Shabaab's recent defeats by AMISOM cannot overshadow its capacity to destabilize the Eastern Africa Region. Although Al Shabaab was born of the conflict in Somalia, it has been active in other countries like Kenya and Uganda.

Boko Haram, on the other hand, hits international news after cruel attacks on civilians. Their vision of society, particularly the role of women, resembles that in medieval times. It is not surprising that Boko Haram joined the idea of establishing Islamic Caliphates. The idea of a caliphate not only denies society fundamental human rights and democratic institutions but also challenges the Westphalian state system as it proposes a return to the pre-Westphalian concept of Caliphate.

The third organisation, the LRA, has been less active, yet they are still operational, and almost every week, innocent civilians are abducted, killed or raped by LRA members. They operate in between countries that have difficulties in controlling its own territory (DRC, CAR, South Sudan), aiming at innocent civilians.

The second paper, Implementation of the Code of Conduct in PSOs: Case Study of AMISOM and MONUSCO, evaluates how the code of conduct has been implemented in Peace Support Operations focusing on AMISOM and MONUSCO. The intention of this study is to raise awareness on the implications of ethical malpractices and violations in PSOs. The study will help to improve professionalism and therefore enhance the credibility of PSOs that lead to sustainable peace.



# Transnational Insurgency in Africa: A Review of Al Shabaab, Lord's Resistance Army (LRA) and Boko Haram

*Radoslaw L. Malinowski*

## Introduction

On 11<sup>th</sup> March 2015, Charles Onyango-Obbo, wrote an article under the controversial title: “EA is ‘lucky’ to have Al-Shabaab for its terrorists, not Boko Haram or IS” (Onyango-Obbo, 2014). This was barely a month before the Al Shabaab attack on Moi University’s Garissa Campus. The author argued that while Al Shabaab was simply an actor in the Somalia conflict, others wanted to change the whole socio-political set-up. The two studied insurgencies (together with less active but still operational Lord’s Resistance Army – LRA) are examples of how transnational insurgencies can be a challenge not only to a particular state but also to the whole region. Transnational Insurgents usually begin as actors of internal wars and then often spill across national boundaries, finding targets and sanctuaries in neighbouring countries.

In the post-Cold War era, transnational insurgencies working in weak and/or failed states and employing terrorist-related violence have become one of the biggest threats to regional and even global security (Kaldor, 2012). The insurgents cross international borders either for the purpose of extending their activities, or simply because their neighbouring countries can be a safe haven, providing bases for recruitment, supplies and outsourcing finances.

Transnational insurgency is usually more difficult to counteract as it requires cooperation from the affected states rather than state transnational actors. Insurgents usually operate in regions where states face the challenge of controlling their borders, thereby contributing immensely to the failing role of those states. They seize upon such state incapacity to fill the ensuing vacuum in governance. Their operations therefore pose a threat to peace and security as well as the stability of the state system in the region as a whole (Salehyan, 2009). Some of the transnational insurgencies not only challenge particular states but also the whole post-Westphalian state system. An example of this is Boko Haram and its links to ISIS, an insurgency that rejects the modern state-centred international system and instead tries to establish caliphates in places that are historically connected to

Islam. This shows that these movements not only attempt to create new actors within the international system but also try to replace it altogether.

This issue brief therefore analyses the three actively violent non-state actors whose impact goes beyond state borders. Al Shabaab, whose origins may be traced to the conflict in Somalia, has had an impact in the whole of East Africa while Boko Haram is responsible for destabilizing not only Nigeria but also countries like Cameroon or Chad. Finally, the Lord's Resistance Army, which originated in the late eighties in Uganda, has also conducted attacks in South Sudan, CAR and DRC. Although LRA may be less active in the 2000s when compared to its formative years, it still exists despite international counterinsurgency efforts. This paper first analyses the structures of the three transnational insurgencies before examining some of the factors that fuel the insurgencies e.g. religious extremism. It also proposes possible remedies to the problem of transnational insurgency in Africa.

## **Problem Statement**

Transnational insurgencies are difficult to contain because they use other countries as external sanctuaries. Since they do not typically gain support from any one ethnic or religious group, it becomes more difficult to contain them through “winning the minds and hearts” of the affected populations. Also, if any state provides support to a transnational insurgency (overtly or covertly), it makes any effort of containing them impossible.

Salehyan (2009) argues that use of external sanctuaries has been done by more than half of the world's insurgencies since the end of WW II. In addition, majority of the insurgencies took an active part in fostering the existent conflict. In extreme cases, they ignite regional wars as happened in the case of DRC (Salehyan, 2009).

Al Shabaab, the Somali-based organization shows that transnational insurgency has the ability to destabilize not only the host (typically failing or even failed) state but also the entire region. Al Shabaab was able to extend its operations to Kenya eventually prompting military intervention by the Kenya Defence Forces in Somalia.

The LRA represents the first characteristic of transnational insurgency – the capacity to operate over a long period of time. It was able to survive any counterinsurgency efforts by crossing international borders and/or even shifting operations to other/neighbouring states.

Finally, the third organization under review, Boko Haram, is an illustration of links between different movements with the same ideology-religious extremism, or with a common negative perception of the status quo. Boko Haram bases its identity on a radical interpretation of Islam and even claimed to have joined ISIS. ISIS or simply IS, refers to Islamic State, another transnational insurgency that destabilized security in the Middle East for some time. As both Boko Haram and ISIS openly reject the status quo in international relations, they add a new challenge to security in the post-Cold War era. Unlike national insurgencies that have a variety of aims but typically do not contest the international system (at most they aim at changing the boundaries or creating a new actor within the international system), these two openly reject the post-Westphalian status quo and aim at creating a new entity, a middle-ages construction of an Islamic state, the ‘Caliphate’. Though they may have remote chances of success, they certainly pose a significant challenge to regional and international security systems.

The three organizations negatively contribute towards peace. Al Shabaab is a major obstacle to the success of the AMISOM peacekeeping mission while Boko Haram has destabilized several countries in West Africa. The LRA contributes to the inherent state weakness of the DRC, South Sudan and CAR, all of which lie on the verge of being classified as failed states. Finally, like the LRA, Al Shabaab and Boko Haram have significantly contributed to the failure of state institutions. Being transnational, the three groups have the potential for unleashing violence across national borders. In addition, they often go for soft targets like unarmed civilians. Their presence affects governance, the economy and human security in their areas of operation.

## **Focus and Scope**

This paper examines the problem of transnational insurgency with the examples of Al Shabaab, Boko Haram and Lord’s Resistance Army. It analyses each insurgency, the counterinsurgency efforts undertaken to contain them and finally suggests steps that could possibly improve the effectiveness of counterinsurgency efforts. The following are the objectives of the study from which the research questions are derived.

## Objectives

- To identify and analyse the structures and strategies of Al-Shabaab, Boko Haram and Lord's Resistance Army;
- To determine the key factors that fuel the proliferation of transnational insurgencies in Africa; and
- To identify capacities and opportunities for concerted national and regional counterinsurgency responses.

## Research Questions

- What are the structures and strategies employed by Al Shabaab, Boko Haram and Lord's Resistance Army?
- What are the driving factors of transnational insurgencies in Africa?
- How can national governments and regional bodies address the growing problem of transnational insurgency?

# Definition of Key Concepts

## Transnational Insurgency

According to O’Neil, insurgency may be defined as “a struggle between a non-ruling group and the ruling authorities, in which the non-ruling group consciously uses *political resources* (e.g. organizational expertise, propaganda, and demonstrations) and *violence* to destroy, reformulate, or sustain the basis of one or more aspects of politics” (O’Neil, 1990: 13). The insurgency becomes transnational once the insurgents extend its sanctuary or operations to the territory of another state.

Typically, domestic insurgents operate within a state’s boundaries but the moment national insurgency becomes transnational, it takes many forms and has diverse causes. In situations where insurgencies branded as domestic begin to recruit fighters and raise resources among kin and supporters in neighbouring states, civil wars are more likely to occur in the border areas. Civil wars sometimes spill over into other states and may escalate into larger regional conflicts and concerns about the consequences of such conflicts may lead other states to intervene.

Where an insurgency occurs at the periphery of any state, there are chances that it will spread to other states (Buhaug, 2002). As in the case of Boko Haram, LRA or Al Shabaab, the insurgencies operate in contexts in which the borders of the neighbouring states are highly porous with little more than meaningless lines on a map. As such states may be too weak to effectively police their borders, chances are high that any domestic insurgency soon will metamorphose into a transnational one (Deutsch, 1977).

## Conflict System

The concept of conflict system can be particularly useful while discussing transnational insurgency. As Mwangi (1997) argues, conflicts must be understood “as an organic being whose life cycle has amoebic characteristics” (p. 2). Conflicts tend to create some sort of trans-boundary links with other countries in the region, and conflict borders are not necessarily synonymous with international borders. As each conflict has its own linkages that correspond with economic ties, or with ethnic relationships that one or more sides to a conflict has in the other country, there is a high possibility that the spill-over effect will happen. This can be observed in each of the insurgences discussed in the paper. For example, when we use the concept of conflict system in the Al Shabaab case, we realize that “the countries

of the Greater Horn relate together through shared conflicts even more than through shared borders” (Mwagiru, 1997, p.3). Using the conflict system concept, it is possible to understand the dynamics and reasons of how the Al Shabaab insurgency operated in Somalia first, and then extended its operations to Kenya as well as other states in the region. In fact, the conflict system theory posits that the transformation of a national insurgency into a transnational one is somewhat a natural occurrence.

## **The State**

The concept of the state has evolved gradually over the centuries. In international relations, the decisive moment for the emergence of the state system was the Treaty of Westphalia in 1648; where states began to play a key role in international relations (Goldstein and Pevehouse, 2014). One of the most popular definitions of the state was generated by the sociologist Max Weber. According to Weber, the state was “an institution that possesses a monopoly over the legitimate means of coercion and the ability to extract tax revenues in a given territorial space” (Weber, 1949). As such, a key attribute of any legitimate state is its sovereignty. Sovereignty is the characteristic of being politically independent of all other states. In political science terminology, sovereignty is usually defined as the most essential attribute of a state in terms of its completeness and self-sufficiency. It is sovereignty that bestows upon the state supremacy, legitimacy and authority in transacting domestic as well as foreign policy (Grinin, 2012). Sovereignty therefore means that the state is able to have a monopoly on the use of violence within its boundaries.

The term “failed state” was first coined by William Zartman (1995) as “a situation where the structure, authority, law and political order have fallen apart and must be reconstituted in some form, old or new” (p.1). The brand “failed state” basically suggests that the basic functions or rather core responsibilities of the state are not fulfilled due to reasons such as conflict or foreign intervention. The failing of a particular state is usually a process during which state institutions’ functionality deteriorates, usually due to internal violence (Rotberg, 2002). Rotberg (2002) classified the following as indicators of the failing state process: closed economy, political monopoly and loss of monopoly on the use of violence. The Global Fragile State Index analyses the fragility of particular states using social, economic, political and military indicators to determine each state’s ranking. Transnational insurgency is one of the key factors that make states receive higher scores on the fragility scale (Fragile State Index, 2014). The states subjected to the transnational

insurgencies of Boko Haram, LRA and Al Shabaab are ranked at the top of the fragility index, under a category branded ‘Alert’ at its best (Fragile State Index, 2014).

**Table 1: Countries Affected by the Three Transnational Insurgencies per Fragile State Indices**

Country	Rank	Score	Brand
South Sudan	1	112.9	Very High Alert
Somalia	2	112.6	Very High Alert
CAR	3	110.6	Very High Alert
DRC	4	110.2	Very High Alert
Chad	6	108.7	High Alert
Nigeria	17	99.7	Alert
Kenya	18	99.0	Alert
Niger	19	97.9	Alert
Uganda	23	97.1	Alert
Cameroon	27	93.1	Alert

*Source: Fragile State Index, 2014.*

## Terrorist Organisation

Terrorism can be defined as “violent acts (or the threat of violent acts) intended to create fear (terror), perpetrated for an economic, religious, political, or ideological goal, and which deliberately target or disregard the safety of non-combatants (e.g., neutral military personnel or civilians) (Caruso, 2014: 32). Terror, as a way of achieving political goals, was used by many organizations, but it was the end of the Cold War and the beginning of globalization that allowed terrorist groups to become something more than mere participants in state- centred world politics dominated by the two superpowers. Contemporary terrorist organizations represent a negation of the Westphalian system. As Lizardo (2008) states:

Terrorists, however, are the international state system’s outlaws, incapable of justifying their actions within this nation-centric Westphalian system of rules and conventions, and unable to lean on tradition and custom in their attempts to engage in political violence. It is possible therefore, that the apparent chaotic nature of terrorist violence may simply be intrinsic to the illegitimate status of their activities in the international system, not to the specific behaviours and strategies that terrorist organizations usually engage in and deploy. (p. 95).

The 2013 US Country Reports on Terrorism (published in April 2014) identifies 54 terrorist organisations globally. As for Africa, Al Shabaab and Boko Haram, besides the Malian Al Qaeda off-shoot are mentioned as the most serious terrorist threats to peace and stability.



# Overview of Boko Haram, LRA and Al Shabaab

## Al Shabaab (AS)

The Harakat al-Shabaab al Mujahideen (HSM) Youth Movement, popularly known as Al-Shabaab, is an organization that is bonded with the conflict in Somalia. Although conventionally the conflict in Somalia dates from the year 1991 when anti-government rebel militia managed forced the dictator, Siad Barre, to flee the capital Mogadishu, the country was experiencing mayhem and was fractured according to clan lines long before that date.

The collapse of Barre's government, a free flow of arms and animosities between the various clans eventually led to a full scale civil war, causing deaths, a refugee crisis and further deterioration of the infrastructure. The international community made several attempts to restore the state's institutions and address the burning humanitarian crisis, e.g. UNOSOM I and UNOSOM II missions, and UNITAF (the latter also named "Operation Restore Hope"). As all the international efforts were unsuccessful, the country slid into what was named "the greatest humanitarian crises in the world" (Clark, 1992)

Soon, the country was divided into three regions, Somaliland, Puntland and South Central, with the first two aspiring to be sovereign states independent of Mogadishu. The many attempts to create an effective government based in Mogadishu were unsuccessful.

Al Shabaab is linked to the emergence of the Islamic Courts Union in early 2006. The courts were a hybrid of a Court system that filled the vacuum after the collapse of the central government. Al Shabaab was working under the ICU and its first suicide mission was conducted in Baidoa, by then the base of the Transnational Federal Government (TFG) (Sanei, 2015). Although there are different versions about the beginning of Al-Shabaab, by 2008, they were officially recognized by the US government as a terrorist organisation. Since then, the organisation has had four leaders, called Amiirs: The first was Adam Hashi Ayro followed by Sheikh Mukhtar Robow and Ahmed Godane, killed by a US drone attack in 2014. The fourth and current leader of the group is Abu Ubeid Ahmed Omar, who became the successor to Godane in September 2014 (Sanei, 2015).

Al Shabaab is often depicted as a response to the Ethiopian and Kenyan military interventions and the presence of foreign troops in Somalia. Their doctrine is based on the Islamic radical agenda with elements of Somali nationalism. As

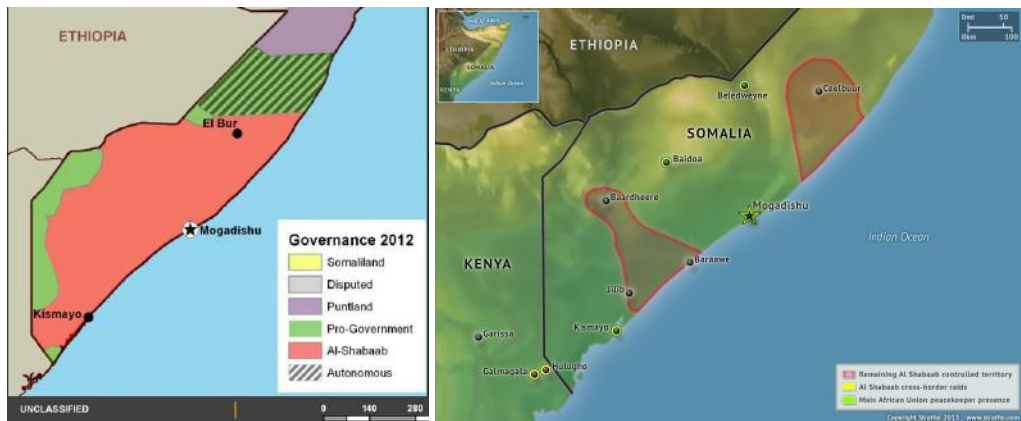
its purpose is ostensibly to establish an Islamic state ruled by Sharia'a law, the organization has not limited its recruitment to Somalis only. In 2008, Al Shabaab became an affiliate of Al Qaeda. The decision to join the Al Qaeda global terrorist network was beneficial as it gained access to resources, and technical support from the global terror network (Wise, 2011). Its goals broadened as it joined the global war against the West. In 2010, AS launched its first famous attack outside Somalia by bombing a club in Kampala, the Capital of Uganda (Wise, 2011). In 2011, the AS kidnapped two Spanish tourists in Kenya, an event that eventually led to military incursion into Somalia by the Kenya Defence Forces (Noor, 2011). Two years later (in 2013), Al Shabaab attacked a popular shopping centre in Nairobi, the Westgate Shopping Mall. The recent attack in Garrisa that left nearly 150 young students dead is the latest manifestation of the group's ability to execute attacks outside Somalia.

As Kisiangani (2011) mentions in his *Comparing Somalia's Al-Shabaab and Uganda's Lord's Resistance Army: A Toxic Mix of Religion, Politics, and Violence* comparative study of AS and LRA, Al Shabaab managed "to extend its geographic scope and went on a recruitment drive. It aggressively tried to recruit non-Somali expatriates in neighbouring countries and Somalis from as far away as the US, Canada, UK, Sweden, and the Netherlands as well as hardened fighters from the conflicts in Iraq and Afghanistan" (p. 9). By June 2015, Al-Shabaab was in control of an area in the South-eastern part of Somalia though it has lost the major cities and locations due to the offensive of the Kenya Defence Forces, AMISOM and Somali Transitional Government Forces. Though its strength in terms of troop numbers is unknown, it is estimated by different security analysts at 6,000 combatants (Szoldra, 2013).

The leadership of Al Shabaab was not immune to internal divisions and political wrangles. The period between 2011 and 2013 was specifically characterized by internal strife between different factions and leaders on what action(s) was/were the best to take. This ended with Godane securing his position and ultimately his vision on AS's role in Somalia and beyond. Godane, till his death in September 2014, centralized and regrouped the organization. He replaced the independent commandants with more loyal members and also suspended the Shuras (consultative bodies). It seems that when the advances of AMISOM and TFG became inevitable, Al Shabaab prepared for an orderly withdrawal and long term asymmetric war with its opponents (Wise, 2013).

A few security analysts predicted that the 2015 Garissa attack might be another turning point in AS's strategy as it might henceforth pursue a more nationalist agenda (Mutiga, 2015). The attack on the university was a consequence of Al Shabaab embracing the Al Qaeda tactic and *takfiri* ethos of killing non-Muslims and restoration of the Islamic Caliphate (Bryden, 2014).

**Figure 1: Areas under Al Shabaab Control, 2012 and 2015**



Source: [www.codebookafrica.wordpress.com](http://www.codebookafrica.wordpress.com)

Source: [www.stratfor.com](http://www.stratfor.com)

## Lord's Resistance Army (LRA)

Comparatively, the Lord's Resistance Army appears to be less dangerous to peace and stability than the other two insurgencies. With some of the key leaders being arrested or surrendering to international authorities, the LRA seems to have passed its days of glory. Yet, according to LRA Crisis tracker, an online website that aims at registering LRA movements and activities (LRA Crisis Tracker, 2015), only in April 2015 was there at least one person killed by the insurgents while 64 were abducted in the CAR. This proves that the organization is still operational and its activities continue to destabilize the region.

LRA became one of the most infamous transnational insurgencies for atrocities including murder, abduction, mutilation, child-sex slavery, and forcing children to participate in hostilities. It also appeared to be immune to any counter-insurgency effort.

The group originated from a turbulent period in the late 1980s in northern Uganda. In 1987, Alice Lakwena formed the Holy Spirit Movement (HSM) that aimed at countering the National Resistance Army's atrocities against the Acholi ethnic

group. The campaign against the troops loyal to Yoweri Museveni ended with HSM's defeat which saw the emergence of the LRA. The new movement under Joseph Kony started a long asymmetric guerrilla war (Cakaj, 2010).

The movement found a powerful supporter in the government of Sudan which provided funds, ammunition, and food supplies in retaliation for Uganda's support of SPLA in South Sudan (Cakaj, 2010). The LRA had begun establishing itself in the Eastern Equatoria state of South Sudan as early as 1991 as an internal Ugandan conflict became part of a bigger regional war.

The aim of the LRA was to establish an Acholi Christian kingdom with Joseph Kony as its military, political and spiritual leader (Kisiangani, 2011). After inheriting a strong spiritual dimension from the HSM, the LRA insurgency combined Christian mysticism with the traditional beliefs of the Acholi people. The movement relied on the skilled tactics of Joseph Kony. During the peak of LRA operations, Kony's skills to control the top leadership and middle-rank fighters made the insurgency a lethal and effective force. LRA was structured into small subgroups in zones between Uganda, CAR, South Sudan and DRC (Kisiangani, 2011). A complex training system that aimed at promoting the most talented captives into high-rank commanders made the LRA resemble a regular army (Cakaj, 2010). The troop strength of LRA was never accurately established but at its peak in the mid-2000s, estimates range from 7,000 to 10,000 forces. However, the group had an estimated 200-400 fighters by mid-2015 ("LRA Crisis Tracker", 2015).

A series of successes by the UPDF led to the Juba talks, an effort that had promising prospects of ending the long-time insurgency. The mediation, led by Riek Machar however, got into a standstill when the LRA leadership insisted on the International Criminal Court (ICC) dropping the charges, something for which the ICC was not ready. Around this time, the insurgency moved base from South Sudan to Garamba in the DRC. As the Juba talks were not successful, the Ugandan army, with support from the USA, launched *Operation Lightning Thunder* and destroyed the LRA bases around Garamba. The operation was a serious but not deadly blow to LRA as all of the LRA commanders escaped unharmed or uncaptured. The offensive however caused the LRA to scatter across the region and begin a new chapter in their history. (Cakaj, 2010).

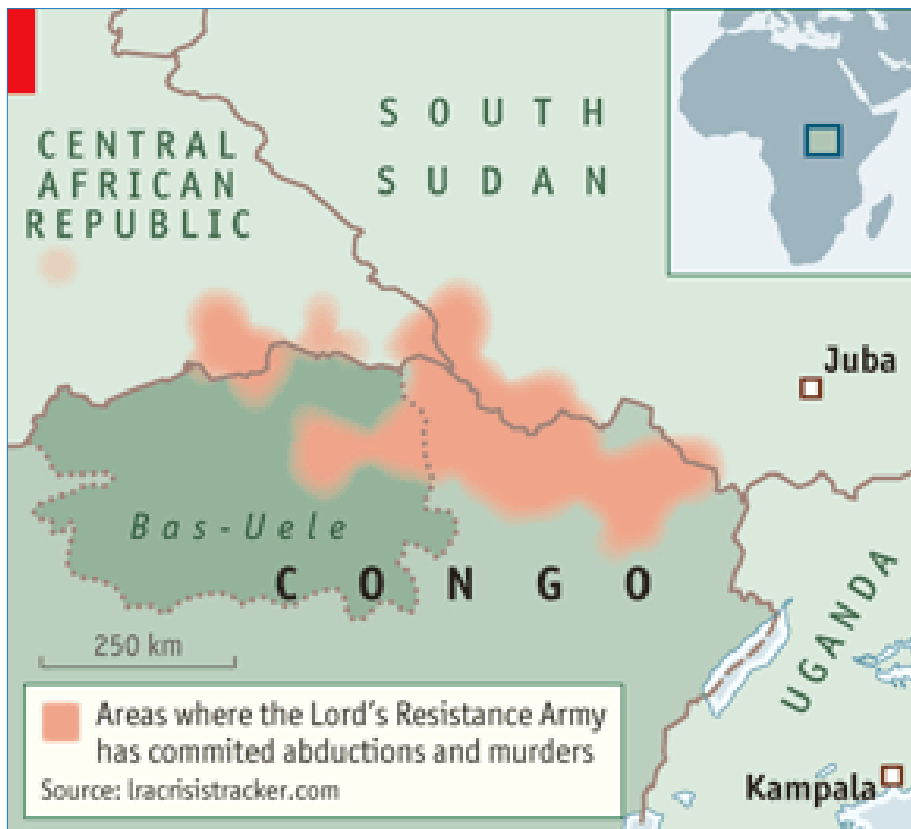
Another challenge to LRA was constant pursuit of the top leadership by the ICC with the recent surrender by a senior LRA commander, Dominic Ongwen, in January 2015 to US troops ("Uganda LRA Commander Dominic Ongwen 'to be

sent to ICC’ - BBC News”, 2015). The case of Ongwen is symbolic of the LRA’s history and structure. Ongwen, a former child-soldier kidnapped by the LRA rebels is to answer for his participation in leading the insurgency.

The presence of LRA destabilized the fragile peace in South Sudan, affected the DRC and CAR security and is among the major causes of underdevelopment in Northern Uganda. Its fame for kidnapping, maiming, and sexual exploitation of children as well as use of child soldier is also an example of serious violations of human rights on the local population.

Currently, the LRA is composed of small groups scattered in poorly governed border areas of CAR, DRC and South Sudan. It seems that the leadership of LRA abandoned temporarily its political goals and focused on survival instead. Yet, as the leadership of LRA is still in operational mode, and is known for its capacity to recover from a series of defeats, the insurgency remains a serious threat to peace and security in DRC, South Sudan, CAR and even Northern Uganda.

**Figure 2: Contemporary Areas of LRA Operation (for the year 2014)**



Source: lracrisistracker.com

## Boko Haram

Like other transnational insurgencies, the history of Boko Haram comes out of political struggles that preceded its creation. Nigeria has had a long history of communal and ethnic conflicts. As Walker (2012) observes, the bottom line of various (even religion-oriented) conflicts in Nigeria was to control the apparatus of government and the means of production. The origins of Boko Haram can be linked to the organization founded in 1995 by Abubakah Lawan under the name *Ahlulsunna wal’jama’ah hijra* (Connell, 2012). The inspiration for this newly formed movement was poverty and the poor living standards the people were exposed to, as well as the lack of responsiveness to these problems by the Nigerian Government. When the founder left for further studies, the new leader, Muhammad Yusuf, a radical Muslim Cleric reshaped the organization’s profile. The name ‘Boko Haram’, which means “Western education is forbidden” comes from a combination of the Hausa word “boko” meaning, ‘animist, Western or otherwise non-Islamic education’, and the Arabic word “haram” figuratively meaning, ‘sin’ (literally ‘forbidden’)” (Connell, 2012, p. 88).

The organization under the Wahhabi leader Yusuf operated at the grassroots level, opening mosques and recruiting children from poor families. Its aim shifted from addressing poverty to overthrowing the secular government and establishing Sharia Law (Mauro, 2015).

Although Boko Haram participated in violent clashes such as the conflict between the local population and their camp called ‘Afghanistan’ in 2003 (Simonelli, 2014) and the attack in Kannama on government and police buildings in 2004, the organization did not get into large-scale violent insurgency until 2009 (Start, 2014). The conflict between the group and the Nigerian government resulted in the arrest of the Boko Haram leader, Yusuf, and his execution in police custody. After this, the group went underground especially from 2009 to 2010. During this time, the group made contacts with global jihadist movements and received intense military training in the Sahel (Walker, 2012). After losing its leader, the group proved to be quite adaptable. In August 2011, it bombed the United Nations compound in Abuja, killing twenty three people, an event that made them famous world-wide (Walker, 2012). From then on, the group intensified its operations based on terror, kidnapping and other forms of violent behaviour. In 2012, for example, the Boko Haram executed an attack that killed over 185 people (Simonelli, 2014).

From 2013, Boko Haram changed its strategy and started kidnapping women and children and terrorizing the local populations (Segun, 2014). The height of this strategy was the kidnap of 276 schoolgirls in Chibok, an event that sparked international outrage. The kidnapped victims from Chibok and other locations were subjected to all forms of human rights abuses, as reported by Segun, (2014): “The women and girls told Human Rights Watch that for refusing to convert to Islam, they and many others they saw in the camps were subjected to physical and psychological abuse; forced labour; forced participation in military operations, including carrying ammunition or luring men into ambush; forced marriage to their captors; and sexual abuse, including rape (p.3).”

Ideologically, Boko Haram is a radical Salafist Islamist group that seeks the establishment of an Islamic state (Wadlington, 2014). Interestingly, while aiming at this, they do not get support of the local Muslim populations which seem reluctant to embrace Boko Haram’s views on modernization, development, and human rights. In March 2015, Boko Haram joined the Caliphate proclaimed by ISIS (Mauro, 2015). The medieval concept of Caliphate is intended to replace the current state-centred international system with the theocratic institution in places inhabited currently or historically by Muslims. Boko Haram’s leader, Yusuf, preached that a sharia state “should be established in Nigeria, and if possible, all over the world through preaching the faith (dawa)” (“Boko Haram -The World Almanac of Islamism”, 2014). Through this, the organization recalls the aims of medieval Caliphates and their conquests from the early days of Islam.

The idea of a Caliphate is a combination of disappointment stemming out of poverty and lack of development and resentment for the lost Muslim empire of the Ottomans, Abbasid’s and Umayyad’s that stretched from India to France and played the role of superpower through the centuries. It seems that Boko Haram has some loose links with Al Shabaab through international jihadist movements. According to US State department in 2011, Boko Haram member, Mamman Nur, reportedly received trainings from Al-Shabaab in Somalia before launching an attack against the United Nations headquarters in Abuja in 2011 (Simonelli, 2014).

As for tactics, Boko Haram uses terrorism against civilians and other ‘soft targets’. They also regularly attack Nigerian military and security forces. This is possible through poor regional security cooperation and incapacity of security forces in the regions, Boko Haram’s capacity to disengage and retreat to neighbouring states as well as the strength of the insurgency (Connell, 2015).

Boko Haram’s structure is flexible and adaptive to emerging needs. As Connel (2015) reports: *At times, Boko Haram has appeared to be little more than an ideological umbrella organization for a range of criminal and anti-government sub-groups. At other times, it has shown a more coherent structure.* The strength of the organization is also estimated only and varies according to source. For example, Sanei (2015) speaks about 280,000 members and sympathizers in Nigeria and the region.

**Figure 3: Areas of Boko Haram’s Activities, 2015?**



Source: [www.news.com.au](http://www.news.com.au)



# Factors behind the Rise of Transnational Insurgency

## Weak/Insufficient Governance

While examining the three examples of transnational insurgencies, it becomes clear that most States have difficulties in executing their functions. One way of classifying state engagement in the context of security and identity is to place them within either of two apparatus, namely *oppressive apparatus* and *ideological apparatus* as proposed by the French philosopher, Althusser (2008). The former provides for rule of law, security and order and contains institutions like the police service, judiciary, military and customs. The latter is in the sphere of human security; for example, providing/ meeting socio-economic needs (health, education etc.) of the citizens. Both are interdependent and important for the state to function properly. If one of the apparatus is not able to function properly, the state or human security will be affected and the vacuum that is created will be filled by other non-state actors like insurgents, ethnic or religious militia or criminal organizations.

Countries that are affected by Boko Haram, Al Shabaab or LRA experience difficulties in governance, therefore, both apparatuses do not seem to function adequately. As presented in the Fragile State Index (2014), the countries affected by transnational insurgencies are at the top of the index. In fact except Sudan, the five countries located in the worst tier (Very High Alert) are those affected by either Al Shabaab or LRA (Somalia, South Sudan, DRC, and CAR), while Chad (affected by Boko Haram) tops the next tier (High Alert). While there is negative correlation between governance and transnational insurgency, improving governance should reduce the proliferation of insurgencies. Specifically, as Staniland (2005) argues, improving border control has typically strong impact on counter-insurgency efforts. As transnational insurgents typically use porous borders as a way of exercising strike and hide strategies, as well as use foreign territory as sanctuary, improved border control reduces their capacity to exercise this tactic.

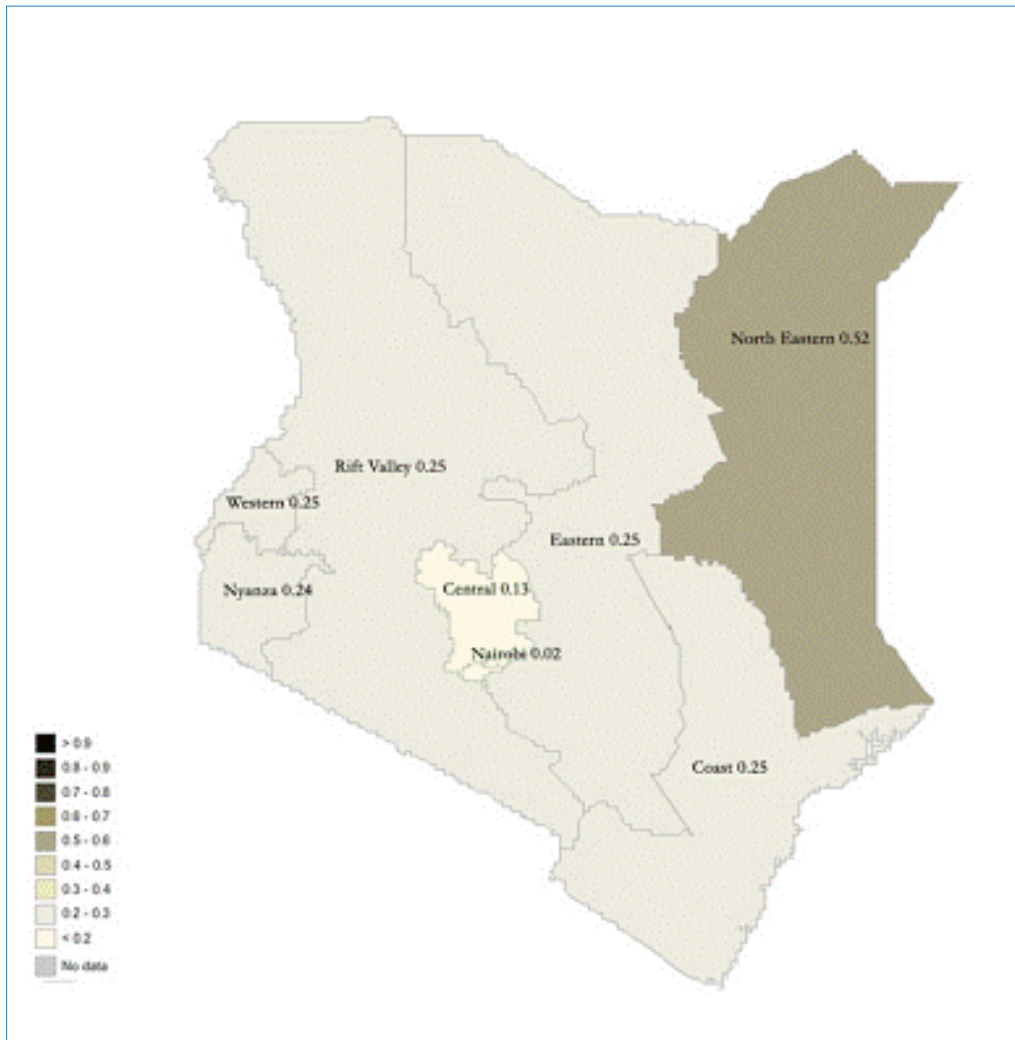
The next reason related to or as an outcome of the previous one is abuse of human rights by security forces. In fact, all three insurgencies came out of environments with prolonged histories of abuse of human rights by security personnel. Abuses like extrajudicial killing, rape, looting or torture are exemplifications of central government weakness and lack of discipline which only contribute to escalation of the problem. Therefore, contrary to some hardliner policy makers, the policy of terror and abuse only escalates the conflict in a long run.

The final component of weak governance that fuels insurgency is corruption. Corruption compromises all institutions of the state, including security institutions. Corrupted officials engage in all types of deals with the insurgents at the expense of national security. For instance and as Aghedo (2012) reports, former Borno State governor, Sheriff, allegedly paid Naira 100 million to mollify the anger of the group after their leader was executed in 2009. By so doing, this Nigerian state official not only lost momentum of acting on the insurgency but also provided finances for the latter. Corruption also works in other ways. According to Ombati, (2015), the Al Shabaab bribes police officers who in turn help terrorists to enter places in Kenya that are far from the border with Somalia.

## **Socio-economic Reasons**

In the field of conflict studies, the centre-periphery theory, among others, try to explain why and how structural deprivation leads to violent conflict (Jeong, 2000). Looking at the places where insurgents operate like Northern Uganda, Northern Nigeria or Northern Kenya, it becomes apparent that those parts of these respective countries are usually less developed than other parts. This in turn leads to a feeling of neglect which translates to frustration and this in turn makes the affected populations less loyal to the central government and more eager to support or be passive to any insurgency (Tarimo, 2009).

Figure 4: Poverty Level by Region



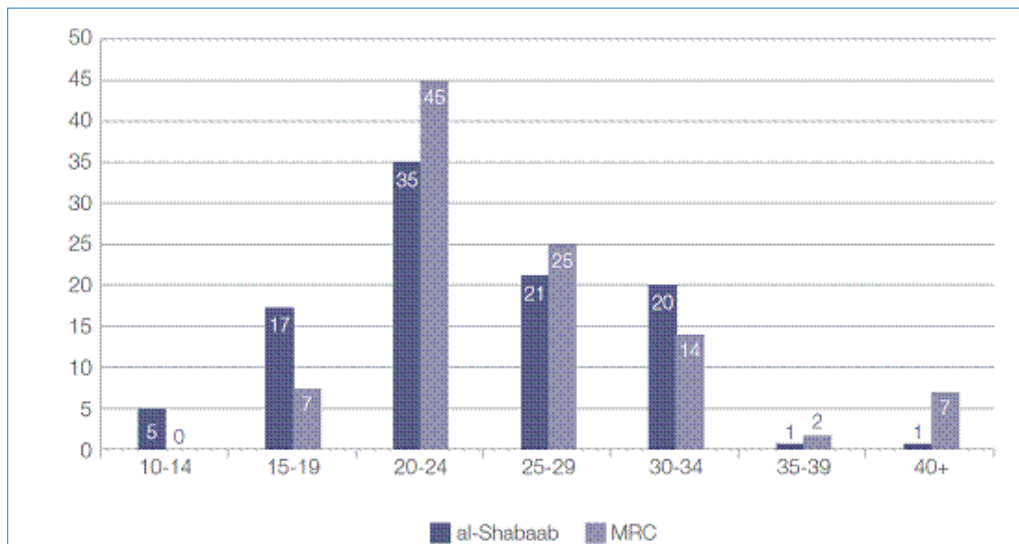
Source: Oxford Poverty and Human Development Initiative (2013).

## Youth Radicalization

The dynamic and growing young population is undoubtedly affecting Africa's security landscape. Kenya's population is already one of the youngest in the world and is projected to grow younger over the coming decades. As the study on ("Preventing youth radicalization in East Africa", 2012) revealed, the young population is more prone to conflict than older ones, and consequently more likely to join radical organizations than adults. It is imperative to address these negative

tendencies before they become a major source of conflict and destabilization in the region. The figure below reveals that a huge majority of people recruited by either Al Shabaab or MRC (a local Kenyan group that fights for secession of the Coast Region from Kenya and formation of an independent state) are young people.

**Figure 5: Age of Joining Al-Shabaab and Mombasa Republican Council in Kenya**



*Source: Botha, 2014.*

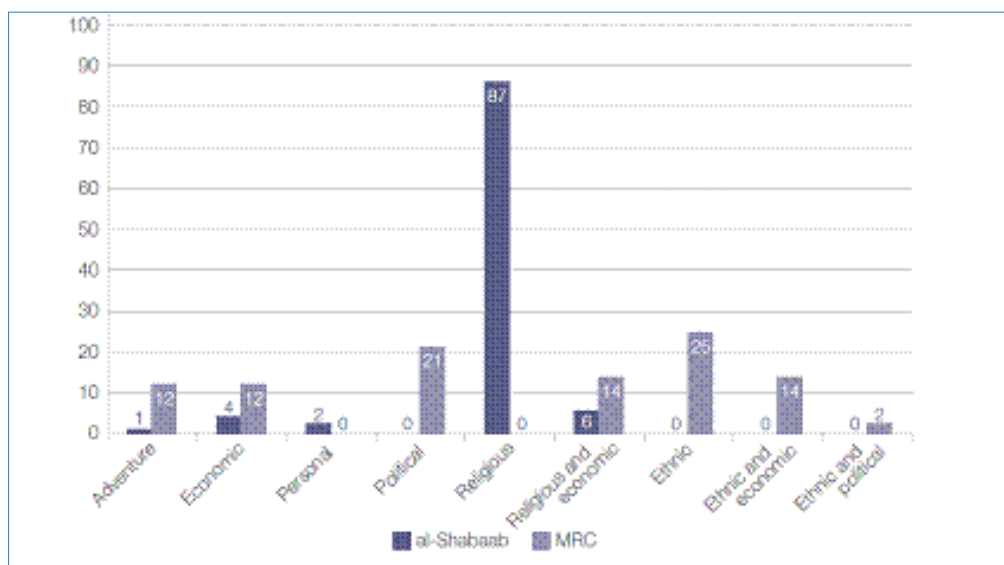
Interestingly, Botha (2014) examined the reasons why young people join terrorist organizations and the results obtained pointed at a mixture of socio-economic causes such as lack of job opportunities or low education levels (Botha, 2014).

## Religion

All three transnational insurgencies were branded religious extremist groups, the religious component being strongly present in the identity and resilience of the insurgencies' resilience. The concept of religion and its correlation with conflict gained popularity after the Cold War (Anderson, 2004). Scott Appleby (2000) argues that the concept of 'sacredness' lies at the core of each religion giving it neutrality and thus can be interpreted in a peaceful or violent way. That is why sacred books of many religions like the Quran or Bible can inspire their readers to commit good deeds as well as violence. Contrary to some beliefs in the twentieth century that religion would first be privatized then marginalized and eventually disappear, the world experiences a growing role of religion in the public sphere. Naturally, religion impacts on conflict and peace. As Gurr (2000) established, religious

discrimination increases the likelihood of the onset of violent conflict. Religion also makes transnational insurgency more difficult to combat as it detaches the movement from the nationalistic agenda and helps it to get regional or even global support. In the table below (from a study by ISS), it becomes clear that religion was the main motive for joining the Al Shabaab insurgency:

**Figure 6: Reasons for Joining Al Shabaab and MRC**



*Source: (Botha, 2014)*

As all major religions such as Islam and Christianity value peace, it might be surprising that religious agenda become widely used by transnational insurgents in justifying violence. The key to this is an understanding of Appleby’s ‘sacred’ in a given time and culture. As sacred is neutral, it is the socio-cultural milieu that corrupts its understanding. As Juergensmeyer (2004) observes, ‘religion is not innocent. But it does not ordinarily lead to violence. That happens only with the coalescence of a peculiar set of circumstances – political, social, and ideological – when religion becomes fused with violent expressions’ (p.9). Religiously motivated violence has a long history and spares no religion, even those entirely devoted to peace. That is why Matthias Basedau, Georg Strüver, Johannes Vüllers and Tim Wegenast (2011) present a rather sceptical approach to the violent role of religion in conflicts in Africa. According to them, it is only when religious-oriented agenda combines with other issues like national liberation does conflict become possible.

## The Insurgency-Crime Nexus

Another significant development of the post-Cold War era that characterizes transnational insurgency is its merging with transnational crime. The trend of insurgents adapting techniques characteristic of international criminal groups has gained momentum and been recognized by different policy makers as a significant impediment to counter-insurgency efforts. For example in recent years, the US government published a brief in which:

*The U.S. government has asserted that terrorism, insurgency, and crime interact in varied and significant ways, to the detriment of US national security interests. In January 2012, the Director of National Intelligence (DNI) reported to Congress that transnational organized crime and its links to international terrorism was among the nation's most pressing national security concerns, specifically identifying the following areas of concern for crime-terrorism interaction: Nuclear proliferation, kidnapping, human smuggling, illicit finance” (Rollins, 2013, p.2)*

Unlike in the Cold War era, transnational insurgencies easily engage in transnational crime as they find it a good source of additional funding. Money obtained from activities like smuggling or trafficking is then used for financing insurgency. In some cases, links between insurgency and transnational crime are occasional and opportunistic, associated with the possibility of exploiting the availability of specialized competences in a stateless environment. In other cases, the warring parties are directly involved and create stable relationships as a way of financing their war activities.

The nexus between insurgency and crime is particularly dangerous to security and stability as it undermines civil society, political systems and state sovereignty by normalizing violence and legitimizing corruption. It also erodes economic life by distorting market mechanisms through disruption of commercial transactions, and degrades the environment by side-lining environmental regulation and safeguards. Finally, it has a tendency to penetrate informal markets and to subordinate government (Sullivan, 2009).

Each of the three mentioned insurgencies has engaged in a form of transnational crime. Al Shabaab has reportedly been engaged in smuggling of goods, weapons and even humans, as well as establishing taxation of the population under its control (Howard, 2013). Recent reports (“Al-Shabaab-linked sugar smugglers still in business after attack”, 2015) indicate that participating in drug, weapon and human trafficking is not the only source of income as Al Shabaab profits from sale of such daily-use products as sugar.

As for the LRA, trafficking illegal goods is also reported to be a significant source of income besides mineral and ivory trafficking. This has been cited as one of the major factors fuelling the insurgency in South Sudan and parts of the Central African Republic (CAR). The latter is believed to be widely engaged in illicit trade to sustain itself (Baguma, 2015). At the same time, the insurgency still continues kidnapping as a way of recruitment. Child abductions have been one of the trademarks of LRA throughout its history.

Finally, Boko Haram also uses transnational crime as a way to gain support and raise funds. The kidnapping of girls is one of the common activities as highlighted by the famous case of Chibok girl's abduction. Boko Haram is also allegedly involved in other activities such as drug trafficking in India (Dixit, 2014). Below is a list of transnational criminal activities the three insurgencies engage in:

- Drug trafficking
- Human trafficking
- Human smuggling
- Weapon trafficking
- Ivory trafficking
- Other goods trafficking (e.g. sugar)

## Conclusion

Although Ugandan President Yoweri Museveni claimed recently that Al Shabaab is already defeated (Museveni, 2015), while the Nigerian Army successfully rescued over 200 girls from Boko Haram, not to mention the fading LRA, the three insurgencies are far from vanquished. The insurgencies undoubtedly have had negative impacts on state fragility, and in the case of Somalia have prevented any successful state recovery after decades of chaos and civil war. In addition, the recent development where the insurgencies were linked to international terrorist movements like ISIS makes them more difficult to combat and creates a dangerous precedent. States affected by the insurgencies cannot rely on the military alone to combat them as military means have proven to be insufficient not only in Africa but also globally. As each transnational insurgency is more complex than a national uprising, the responses are likely to be more multifaceted. Still, as the LRA experience in Uganda shows, it is possible to nearly efface the insurgents even if they were transnational.



## Recommendations

When it comes to insurgencies, there are usually two types of counter insurgency efforts. One may be branded “winning hearts and minds” while the other approach is characterized by the use of coercive means, usually military. Many war theorists agree that each insurgency scenario differs and requires some sort of combination of the two methods. While “winning hearts and minds” together with “coercive response” such as military actions are necessary, there are specific policies that can minimize transnational insurgency.

- **Ongoing SSR reforms:** The term Security Sector Reform (SSR) refers to a “process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law” (The United Nations SSR Perspective, 2012). The SSR reforms are key as they address the corruption factor and efficiency of military, police, judiciary and other relevant security institutions. SSR also addresses human rights violations committed by government forces which make the local population at least passive in the struggle against insurgents.
- **Improving governance:** International insurgency usually operates in areas affected by lack of effective state institutions. By increasing state presence (both repressive and ideological apparatus) insurgents will have less freedom in conducting their operations. Increased, effective and efficient border control (including building walls) is a good example of improved governance as the more the state presence the less chances for insurgents to conduct their operations.
- **Economic empowerment of insurgency-affected areas:** All three insurgencies operate in impoverished areas and at least two of them (Boko Haram and LRA) have a strong component of structural (economic) violence. Insurgents gain public support by peddling the feeling of economic negligence by central government.
- **Addressing youth radicalization:** Radicalized youth are fertile ground for recruitment. De-radicalization strategies should encompass a counter insurgency component.

- **Countering religious radicalization:** All three insurgencies have had components of religious extremism leaning towards Islam or Christianity. Religious extremism is the outcome of a wrong interpretation of religion which happens through indoctrination. People with little knowledge of their religion can be manipulated by radical preachers. Countering religious indoctrination is one way of addressing the root cause of insurgency.
- **Growing role of police:** Typically, insurgents are placed within the military context. However, as they apply asymmetric warfare tactics, there is a need to involve non-military institutions in combating them. Transnational insurgents tend to operate in places that are not associated with insurgency (e.g. Al Shabaab attacks in Nairobi or Boko Haram operations outside the insurgency zone) or use organized crime as a way of soliciting for funds to bribe the police forces and render them incapable of counteracting insurgents.

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# Implementation of the Code of Conduct in PSOs: Case Studies of AMISOM and MONUSCO

*Lt Col Donatien Nduwimana*

## Introduction

The profession of bearing arms is fundamentally moral and ethical in nature as it engenders foundational values and principles that have significant impact on the well-being of others. When it comes to peace support operations, the credibility of the mission is dependent on the core values and UN set standards of conduct. Peacekeepers are required to have a critical but ethical attitude at all times.

Multinational operations are actually deployed with more complex and multidimensional mandates. Whether undertaken under UN command or by a regional organisation acting with the authorisation of the UN, multinational operations are mandated to protect civilians under imminent threat of danger. Therefore, accessing the local population becomes particularly relevant when considering the current nature of conflicts in which UN peacekeepers find themselves. Establishing and maintaining a positive relationship with the local population is a prerequisite to mission success. Peacekeepers are required to have a sound understanding of and respect for cultural differences and an appreciation of the different norms and traditions of the host state. The United Nations core values of integrity, professionalism, and respect for diversity form the basis of their conduct. However, based on numerous reports, deficiencies in observing the code of conduct by peacekeepers occur quite often. The consequence is bad perception by the host nation's population and government which can lead to failure of the whole mission.

In order to meet the challenges posed by misconduct of peacekeepers in today's missions, the United Nations Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) have embarked on a major reform effort, aimed at strengthening and professionalizing the planning, management and conduct of United Nations peacekeeping operations. A key objective of this ongoing reform process is to ensure that the growing numbers of United Nations peacekeeping personnel deployed in the field, as well as those serving at Headquarters, have access to clear authoritative guidance on the multitude of tasks they are required to perform and attitudes they have to observe. In this context, the United Nations Charter requires that all personnel must maintain the



highest standards of integrity and conduct. Whether military, police, or civilian, peacekeepers must comply with the guidelines on International Humanitarian Law for Forces Undertaking UN Peacekeeping Operations and all applicable portions of the Universal Declaration of Human Rights as the fundamental basis of all their standards<sup>1</sup>. As a mission, the expectations of the world community and the local population are high and so the actions of peacekeepers must be correspondingly high. As a result, they must consciously be prepared to accept social constraints in their public and private lives in order to do the work and to pursue the ideals of the UN.

Consequently, their conduct and actions are closely observed. For this reason, the African Union and United Nations support pre-deployment training to enhance peacekeepers' professionalism and discipline. Training on the military code of conduct and respect for the rights of civilians in conflict situations is already a feature of military training in virtually every army in the world. In addition, the UN also requires troop contributing countries to provide further training to their peacekeepers in UN rules and policies including the zero-tolerance policy on human rights abuse and their additional responsibilities as representatives of the international community. Despite the implementation of a number of UN strategies to address all forms of misconduct, allegations involving peacekeeping personnel are regularly reported. Sexual exploitation and abuse, fraud, bribery, financial misconduct and incompetence are some of the issues occurring in almost all peace keeping missions. Peacekeepers have been accused of engaging in sex-trafficking, soliciting prostitutes, forcing children into prostitution, and having sex with minors<sup>2</sup>. The United Nations has issued several documents to end all forms of misconduct, among them the Code of Personal Conduct for Blue Helmets<sup>3</sup>. The guiding principles are meant to uphold peacekeepers' integrity, deter misconduct and enhance or restore the local population's confidence. The greatest advantage of these guiding principles is that they provide international legitimacy to the mission efforts to recover peace. Through their independence, impartiality, commitment to United Nations values, compliance with international human rights and respect of the host population, multinational forces help create strong positive expectations, foster popular confidence and engender legitimacy in the eyes of local populations.

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1 Thomas Fisher (2012), *Taking the Rule of Law Seriously: More Legal Certainty for UN Police in Peace Missions*. Geneva: Centre for Security Policy

2 Jehan Kaleeli, *Conflict, Sexual Trafficking, and Peacekeeping*, 2004.

3 *Ethics in Peacekeeping*.

This study focuses on ethical malpractices and aims at improving professionalism in peace support operations within the United Nations and Africa Union.

## **The Importance of Ethical Principles**

Ethical principles in peace support operations are important for the following reasons. First, unethical behaviour by peacekeepers can seriously damage the credibility of the mission by eroding vital public support. Second, misbehavior by a few individuals at the tactical level can result in mission failure at the strategic level<sup>4</sup>. Third, peace support operation success requires that its forces work well with local people in operational theatres. Unethical behavior by military or police personnel can undermine relationships with local people, jeopardize operational outcomes and damage the international reputation of the mission and the troop contributing countries. Fourth, some types of unethical behaviour, like theft and waste, can be quite expensive. Finally, moral distress and psychological injury can incapacitate soldiers who participate in or even witness human rights violations.

## **Ethical Concerns in Peacekeeping Practices in Africa**

Since peace operations are a reflection of international society's priority about conflict management, an analysis of peacekeeping in Africa is also an analysis of the extent and depth of international engagement with armed conflicts on the continent<sup>5</sup>. African peacekeepers are at their best when dealing with internal conflicts, youth violence, community clashes and other issues that can be handled at the individual level, as opposed to larger manifestations of organized violent conflict which usually involve more heavily armed groups.

Some African peacekeepers have, however, used their positions to abuse vulnerable populations. They do this by patronizing prostitutes, engaging in human trafficking, and having indiscriminate sexual relations. This compounds the difficulties nations face. Such behaviour is illegal and morally unacceptable and cannot be tolerated in peacekeeping operations in Africa<sup>6</sup>. Peacekeeping operations in Africa happen in the context of humanitarian service and therefore share with it moral coloration and involvement. Peacekeeping is for vulnerable groups and whoever is engaged in it necessarily operates in a sensitive environment.

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4 Dominic Streatfeild, *Brainwash: The Secret History of Mind Control*. New York: Thomas Dunne Books, 2007), p. 378.

5 Oluwaseun Bamidele, *Ethical Issues in Peacekeeping Operations in Africa*, University of peace, 2013.

6 Shriver, D.W. *An Ethic for Enemies: Forgiveness in Politics*, New York: Oxford University Press 1995.

## Statement and Significance of the Problem

The post-cold war peace support missions have seen important complexities in the implementation of the UN code of conduct. Peace support operations confront cultural differences with the wider local population, creating additional stress for military members who have increasing contact with them. Furthermore, conflicts have resulted in the deterioration of living conditions of the local population rendering the protection of human rights more difficult. Some peacekeepers have, sometimes, used the powerful situation they are in to abuse vulnerable populations. Despite a UN policy of zero tolerance to sexual exploitation and abuse, some peacekeepers and civilian staff have chosen to ignore local laws and UN restrictions and proceeded to rape and abuse children and adults in UN missions in Congo, Liberia, and Haiti. Furthermore, officials who commit different kinds of criminal offenses during peacekeeping missions are rarely held accountable for their actions because of the fact that they are granted immunity from criminal prosecution by the host State through a plethora of legal instruments<sup>7</sup>. The United Nations needs to develop effective deterrent measures to prevent such abuse, find ways to bring those committing such crimes to justice, and force the abusers or their governments to provide assistance and compensation to the victims.

The inability of the United Nations and national governments to enforce the code of conduct have direct and negative impact on the success of any peace support operation and the mission's legitimacy. A focus on military ethics is therefore important given the media and government reports on some peace support missions. Reports and allegations against AMISOM and MONUSCO on unethical behaviour will help to integrate moral candidness in high-intensity military field exercises.

## Objectives of the Study

- i. To analyze the ethical principles guiding UN and AU Peace Support Operations;
- ii. To assess the application of PSO principles in AMISOM and MONUSCO;
- iii. To determine factors affecting observation of ethics in PSOs; and
- iv. To propose ways of re-enforcing viable PSO principles.

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<sup>7</sup> Burke, L. (2011). Status of Forces Deployed on UN Peacekeeping Operations: Jurisdictional Immunity. *Journal of Conflict and Security Law* 16(1) pp. 63-104. Oxford University Press, Oxford, UK.

## Focus and Scope

The intention of this study is to raise awareness about the implications of unethical behaviour, malpractices and human rights violations that accompany Peace Support Operations. The ultimate intention is to improve professionalism in peace operations. It is important for peace operations to reflect and practice the principles for which the UN and AU stand. This will help shape conflict resolution and transformation leading to sustainable peace.

## Theoretical Framework

Ethics is used synonymously with morals or morality (Oluwaseun Bamidele 2013): *if an action or issue is described as ethical, it must be moral*. There is obviously a close interrelationship between ethics and morality such that the use of the word “ethics” quickly conjures up in our minds the word “morality”. The concept of ethics, philosophically speaking, however, goes beyond this. Ethics in philosophical discourse, for example, refers to talks, discussions, analyzes, judgments and discourses on morality and immorality; it is the description or analysis of that action, not the action itself. It is in that sense a meta-moral concept. All features or characteristics that make an action moral or immoral are appropriately discussed under “ethics”. In peacekeeping missions, ethics is commonly used to describe principles, actions and codes of conduct. These sets of principles rule and regulate peacekeepers actions within a UN peace mission context. Professional ethics and codes of conduct belong to this category. Peacekeepers are members of the professional circuit.

## The UN Peacekeeper’s Code of Conduct

Since its creation in 1948, the UN has developed several documents on policy and guidance, under which are codes of conduct for personnel on peacekeeping missions. One recent example is the two documents published in 2003<sup>8</sup>. The first document is called “We are United Nations Peacekeepers”. This document states that peacekeepers represent the UN and that the Universal Declaration of Human Rights is the basis of their standards. It includes points on respect for the local population and the environment, acting with impartiality, support and help for the sick and weak, and respect for colleagues and other UN personnel. It also states that UN peacekeepers should never: discredit the organization or jeopardize the

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8 Policy and Guidance, <http://www.un.org/en/peacekeeping/resources/policy.shtml>, accessed on 14 -03 -2015

mission, abuse alcohol or drugs, treat people with unnecessary violence, in any way cause harm and suffering to the local population, get involved in sexual relations with the local population, damage UN property, participate in illegal activities, or attempt to use the position as a peacekeeper for personal benefit.<sup>5</sup> The second document is called: “Code of Personal Conduct for Blue Helmets”. This document contains ten rules on how UN peacekeepers are supposed to behave (UN, 2003). The documents make clear that the UN does not tolerate illegal activities and sexual exploitation and abuse.

This document issues the following guiding principles to summarise the core values of the UN in its task of maintaining international peace and security. They must be borne in mind by every peacekeeper: Impatality, Integrity, Respect and Loyalty. In the following sub-sections, each principle is explained and accompanied by relevant “Dos and Don’ts” to guide peacekeepers.

- Dress, think, talk, act and behave in a manner befitting the dignity of a disciplined, caring, considerate, mature, respected and trusted soldier, displaying the highest integrity and impartiality. Have pride in your position as a peace-keeper and do not abuse or misuse your authority.
- Respect the law of the land of the host country, their local culture, traditions, customs and practices.
- Treat the inhabitants of the host country with respect, courtesy and consideration. You are there as a guest to help them and in so doing will be welcomed with admiration. Neither solicit for nor accept any material reward, honor or gift.
- Do not indulge in immoral acts of sexual, physical or psychological abuse or exploitation of the local population or United Nations staff, especially women and children.
- Respect and regard the human rights of all support staff and aid the infirm, sick and weak. Do not act in revenge or with malice, in particular when dealing with prisoners, detainees or people in your custody.
- Properly care for and account for all United Nations money, vehicles, equipment and property assigned to you and do not trade or barter with them to seek personal benefits.

- Show military courtesy and pay appropriate compliments to all members of the mission, including other United Nations contingents regardless of their creed, gender, rank or origin.
- Show respect for and promote the environment, including the flora and fauna, of the host country.
- Do not engage in excessive consumption of alcohol or traffic in drugs.
- Exercise the utmost discretion in handling confidential information and matters of official business which can put lives into danger or soil the image of the United Nations.<sup>9</sup>

### **Guiding Principles for African Union Peacekeepers**

The guiding principles for African Union peacekeepers are not different from the UN principles but they are more detailed. They also provide practical guidance to peacekeepers to ensure that they respect internationally recognized human rights:

- Dress, think, talk, act and behave in a manner befitting the dignity of disciplined, caring, considerate, mature, respected and trusted personnel displaying the highest integrity and impartiality. Have pride in your position as a peacekeeper and do not abuse or misuse your authority.
- Respect the law of the land and the host country, their local culture, traditions, customs and practices.
- Treat the inhabitants of the host country with respect, courtesy and consideration. You are there as a guest to help them and in so doing will be welcomed with admiration. Neither solicit for nor accept any material reward, honor or gift.
- Do not indulge in acts of sexual, physical or psychological abuse or exploitation of the local population, including African Union Commission staff (local and international).
- The following acts must be punished:
  - Any exchange of money, employment, goods or services for sex
  - Any type of sexual activities with children
  - Any form of humiliation, degrading or exploitative behaviour

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9 Keith J. Allred, Human Trafficking and Peacekeepers. Vienna & Geneva, September 2009.

- Any sexual favour in exchange of assistance
  - Any type of sexual misconduct that damages the image, credibility, impartiality or integrity of the force that deployed you
  - Any form of sexual exploitation of subordinates by commanders or superior officers
- Immoral and sexual relationships among troops should be discouraged
  - Adhere to the commitment of the AU Peace and Security Council on reporting of sexual-based violence by the head of AU Liaison officers
  - Respect and regard the human rights of all. Support and aid the infirm, sick and weak. Do not act in revenge or with malice, in particular when dealing with prisoners, detainees or people in your custody
  - Properly care for and account for all African Union Commission equipment and property assigned to you and do not trade or barter it
  - Show courtesy and pay appropriate compliments to all members of the mission, including other African Union contingents regardless of their creed, gender, rank, origin or religion
  - Show respect for and promote the environment, including the flora and fauna, of the host country
  - Personnel are prohibited from engaging in any consumption or trafficking of drugs
  - Exercise the utmost discretion in handling confidential information and matters of official business which can put lives into danger or damage the image of the African Union Commission.

## **Literature Review**

The UN is supposed to exercise an effective control on peacekeepers and held responsible of their actions. The most widely accepted approach reflected in international law is that if the UN exercises effective control over the conduct of its peacekeepers it is therefore responsible for their acts (Sheeran, 2011).

However, as the UN does not have its own troops, the importance of enhanced and coordinated training of peacekeepers before being deployed in the mission is raised to help them to have a clear picture of the culture of the people of the

country in which they will be deployed and avoid misconduct. The high sensitivity of people to their culture and traditions as well as religious practices attracts hostile reactions if a stranger is perceived to show disrespect to these practices. It is therefore important for TCCs to adequately train their troops earmarked of UN PKO by giving them a comprehensive study of the root causes of the conflict in question, ideological, ethico-cultural, religious and traditional leanings of the parties to the conflict as well as gender issues (Agada, 2008).

Other scholars have raised a kind of impunity in UN peace missions related to privileges and immunities for individuals operating in international missions. They mention the need for Effective Criminal and Civil Accountability on International Peace Operations, argues that ensuring accountability for actions in international missions is vital to notions of deterrence and punishment, and the upholding of justice and equality under the law. There should be no suggestion that either military or civilian personnel can avoid accountability in both domestic and international contexts (Ladley, 2005).

The heart of the international mandate is generally about restoring international peace and security not adding to the problems, committing crimes and being unaccountable. Unaccountability in international peace operations constantly risks adding serious international insult to existing local injury<sup>10</sup>.

## **Application of PSO Principles in AMISOM and MONUSCO**

The responsibility of individual states participating in peace support operations to ensure strict application of the code of conduct is clear. Even if their capacities do not always match their responsibilities, multinational troops are expected to show exemplary conduct. The measures taken by UN/AU peacekeeping missions to ensure that national and international humanitarian law (IHL) is respected play an essential role in improving the security and safety of the local population. However, allegations of misconduct concerning different AU/UN peace missions are regularly made which undermine present and future peace efforts, if necessary actions are not taken to prevent and eradicate all kinds of misbehavior in PSOs. These allegations concern mainly sexual exploitation and abuse, fraud, bribery, financial misconduct and incompetence.

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<sup>10</sup> Politics and Ethics Review , 1(1) 2005, 81-90



## **Misconduct Allegations on MONUSCO Peacekeepers**

In the past, a small number of peacekeepers from the MONUSCO Mission abused the trust of the Congolese people and the overwhelming majority who serve with honour. Such misbehaviour by a handful shows the damage that a few individuals can do to the credibility of peacekeeping<sup>11</sup>. Allegations are categorized according to their severity, with Category One of offences including behaviour such as sexual exploitation and abuse, serious fraud and abuse of authority, while Category Two of offences pertains to personnel matters, contract disputes, misuse of equipment and small thefts, among others. Human rights observers found that a child prostitution ring had been formed and some 100 UN troops were accused of paying for sex with young Congolese girls<sup>12</sup>.

More recently, Professor Victoria Fontan, the Director for Academic Development and Head of Department of Peace and Conflict Studies at the University for Peace, Costa Rica, wrote that MONUSCO peacekeepers have continued the tradition of their predecessors by committing violent and abusive acts against Congolese women – often against under-age prostitutes and getting away with it too.

Another kind of peacekeepers' misconduct reported was about their involvement in illegal trafficking of natural resources. Among the allegations is slaughter of elephants and illegal trafficking of natural resources. Such evidence has been used to denounce the involvement of UN peacekeepers in illegal exploitation of Congolese natural resources<sup>13</sup>. Some peacekeepers have been alleged of smuggling gold to their home countries, with the aid of Indo-Pakistani trade networks existing in the Great Lakes region and no sanctions were ever applied to the contingents, to the great frustration of UN inspectors.

## **Measures Against Sexual Abuse by MONUC/MONUSCO**

The Conduct and Discipline Unit (CDU) was established in MONUC in 2005 with 14 staff to ensure the prevention of all types of personnel misconduct, with particular emphasis on sexual exploitation and abuse (SEA), as well as compliance with and enforcement of United Nations standards of conduct among all categories of Mission personnel<sup>14</sup>.

11 Alan Doss, the Secretary-General's Special Representative stated in 2005

12 Khadija Patel, *Peacekeepers Behaving Badly: Why South African Ill-discipline in DRC is a UN Problem*, South Africa, 2013

13 Miroza and Tuliche (August 2011), "Un chauffeur de la MONUSCO aux arrêts pour exportation frauduleuse de la cassitérite", in *Le peuple Souverain*, Bimensuel d'Information générale, Goma, du 31/08/2011, p. 4

14 Carla Ferstman: *Criminalizing Sexual Exploitation and Abuse by Peacekeepers*. The United States Institute of Peace, 2013

The creation of the CDU was a reaction to the mounting cases of sexual exploitation and abuse committed by staff of the Mission in 2004, which had severely damaged the reputation of MONUC. The allegations made against civilian and military staff, included rape, sex with minors, sex for employment and sex with prostitutes. MONUSCO made commendable efforts to improve conduct and discipline activities. However, weaknesses remain in the areas of staff outreach and training, investigative capacity and reporting of cases handled by the military.

Today the CDU has 19 staff with presence in Kinshasa, Goma, Bukavu and Bunia and is responsible for carrying out a conduct and discipline training programme for all new civilian personnel, military observers, staff officers and civilian police. It follows a three-pronged strategy to combat sexual exploitation and abuse and other types of misconduct that include reporting and tracking of allegations, sensitization and training, responsibility and accountability of the chain of command<sup>15</sup>. Other initiatives include the establishment of an inter-agency sexual exploitation and abuse focal points network which is chaired by MONUSCO. A priority of this network is to strengthen linkages with agencies and coordinate victim assistance and referral initiatives on sexual violence. The Mission has developed a referral network of international and local NGOs through which victims can obtain medical, psychosocial and reintegration assistance. Funding from quick-impact projects is used to support these activities. Other preventive measures to address SEA include revision of the MONUSCO code of conduct, designation of off-limit areas and premises for military contingents, improved perimeter fencing and lighting around military compounds, etc.

It is interesting to note that the 2010-11 Mission planning process for the first time includes an indicator on actual reduction of SEA cases, which replaces the previous reporting on numbers of Mission staff who have been trained on sexual exploitation<sup>16</sup>. While the number of SEA allegations has dropped from 59 in 2007 to 24 in 2011, statistics continue to show a higher rate of SEA in the DRC Mission than in other peacekeeping missions. Between 2007 and 2011, a total of 157 substantiated SEA allegations were recorded in MONUC and MONUSCO, compared with 51 in UNOCI, 45 in MINUSTAH, 25 in UNMIL, 13 in UNMIS and 5 or less in every other Mission<sup>17</sup>.

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15 UN Women Evaluation Office: Evaluation of Gender Mainstreaming in United Nations Peacekeeping Activities (MONUC / MONUSCO) in the Democratic Republic of the Congo

16 SG Report for MONUC June 2006.

17 Kelly Behr: A Dangerous Euphemism: The Dark Side of Peacekeeping Missions :A Case Study of the United Nations Missions to the Democratic Republic of Congo, University of Michigan, 2011.

Evidence also seems to suggest an inadequacy of mechanisms to ensure that all staff attend the conduct and discipline training during induction.

## **Implementatiomn of the Code of Conduct in AMISOM**

Years of conflict and famine in Somalia have increased the vulnerability of women and girls, displacing tens of thousands from their communities, often leaving them without their husbands' or fathers' or clan protection. Without resources or employment, many women and girls are reliant on outside assistance and forced to do whatever they can to sustain themselves and their families. Human Rights Watch reports that some AMISOM soldiers have abused their positions of power to prey on the most vulnerable women and girls. Soldiers have committed acts of rape and other forms of sexual abuse, as well as sexual exploitation, abuse of positions of vulnerability, differential power, or trust, for sexual purposes<sup>18</sup>.

Human rights groups have alleged that AMISOM troops and local security forces have perpetrated acts of sexual violence<sup>19</sup>. Members of the African Union (AU) forces, make use of Somali intermediaries and employ a range of tactics to get private access to Somali women and then abuse them. Some AMISOM soldiers have used humanitarian assistance, provided by the mission, to coerce vulnerable women and girls into sexual activity. A number of the women and girls interviewed for this report said that they were initially approached for sex in return for money or raped while seeking medical assistance and water in the AMISOM bases, particularly the Burundian contingent's base. Others were enticed directly from internally displaced persons (IDP) camps to start working on the AMISOM base camp by female friends and neighbors, some of whom were already working on the base. Some of the women who were raped said that the soldiers gave them food or money afterwards in an apparent attempt to frame the assault as transactional sex or discourage them from filing a complaint or seeking redress.

Other forms of unethical behavior include corruption, fraud and financial misconduct. A number of men and commanders have been suspended over corruption, fraud and financial mismanagement. An UN report on charcoal trade in Somalia stated that Al-Shabaab's revenue under hidden arrangements with some AMISOM leaders is likely to have exceeded the estimated \$25 million it was receiving when it had sole control of Mogadishu and Kismayu. With the Status of Mission Agreement

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18 Human Rights Watch, *The Power These Men Have over Us, Sexual Exploitation and Abuse by African Union Forces in Somalia*. New York, 2014.

19 Richard J. Wilson, *Human Rights Violations by Peacekeeping Forces in Somalia*. American University Washington College of Law, 2014.

(SOMA) provisions on immunity and home-country prosecution of perpetrators, it is unlikely that Somalia can not prosecute any members of AMISOM for their commission of sexual violence against Somali citizens.

### **AMISOM Response to Unethical Conduct**

Like the UN, The African Union has a zero-tolerance policy to any form of unethical behaviour especially on sexual exploitation and abuse and is committed to putting in place a robust framework designed to prevent this menace. When sexual allegations are made against any AMISOM member or staff, AMISOM initiates rigorous investigation of such complaints and takes appropriate disciplinary action as may be required.

However, the primary responsibility of actions falls on troop-contributing countries to hold members of their forces to account for misconduct, including through criminal prosecution, as specified by status of mission agreements between Somalia and the AU, and individual MoUs between troop-contributing countries and the AU. The Somalia-AU status of mission agreement states that all members of AMISOM, including locally recruited Somali personnel, are legally immune from prosecution in the local Somali justice system for all acts performed in their official capacity<sup>20</sup>. This demonstrates how the zero-tolerance policy suffers from some gaps and shortcomings. The policy on sexual exploitation and abuse recognizes that these forms of abuse are grounds for termination of employment but it does not provide for disciplinary fines or reparative schemes consistent with international recommendations.

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20 Article 81 of the Status of Mission Agreement (SOMA) between the Transitional Federal Government of the Somali Republic and The African Union on The African Union Mission in Somalia (AMISOM), March 6, 2007.

# Factors Affecting Observation of the Code of Conduct in Peace Support Operations

## Lack of Ethical Risk Analysis

Lack of ethical risk analysis before deployment might cause some commanders to treat ethical risks as a lower activity. There is clearly a need to incorporate ethical risk analysis in peace missions' doctrine and procedures for operational planning and operational risk management. Essentially, ethical risk analysis should involve two steps: considering where the threats are, and gathering hard data, from surveys and other measures, to confirm the extent of potential risks. Ethical risk analysis would help commanders to enhance effectiveness on individual moral awareness, moral judgment, moral motivation, and moral action. Individuals with low levels of moral awareness are less able to perceive the ethical demands of a particular event, hence they may not know what to do, and are therefore more likely to make unethical choices.

## Lack of Ethical Role Models

Commanders must be endowed with humane attributes, coupled with a strong and disciplined character. Serving as an ethical role model for one's subordinates is recognized as an important part of a leader's job. Peace mission leaders at all levels cannot manage ethical risks if they are not role models. Leaders must demonstrate a commitment to ethics through words as well as actions. Leadership behaviour is recognized as the primary determinant of ethical conduct in any organization. For this reason, PSO leaders must model the ethical behavior they want to see in others.

## Impunity

It is common in international relations for individuals operating in foreign countries to be exempt from the laws and courts of those countries for their services on international missions. Military, police and civilian peacekeepers commit crimes (e.g. sexual exploitation of children, trafficking in women, rape, murder, negligent killing, or major fraud) in the already-battered localities of their service and are not prosecuted in their countries of origin. This raises the question of inadequate accountability (and especially impunity) on peace operations and threatens the integrity, core values and purposes of peacekeeping<sup>21</sup>. Given the poor record on

21 Andrew Ladley, *Peacekeeper Abuse, Immunity and Impunity: The Need for Effective Criminal and Civil Accountability on International Peace Operations*. Politics and Ethics Review, Edinburgh University Press 2005.

successful prosecutions of alleged offenders in their own domestic courts, the general conclusion is that some changes in the current legal regimes in both national and international law are essential if there is to be effective accountability for crimes and other abuses committed by international personnel during any form of peace keeping or crisis management intervention<sup>22</sup>.

### **Number of Peacekeepers**

Scholars have identified a link between the number of peacekeepers and the number of cases of sexual abuse in some regions. Sarah Menderson (2005) for instance, argues that “as the number of peacekeepers [in the Balkans] increased in the mid-1990s, the number of females trafficked to the region jumped. For Sarah Mendelson, peacekeepers in the Balkans in the 1990s were an important source of demand for sexual services in the region, which triggered a dramatic increase in human trafficking to that area. Similarly, Muna Ndulo (2009) , drawing on reports from the Secretary General, states that the number of allegations of sexual abuse and exploitation in peacekeeping missions amounted to 121 in 2004, 340 in 2005 and 357 in 2006.

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22 Wilber, D.Q. (2010). ‘Charges Dismissed Against Blackwater Guards in Iraq Deaths’. Washington Post. 1 January 2010.

## Conclusion

The implementation of the code of conduct in contemporary Peace Support Operations aimed at strengthening and professionalizing the planning, management and conduct of United Nations peacekeeping operations. Despite peacekeepers' enormous contributions to and sacrifices to the cause of peace and security, they have increasingly been associated with some misconduct towards the vulnerable populations they are mandated to protect. Different forms of misconduct such as sexual exploitation and abuse, illegal exploitation of natural resources, and mismanagement of peace mission's resources have been reported on AMISOM and MONUSCO. Significant efforts have been made to eliminate all forms of unethical behaviour among peacekeepers but there is still a long way to go. The problem is compounded by the little-recognized fact that responsibility for training, command and discipline of peacekeeping troops is almost entirely in the hands of the member states that contribute the troops. This limits the UN/AU ability to enforce standards of behaviour in its missions and can fuel perceptions that the organization condones or ignores sexual abuse.

However, though it might be impossible to prevent all forms of abuse, it should not be impossible to create effective accountability on peace operations. Discipline in troops is absolutely essential to establish a proper way of controlling peacekeepers' behaviour. Thus, as the UN does not have the power to criminally prosecute its peacekeepers, it could provide a judicial system for accountability on international missions by lift their immunity and prosecuting them wherever they are serving. Often, winning the peace is a more difficult proposition than winning the war. Raping, plundering, and unnecessary killings can and will turn an entire nation against not only the perpetrators, but also the establishment sent to ensure peace-support. Often, nations have won the war only to lose the peace.

## Recommendations

- The UN needs to institute measures to eliminate sexual exploitation and abuse as part of the performance goals for all managers and commanders and rate managerial performance in accordance with the actual implementation of these goals. Any senior employee who fails to implement measures to eliminate sexual exploitation and other misconduct should be removed from his/her position;
- Financial assistance to be given to victims of abuse by perpetrators from Troop Contributing Countries should be implemented. This will make these countries more serious in selecting commanders who are able to maintain high levels of discipline;
- Special courts for serious allegations like sexual exploitation and abuse should be implemented in every mission. The composition of these courts should include TCCs, AU and UN judges to observe impartiality;
- Militaries from troop-contributing countries should actively work with local women's groups in their own countries to design culturally appropriate responses to mainstreaming gender and combating sexual exploitation and abuse; and
- Troop Contributing Countries should train their troops using country-specific training modules and DPKO should conduct evaluations before deployment of peacekeepers.



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## Highlights of Key Messages in the Issue Briefs

### **Transnational Insurgency in Africa: A Review of Al Shabaab, Lord's Resistance Army (LRA) and Boko Haram**

- The paper has examined the problem of transnational insurgency with examples of Al Shabaab, LRA and Boko Haram. It has analysed each insurgency, the counterinsurgency efforts undertaken to contain it and suggested the steps that should possibly improve the effectiveness of counter-insurgency efforts.
- Insurgency may be defined as “a struggle between a non-ruling group and the ruling authorities, in which the non-ruling group consciously uses *political resources* (e.g. organizational expertise, propaganda, and demonstrations) and *violence* to destroy, reformulate, or sustain the basis of one or more aspects of politics.
- Countries that are affected by Al Shabaab, LRA or Boko Haram experience difficulties in governance as state apparatuses may not be functioning adequately, leaving space for insurgents.
- Components like religion, youth radicalization and poverty level allow for proliferation of transnational insurgencies.
- There is also a tendency to merge transnational insurgency with transnational crime as insurgents use criminal activities to raise funds for their operations

### **Implementation of the Code of Conduct in PSO: Case Studies of AMISOM and MONUSCO**

- Despite peacekeepers' enormous contributions to and sacrifices for the cause of peace and security, they have increasingly been associated with some misconduct or unethical behaviour towards the vulnerable populations they are mandated to protect.
- Special courts for serious allegations like sexual exploitation and abuse should be implemented in every mission and so also should financial assistance to victims by Troop Contributing Countries. The composition of these courts should include TCCs, AU and UN judges to observe impartiality.
- TCCs should train their troops using country-specific training modules and DPKO should conduct evaluations before deployment of peacekeepers.

## About the Authors

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Mr Radoslaw Malinowski is an applied researcher at the International Peace Support Training Centre (IPSTC), Nairobi, Kenya. He holds a Master of Arts Degree in Law, a Master of Arts Degree in Theology from the Catholic University of Lublin (Poland), as well as a Master of Arts Degree in International Relations and Peace Studies from Hekima College, a constituent College of the Catholic University of Eastern Africa (CUEA), Kenya. He is currently pursuing a PhD at the Catholic University of Lublin (Poland). He has worked for different non-governmental and international organisations in Kenya, South Sudan, Malawi and South Africa in the area of peace, conflict and human rights. He is also a part time lecturer at the Tangaza University College (CUEA).

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