UNIVERSITY OF NAIROBI

COLLEGE OF HUMANITIES AND SOCIAL SCIENCES

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

SECURING CIVILIANS THROUGH PEACE SUPPORT OPERATIONS IN AFRICA: A CASE OF THE AMISOM IN SOMALIA

BY:

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R50/87273/2016

A Research project submitted in partial fulfillment of Masters of Arts in international studies

2018

DECLARATION

I, Victor Lidaywa Lugonzo hereby declares that this research project is my original work and has not been presented for a degree in any other university.

Date...7|12|2018.......... Signature ....

Victor Lidaywa Lugonzo

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This project has been submitted for examination with my approval as the appointed university

Supervisor.

Signature **Date** 10|12|2018

AMB. PROF MARIA NZOMO

DEDICATION

This research project is dedicated to my immediate family members. To my wife, Isabella, for providing me with the required support in the course of the study. To my two daughters, Lyra and Hailey, for continuously keeping me a brace with reminder of going to school.

ACKNOWLEDGEMENT

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ABBREVIATIONS AND ACRONYMS

AMIS:	African Mission in Sudan
AMISOM:	African Mission in Somalia
ASF:	African Standby Force
AU:	African Union
CPA:	Comprehensive Peace Agreement
CONOP:	Concept of Operation
DFS:	Department of Field support
DPKO:	Department of Peacekeeping Operations
DRC:	Democratic Republic of Congo
ECOMOG:	Economic Community of West African States Monitoring Group
ECOWAS:	Economic Community of West African States
FARDC:	Armed Forces of the Democratic Republic of Congo
IASC:	Inter Agency Standby Committee
ICRC:	International Committee of the Red Cross
IHL:	International Humanitarian Law
IHRL:	International Human Rights Law
KDF	Kenya Defense Forces
MARO:	Mass Atrocities Response Operation
MINURCAT:	United Nations Mission in Central Africa Republic and Chad
MUNUC:	United Nations Organization Mission in Democratic Republic of Congo
NATO:	North Atlantic Treaty Organization
NMOG:	United Nations Assistance Mission for Rwanda
OAU:	Organization of African Unit
OMIB:	Observer Mission in Burundi

ONUCI:	United Nations Operation in Cote d'voire
PoC:	Protection of Civilians
PSOs:	Peace Support Operations
SCR:	Security Council Resolution
SNA	Somali National Army
SPLM/A:	Sudan People Liberation Movement/Army
UN:	United Nations
UNAMSIL:	United Nations Mission in Sierra Leone
UNHCR:	United Nation High Commission for Refugees
UNMIL:	United Mission in Liberia
UNPROFOR:	United Nations Protection Force
USCR:	United States Committee for Refugees

ABSTRACT

This study was set out to investigate the challenges of securing civilians through peace support operations in Africa with a focus on the AMISOM operation in Somalia. The study made use of the following assumptions that were influential in designing of the questionnaire and interview schedule: Africa is making efforts to secure its civilians during peace support operations, the AMISOM operation in Somalia has strategies for ensuring protection of civilians, and that the AMISOM operation in Somalia experiences challenges in the course of securing civilians in Somalia. I was guided by the theory of constructivism which helped in explaining the conflict in Somalia, its causes, make recognition of the plight of civilians faced by the armed conflict, and to have an appreciation of the various ways of dealing with this conflict while at the same time looking into the issue of protecting civilians. The study adopted a mixed-approach research design where both qualitative and quantitative techniques were used to collect data, with content analysis being used to analyze qualitative data and use of tables and pie-charts to analyze quantitative data. From the study, it was found that a lot need to be done on securing of civilians in Africa's peace support operations in terms of the mandate, that is, it should be explicit from the outset; in order to achieve security of civilians both use of force and humanitarian approaches are essential; and that there is need for the host nation to take a lead role by securing its civilians as its primary responsibility. The study recommends that the issue of securing civilians in peace support operations in Africa, should be the priority in each and every subsequent mission.

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 Background of Study

The preservation of international peace and security has been the strife in the international system long enough especially from the 20th century period. For instance, the formation of the League of Nations following the aftermath of World War I, establishment of the treaty of Versailles in 1919[1], and the emergence of the UN in 1945 after end of World War II. The UN, intergovernmental organization, for upholding international peace and order through one of its organs- the United Nations Security Council (UNSC)[2]. This is legally backed by article 1 of the UN charter, which asserts United Nations as:

> ... to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace[3].

As can be deduced from the UN Charter's preamble, the UN was that organization that was going to rescue humankind from the negative impacts of war[4], as stated, "we the peoples of the United Nations Determined...' to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind..."[5]. To that regard, the UN found itself intervening in conflicts around the world during the early stages of its formation[6], for example, the Soviet occupation of Iran(1946), issue of Palestine(1947-49) to date, Suez canal crisis(1956-57), and the Congo crisis(1960-64), among others. All along to date the UN has

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[1] Treaty of Versailles; a peace treaty that brought an end to world war 1featuring Germany and the allied powers,signed on the 28th of june 1919 in verasille
[2] UN Charter.
[3] www.cdn.peaceopstraining.org
[4] Andreas s. Kolb. "The UN security council member's responsibility to protect", springer Nature, 2018.
[5] ibid
[6] www.tandofline.com

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been on the forefront in intervention and leading peace support operations, PSOs, with both successes and failures.

According to the UN, Peace Support Operations[7], refers to its and other international entities' activities to maintain international peace[8] and security throughout the world. For NATO, Peace Support Operations are operations that involve diplomacy, civilian and military approaches to attain UN's objectives in restoring or maintaining peace (NATO, 2010)[9]. Some of these activities or operations comprise of conflict prevention, peacemaking, peacekeeping, peace building and other humanitarian operations. The conduct of PSOs is not only to manifest the presence of security forces in the conflict situation but has a long-term political implication implicitly stated in the mandate.

The UN Charter spells out the regulations for the conduct of all UN peace operations authorized by the Security Council. Upon direction by the SG, the DPKO and DFS carryout the design and management of the operations in the field. The duty of states is to guarantee a peaceful world[10], "member states shall maintain international peace and security and for that purpose take effective and collective measures for prevention and removal of threats to peace, as well as for suppression of acts of aggression or other breaches of peace"[11].

From the outset article of the UN Charter, the main role of the organization is to "maintain international peace and security"[12] thus highlighting the conduct of PSOs in chapters VI, VII

[7] "The Palgrave Handbook of Peace building in Africa", Springer Nature, 2018.
[8] www.theses.ubn.ru.nl
[9] NATO Glossary of Terms and Definitions, A AP-G 2010
[10] Katarina Mansson, "UN peace operations and security council Resolutions. A tool for measuring the status of international human rights law?" Netherlands Quarterly of human rights, 2017.
[11] UN Charter: www.seebrig.org
[12] www.ejil.org

and VIII[13]- which are vehicles that steers the UNSC towards maintenance of world peace and security[14]. Since then the UN has conducted several missions around the world which have evolved over time from the traditional form of only availing troops to keep a peace to the most recent ones that are complex in nature. All these operations in one way or another have heard civilian causalities either by direct attack from the combatants or as collateral damage from the activities of the combatants. It is on this premise that UN started rethinking on how to undertake the protection of civilians (PoC) in their mandates.

Civilians have suffered heavy causalities in armed hostilities over the years. This has been seen through deliberate killings, attacking of civilian objects and installations like schools and healthcare facilities, obstructing provision of humanitarian assistance, sexual violence, forced disappearance, attack of media personalities and those championing for human rights, and not holding accountable those who perpetuate violations and to provide support, justice and redress to the victims.[15] As witnessed in many instances most of the countries ravaged by conflict failed on their primary responsibility protect their own civilians in the wake of war due to inability or unwillingness to do so. This led to the UN to furnish an official protection mandate in 1999 which authorized the UN Mission to Sierra Leone to safeguard civilians who were in grave danger from physical violence[16]. On inception of this mandate, PoC, its early operationalization appeared to be an "impossible or non-implementable mandate"[17] because of the lack of a clear, operationally focused and practical concept[18].

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[13] Duffey Tamara, " united nations peacekeeping"
[14] www.etheses.whiterose.ac.uk
[15] UNSC (2012). Report of the secretary General on the protection of civilians in armed conflict, S/2012/376 para 5.
[16] UNSC Resolution1270 (1999) on the establishment of the UN mission in Sierra Leone (UNAMSIL), 22 OCT 1999.
[17] Interview of UN peacekeepers during a training program on protection of civilians, Dec 2014 in Accra, Ghana.
[18] www.odihpr.org

The DPKO and DFS later instituted the concept of PoC with guidelines on how the mandate would be carried out. The concept was referred to as "operational concept"[19], which outlined a three-tier plan needed to look into the PoC mandate in mission areas as follows:

> Tier I- Protection through a political process.
>
> Tier II- Providing protection from physical harm.
>
> Tier III-Establishing a protective environment[20].

The first tier majorly involves securing civilians through verbal interchange between and amongst the antagonists' factions, resolving conflict and acting as a-go-between parties to the hostility, cajoling the state authorities in place and other actors to join hands in protecting the civilians, among others[21]. Tier II involves protecting civilians from physical harm .some of the activities depicted under this tier include patrols, ensuring freedom of movement and route-security, deporting those not taking part in the hostilities to safer areas, ensuring good public climate, mediating in conflicts and offering support where needed, putting in place mechanisms for early warning of conflict outbreak, political engagements, among others[22]. Finally, tier III ensures a protective environment is maintained that has been designed and resourced for medium-to- long term peace building objectives with activities such as reinforcing the political process, advancing and safeguarding of human rights, pushing for and ensuring access to humanitarian support, advocating for equality, promotion of justice and establishment of the rule of law, among others[23].

Earlier on, securing of civilians was not that explicit and this limited the security forces' span of action[24]. This was well depicted by the role of UNPROFOR[25], in Croatia and Bosnia. The

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[19] www.docpla.net
[20] www.peacekeeping.org.uk
[21] www.un.org
[22] DPKO-DFS. Operational concept draft.
[23] www.dag.un.org.
[24] Robert Schutte. "Civilian Protection in Armed Conflicts", Springer Nature, 2013.
[25] "international Law and Humanitarian Assistance", Springer Nature, 2011

former Pock concept appeared to have had caveats through which the combatants exploited as conflicts became more and more intense in the 1990s. This threatened UN peace operations and humanitarian efforts on ground to an extend of compromising peace agreements and no parties available to agree on the having UN forces on ground[26]. All these made UN missions untenable, witnessed in the Balkans, Rwanda, Sierra Leone, and Somalia[27]; in which UN was heavily blamed for inadequately preparing peacekeepers to secure civilians from targeted killing that culminated to genocide (Ariye, 2015)[28].

After all these crises of intervention, the UNSC became more explicit with the concept of civilian protection. This is when it advocated for robust safeguard procedures through assertion of IHL and human rights law[29] with strong emphasis on the concrete protection of civilians in its mandates[30]. Therefore the 1999 adoption of resolution 1270 on sierra Leone by the Security Council with a new formulation to 'protect civilians' was an indicator to the UN peacekeeping operations[31] in case of large-scale violence threating the civilian population (Victoria Holt *et al.*, 2009). The Rwandan genocide was not the way anyone was willing to walk[32].

Before the adoption of resolution 1270, the Council members were engrossed in a lot of discussion towards its adoption in relation to previous peace missions that so most atrocities meted against civilians, for instance the hostage-taking of both ECOMOG and UN forces in august 1999. Most of the council members called for a more robust mission that would ensure protection of civilians. The then envoy of the Netherlands described the condition in sierra Leon as 'volatile' and "that robust rules of engagement are indeed essential if UNAMSIL is to fulfill its mandate and protect itself and civilians under threat"[33]. All in all, the council members

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[26] www.dtic.mil
[27] Kar.kent.ac.uk
[28] www.un.int
[29] See 24
[30] OCHA, United Nations Office for Coordination of Humanitarian Affairs (2014). Occasional policy paper.
[31] www.peacekeepingpractices.unlb.org
[32] An internal government memo of the Security Council, in which the Canadian minister of foreign affairs pushed heard to place UNAMSIL under chapter VII and to mandate it to protect civilians, saying that he would not allow another Rwanda "on his watch".
[33] Security Council meeting S/PV.4054 of 22 Oct 1999 (p.13, para. 14), www.un.org.

emphasized and urged the council's actions be projected on future peace operations in protecting civilians:

> "We believe that the protection of civilians under Chapter VII is a pertinent development in the context of the mandate of a peacekeeping operation.
> This draft resolution is significant in that it introduces a new, fundamental Political, legal and moral dimension. This bears on the credibility of the Security Council and shows that the Council has learned from its own experience and that it will not remain indifferent to indiscriminate attacks Against the civilian population. At the same time, we are realistic.... It establishes an objective limit, the competence the Council wishes to give UNAMSIL, a geographic limit – UNAMSIL's area of deployment – and a functional limit – it does not overlap the specific security responsibilities entrusted to ECOMOG pursuant to the mandate adopted by ECOWAS on 25 August 1999. [. . .] UNAMSIL is the first in a series of large-scale peacekeeping operations that the Security Council will be creating in coming weeks...."[34]

The above chronology of events and many others including the *Brahimi Report*[35] have helped to bring out how the idea of safeguarding Civilians became entrenched in the UN's peace support operations mandates.

1.2 Statement of the Problem

The problem of this study is based on the larger insecurity issue facing Africa due to a myriad of issues ranging from incapability to lack of political will by governments. Security of civilians through Peace Support Operations is one of the many challenges facing the African security apparatus, although many studies have been carried around the security sector in Africa and beyond, few of them have dwelt on the security of civilians especially in the midst of peace support operations. Many of these peace operations authorized by the UNSC have been carried out in the various parts of the African continent, but still the security of civilians in the midst of these operations has not been guaranteed.

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[34] Ibid....p.16,para 4; www.un.int
[35] The Report of the Panel on United Nations Peace Operations (2000) is commonly called the Brahimi Report, named for the chairman of the commission that produced it, Lakhdar Brahimi. UN Secretary-General Kofi Annan had convened the Panel on March 7, 2000, ahead of the upcoming Millennium Summit, and had tasked it with making a thorough review of United Nations peace and security activities and recommending improvements. The report was published on August 17, 2000.

The AMISOM operation in Somalia has been reported to have incurred many civilian casualties in diverse ways including deliberate attacks from the militant groups in Somalia, targeting from the government forces and as collateral damage from the operational activities of AMISOM forces. Nowadays the conduct of PSOs have protection of civilians as a mandate, if not wholly explicit, then the protection aspect has a way of being incorporated in such operations. It is in the light of this that it is prudent enough to investigate the difficulties of affording protection to civilians amid peace support operations in Africa.

1.3 Research Questions

    i)   What role does AU perform to secure civilians in Africa?

    ii)   What strategies/roles does AMISOM apply to secure civilians in the Somali conflict?

    iii)   What are the challenges and prospects of AMISOM in securing civilians in Somalia?

1.4 Research Objectives

The overall objective of the study was to establish the challenges of securing civilians in Africa through Peace Support Operations.

The specific objectives of the study were to:

    i)   Determine the role of AU in securing civilians in Africa.

    ii)   Examine the strategies/roles applied by AMISOM in securing civilians in Somalia.

    iii)   Investigate the challenges and prospects of AMISOM in securing civilians in Somalia.

1.5 Literature Review

This section analyzed literature on the subject under study by relating the works of the various researchers, scholars and authors. The content in the section was derived from books, journal articles and journal articles that had close resemblance to the topic and objectives of this study. Some of the major tenets in the review included the concept of protection of civilians, atrocities civilians being subjected to, and security forces strategies with regard to civilian protection, among others. A close look at some of the theoretical frameworks adopted in the different studies was analyzed in comparison to the concept of protecting civilians, not forgetting some of the recommendations and conclusions arrived at that would help in establishing the gaps so as to enrich the study

1.5.1 Theoretical Literature

This section gives literature based on the major theoretical debates of international relations applicable to this study. In this study, the theoretical literature applied the theoretical debates of realism and liberalism to explain the context of the Somali conflict and the intervention of the international community.

1.5.1.1 Realism

The theory of realism was used to indicate how conflict has been caused in the state of Somalia. Both classical and structural realists agree to the state as a major player in the international system. According to Kenneth Waltz, the proponent of structural realism, the anarchical system in international politics is one that fosters fear, jealousy, suspicion and insecurity. This was so evident when interstate wars were widespread around the world. With the dominance of intra-state wars after the cold war, seemed to have caught the attention of the structural realists.

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During this period, the realists (structural realists) started analyzing the causes of intra-state wars and going further to recommend solutions to such wars[36]. From the understanding of structural realists, the collapse of sovereign authority of a state often leads to internal wars with similar causes as wars between states[37]. The different groups within the state strife for control so as to be assured of their own security. Barry Posen (1993) qualified this further by employing the notion of security predicament to explain the political scenarios that would emanate when various ethnic, religious and cultural groups abruptly see themselves in-charge of their own security[38].

Thus, realism in this case clearly portrays the persistent nature of conflict in Somalia since the early 1990s. The Somali community is composed of several ethnic groups that have rivaled against each other since the collapse of central authority.

1.5.1.2 Liberalism

Liberal theory was used to illustrate the interventions of quenching the Somali conflict. Immanuel Kant, the proponent of the theory, noted the conditions necessary for ending wars and creating everlasting peace in his essay *"Perpetual Peace: A philosophical sketch"* back in 1795. This was guided by the believe in international cooperation in reducing conflicts amongst the states; the emphasis of international institutions, for example, the UN as a forum of resolving international disputes and the advocacy of democracy as a major stride in limiting interstate wars.

In the Somali conflict, we have seen the international community heavy involvement in efforts to stabilize the war tone country. The UN, AU, and regional players have cooperated in one

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[36] The globalization of world politics: an introduction to international relations; www.wds.worldbank.org
[37] Ibid.
[38] ibid

tune of having a stable Somalia and fast-tracking efforts to have one central authority under democratic governance.

1.5.2 Empirical Literature

This section gives the state of already existing literature done by other scholars related to this particular study.

1.5.2.1 The concept of civilian protection

The plight of civilians in peace support has been a global phenomenon that has involved the concern of international actors like the UN and other international organizations, without the exception of regional players. Most of the contemporary conflicts, with their nature of complexity, have put civilians to face-off with the belligerent armed groups[39]. Civilians in this context have become direct targets as opposed traditional norm of victims. The sum up of all these scenarios in the conflict areas has significantly led to a lot of research work by various international organizations, institutions, scholars and individual researchers under various dimensions of protection of civilians with a view to come up with workable strategies that will culminate in reducing or at best stop the plight of civilians in conflict areas[40].

Holt and Taylor (2009), in their study regarding the securing of civilians in UN peacekeeping operations[41], examined ways undertaken to transform the Security Council mandate in protection of civilians into effective efforts on ground.

The study goes further to show the importance of maintaining civilian security during and post-conflict environment as this bears directly towards the legitimacy and reliability of the UN's

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[39] "United nations peace operations in a changing global order", springer Nature America, icl.
[40] Harry Aitken. "The Security Council and international law enforcement: A Kelsenian perspective on civilian protection peacekeeping mandates", Journal of conflict and security law, 2017.
[41] www.iawn.anglicancommunion.org

peacekeeping mission[42] (derived from the local population and external observers), the peace agreements to be implemented, and the UN system itself. On the side of the institution, the study reiterates the strides made by the UNSC in supporting missions with a greater emphasis on security of civilians. This was witnessed through a number of statements and official intentions and the periodic recounts of the Secretary General on the security of civilians in armed conflict[43].

Also the other major stride for the UN institution in the execution of protecting civilians was the substantial shift of its mode of operations from the convention duty of overseeing the implementation of peace agreements to the modern multidimensional ones[44]. Under multidimensionality, a whole spectrum of peace building activities are involved, for instance, allocating safe locations to monitor human rights; rebuilding the capacity of the state; among others. Equipped with such kinds of mandates it was easy to emphasize the concrete protection of civilians as the first mission[45], UNAMSIL, did which was clearly authorized to "protect civilians under imminent threat of physical violence"[46]

According to Holt and Taylor (2009), one major flop that faced the UN peacekeeping and the affording of civilian security mandate was the lack of complete link of the different 'chain' of events that supported the protection of civilians. That is, organizing, negotiating Security Council mandates, to the mandate implementation by the peacekeepers in the field. It is on this consideration that certain key aspects were identified and addressed, for instance, taking into

[42]Victoria Holt and Glyn Taylor. Protecting civilians in the context of UN peacekeeping operations, 2017. DPKO
[43]ibid
[44] ibid
[45] Willmot, Haidi and Scott Sheeran. "The protection of civilian mandatein UN peacekeeping operations: reconciling protection concepts and practices", international review of the Redcross, 2013.
[46] Student paper submitted to Melbourne University

account the harm to civilians when the when the Security council deliberates on a peacekeeping mandates; adoption of a clear understanding of the SC's intention regarding 'protection of civilians' mandate to avoid ambiguity; the SC having clear policy guidelines towards PoC and the need to adequately plan and prepare for the mission[47].

Stuart Gordon (2013), looks at the PoC as a recurring feature in the humanitarian realm unlike in the military doctrines. He highlights some of the propellers that have pushed the military in accommodating the concept. For instance, the changing nature, location and scope of conflict; magnitude and difficulty of protection issues as was observed in the Balkans, Rwanda, Darfur, and Libya[48]. All these clearly indicate that the complex and dynamic nature of the threats the civilian face cannot be handled by a single actor without significant support from other players[49].

Gordon (2012), 'protection' emanates from IHL's security of civilians following the ramifications of war[50]. Therefore, the angle of approach of 'protection' leans on the roles of humanitarian organizations including: ICRC, IHRL, UNHCR, among others. For, Stuart, implementation of 'protection' has been directed by the mandates and operation approaches these organizations mostly manifested as "legally created, diplomatic and persuasive engagement with national states and non-state actors"[51]. This, according to the ICRC and UN's inter agency standing committee (IASC), uphold that "the concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law(that is, IHRL, and the Refugee Law)"[52].

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[47] www.un.int
[48] Gordon, S. (2013). The protection of civilians: an evolving paradigm? International journal of security and development.
[49] ibid
[50] ibid
[51] ibid
[52] ICRC, 1993

Having taken a humanitarian approach with regard to 'protection', it is now authoritative to trace its origin (Stuart, 2013)[53]. The rampant conflict that had engulfed most part of Africa in the 1990s after the cold war resulted too many atrocities against civilians trapped in the midst of armed conflict[54]. This brought a lot of concern to the humanitarian community and prompted humanitarian these agencies to rethink more carefully to what length to take responsibility on top of providing relief[55].

The ever increasing roles of these humanitarian actors coupled with the complexity of the 'protection' phenomenon in conflict has prompted the adoption of protection policies that will form part of the operational programming. These protection policies have ardently been pursued by state and non-state actors with regard to their operationalization and also relating to connections with both political and military actors in their efforts to enhancing civilian safety[56].

1.5.2.2 Military methods on protection of civilians

Military forces have within themselves endowed with a variety of ways for protecting civilians at different levels- strategic, operational and tactical levels (Williams 2010)[57]. The application of these methods are dependent on the situation on ground. The strategic level will apply the following approaches mainly in a scenario involving control of mass killings: Deterrence, compellence, defense and offence[58].

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[53]ibid
[54] ibid,
[55] ibid
[56] ibid
[57] www.flyntgroup.com
[58] Seybolt. Contemporary British defense policy, eight strategic effects military power can be employed to deliver: prevent, stabilize, deter, coerce, disrupt, defend, prevent, and destroy.(www.polity.co.uk)

Deterrence majorly involves manipulating an opponent's behavior through use of threats, that is, establishing redlines and the risks of crossing them. More simply put as "Do not do X, or I will do Y"[59]. When it comes to securing civilians, the armed groups will be cajoled to have a clear mind before attempting to commit atrocities. The success of this strategy is only achievable when both parties, deterrer and the target, perceive what constitutes appropriate behavior of the situation at hand[60].

At times it is essential to see how the target would respond or behave when subjected to certain stimuli. This is where compellence come into play with some specified guidelines[61]. This strategy has been regarded as a complimentary to deterrence because of the figurative form it takes: "if you do not do X, I will do Y"[62]. Basically, the two strategies involve conditional use of threats in a way that will completely avoid or apply limited use of military might. The success of both approaches is tied on how the target will respond to the demands being induced to do inform of threats.

The other two approaches, defensive and offensive, are purely military-dependent and come into play when the target has completely failed to comply in accordance to the threats presented. In the protection of civilians, defensive approach mainly focusses on saving the victims while offensive approach is geared at defeating the perpetrators (Williams, 2010). One perfect instance where offensive strategy has been in use is by the MONUC troops in 2005. This involved cordoning off the target areas and searching for the armed militants resulting to forcible disarmament of about 15000 combatants in the Kivus[63]. However, the defensive

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[59] www.polity.co.uk
[60] Lawrence Freedman, *Deterrence*, (Cambridge: Polity, 2004), 5-6,116.
[61] Thomas C. Schelling, *arms and influence*, (New Haven, CT: Yale university press, 1966)- www.polity.co.uk
[62] ibid
[63] Thomas C. Schelling; www.polity.co.uk

approach has been the mostly used of either of the approaches by the peacekeepers because of the perceived advantages to troops in the defensive position. One such instance was with the MONUC force in the DRC in 2006. This happened when MONUC troops successively fend off Nkunda's forces (National Congress for the Defense of the People Forces)[64] that were fiercely advancing towards the UN safe area after beating the DRC Armed Forces (FARDC)

In a nutshell, both strategies- defense and offense, are too risky, and, that require outstanding military leadership for a desirable performance (William, 2010)[65]. If resources are not sufficient the defense can easily be over-runned and therefore attempts to defend against perpetrators will definitely fail. More worse is a situation of abandoning either of the approaches while under progress especially due to cost implications as this will provide an avenue for the perpetrators to succeed. Table 1.5.2 shows some of the strategies for military protection.

[64] www.polity.co.uk
[65] ibid

Table 1.2 Strategies for Military Protection

DETERRENCE	DEFENSE	COMPELLENCE	OFFENSE
Deter violence through military presence or threat	Defensively protect vulnerable civilians in fixed locations	Disrupt means and capabilities of perpetrators	Militarily attack and defeat perpetrators
FOCUS ON PHYSICAL PROTECTION OF CIVILIANS		FOCUS ON HALTING ACTIONS OF PERPETRATORS	
• Patrol on land, at sea • Conduct military exercises • Use satellites and/ or unmanned aerial vehicles to gather information on potential atrocities • Position military assets in deterrent posture (for example, off-shore or in neighboring territories)	• Defend villages, stadiums, churches, and so forth • Defend internally displaced persons/ refugee camps • Establish interpositionary operations • Protect humanitarian corridors	• Disrupt supply lines • Control borders, roads • Enforce no-fly zone • Impose arms embargo/cut off military assistance • Jam media, hate radio, and other communications • Precision targeting	• Deployment of ground troops • Air campaign

(Source: Adapted from Genocide Prevention Task Force, *preventing Genocide*: A blueprint for U.S policy Makers- Washington, D.C:U.S. institute of peace, 2008)[66]

The operational level mechanisms securing civilians can be attributed to the MARO Project[67]. According to the MARO handbook, each of the approaches adopted when it comes to civilian protection has both pros and cons. All these are dependable upon the size, category and where the intervening troops are stationed; the size, and location of the victims and perpetrators; and the level of political input on both the intervening forces and the perpetrators (William, 2010)[68].

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[66] www.polity.co.uk
[67] A Mass Atrocity Response Operation (MARO) describes a contingency operation to halt the widespread and systematic use of violence by state or non-state armed groups against non-combatants. The term MARO is not yet enshrined in military doctrine-but it should be.
[68] www.polity.co.uk

Some of these operational level approaches include: creating of safe areas to secure internally displaced persons and the civilians in danger; containment- striking the aggressors or completely sealing them off in every avenue of access like roads and air; saturation which is achieved by establishing means of control and ensuring security on an expanzive area by operating mobile units on ground; separation, which involves establishing buffer zones between victims and perpetrators; and defeating perpetrators by attacking its rank and file so as to eliminate their ability to commit mass atrocities, among other approaches[69].

At tactical level, many of the militaries have the capabilities to undertake protection operations especially after having practiced them in most of the peacekeeping operations. Most of these tasks are left to the discretion of tactical level commander on ground in terms of how to carry out the tasks and in what priority (Williams, 2010). In essence, all the peacekeepers are to be aware of these tasks as individuals and as a collective team. Table 1.1.3c summarizes some of the military tactical level tasks relevant to the protection of civilians.

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[69] Paraphrased from Sarah Sewall et al, *Mass Atrocities Response Operations:* A military planning handbook-Cambridge: Havard Kennedy School, 2010.(www.polity.co.uk)

Table 1.2 Military tactical level tasks for Protection of civilians

• Coerce perpetrators	• Noncombatant evacuation operations
• Cordon-and-search operations against bases of armed groups	• Provide safe passage for civilians
• Crisis response	• Identify, demilitarize, and patrol humanitarian aid supply routes
• Set up bases in areas of civilian insecurity	• Escort humanitarian aid convoys and protect relief workers
• Guard installations	• Monitor violations
• Patrolling/observation/surveillance, for example, in displacement camps	• Arrest war criminals
• Removal of illegal barricades and check-points on civilian roads	• Demining
	• Disable unexploded ordnance
• Sensitization missions to armed groups	• Enforce curfews
• Establish safe areas and maintain security within them	• VIP protection
	• Stop hate media
• Separate combatants and noncombatants	• Reform and train security services

(Source: Adapted from Genocide Prevention Task Force, *preventing Genocide*: A blueprint for

U.S policy makers-Washington, D.C:U.S. institute of peace, 2008)[70].

1.5.2.3 African peace operations and the Protection of Civilians

Having looked at the UN system it will be plausible to shade more light and see how the idea

of 'Protecting civilians fits in the African setting. Peace operations in Africa go back to a period

preceding the close of the cold war majorly under UN[71]. After the war period, the dynamics of

conflict in Africa took a huge detour from the conventional interstate to more unconventional

ones, intrastate. Levels of armed conflict all over the world had substantially reduced by the

end of the war[72]. But this was not the case with Africa! The earlier years of the post-cold war

era witnessed deadly conflicts on the African continent, for instance, the infamous "blood

diamonds"[73] witnessed in several countries in the African continent including Angola, Liberia,

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[70] www.polity co.uk
[71] Hexagonal series on humanitarian and environmental security and peace, 2008.
[72] www.ncciraq.org
[73] Kenneth Campbell. "Genocide and the global village". Springer Nature, 2001.

18

sierra Leone, and Democratic Republic of Congo (Orugun, 2004)[74], and the 1994 Rwandan Genocide.

During this period, conflicts were too diverse involving both state and non-state actors (Ole Petter Ottersen et al, 2014). Some of the notorious interstate players included Eritrea-Ethiopia conflict and Ethiopia-Somalia conflict, all of which relating on boundary issues (Young, 1991). Other conflicts were more of intra-state involving different armed groups within a state fighting over resources, agitating for change in government, rebel groups, and separatists groups, among others. These intra-state conflicts easily spread to neighboring states because of the porous borders between states[75] as evidenced in the Sahel, the Sahara and Libya, and the Somalia and northern Kenya[76].

It is on the backdrop of the rampant violent conflicts in Africa with little attention from the west and international community that sparked up the idea of Africanization of African security after the formation of African Union (AU) in 2001. Thus, conflicts in the continent could be adequately be addressed so as to avoid the suspense from the UN and the international community to prevail when urgent help is needed. African had not taken the response from the UN and the international community lightly during and in the aftermath of the Rwandan Genocide[77]. This was evident from OAU's report in the year 2000 in its own investigation regarding the Rwandan crisis whose findings apportioned blame on the unwillingness of western states' failing to respond to the crisis as noted in the final report[78]:

> Who was responsible: The Carlsson inquiry mostly focusses and puts the   Greater responsibility on the UN Secretariat, especially the Secretary General and the Department of Peacekeeping Operations under Kofi Annan ... others Disagree profoundly and consider it scapegoating to blame the United

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[74] www.hatton-garden.net
[75] Damien Deltenre et al."Filling leaking tub? Peacekeeping in Africa and the challenge of transnational armed rebellion". 2015.
[76] African Union, "statement delivered to the African union committee for peace and security by the director of peace and security", Feb 2015.
[77] "World orders in the making", Springer Nature, 1998.
[78] www.lib.unb.ca

Nations civil service. Interestingly enough, this group actually includes General Dallaire. In his view, the real culprit is not even the Security Council, but certain members of that council. The people who are guilty are fundamentally the world powers, he told the panel. 'For their self-interest, they had decided at the outset of the mission that Rwanda was unimportant'[79]

All these mistrusts and suspicions towards the UN, Africa under the banner of the AU, established an African stand by Force (ASF), a force that would enable it to respond to crisis situations swiftly without political and institutional bottlenecks of the UN. Shortly before the formation of the AU, Africa had first got involved in its own conflict to protect civilians when the ECOWAS sent a monitoring group, ECOMOG, to Liberia and Sierra Leone in 1997[80]. This was a positive gesture which catalyzed the OAU to send small-scale- observer groups to the Great Lakes region in Rwanda and Burundi, which is, OAU Neutral Monitoring Group to Rwanda (NMOG) and the OAU Military Observer Mission to Burundi (OMIB)[81].

AU brought with it the protection of civilian deeply enshrined within the constitutive act. In its Article 4(h) (Ademola Abass, 2007)[82], the AU has allowed forcible intervention in a member country under 'grave circumstances', for example war crimes, genocides and crimes against humanity[83]. Adopting of Article 4(h) meant that Africa had relegated the old fashioned UN doctrine of being preceded by a peace to keep to that of establishing peace before keeping it. This clearly illustrated that sovereignty was not to be an excuse leading to atrocities against one's population, as put forward by then the AU's commissioner for peace and security (Said Djinnit) that: "Africa cannot.....watch the tragedies developing in the continent and say it is the UN's responsibility or somebody else's responsibility. We have moved from the concept of non-interference to non-indifference. We cannot, as Africans, remain indifferent to the

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[79] The organization of African unity, *international panel of eminent personalities to investigate the 1994 genocide in Rwanda and the surrounding events (July 2000)*. http://www.oau-oua-org/documents /pep/report/Rwanda-e/EN-13-CH.htm.(www.lib.unb.ca)
[80] www.rsc.ox.ac.uk
[81] ibid
[82] Adebola Abass. "The United Nations, the African union and the Darfur crisis: of apology and utopia", Netherlands international law, 20007.
[83] Citation.allacademic.com

tragedy of our people" (IRIN NEWS, 2004)[84]. These constitutional strides the AU had made were to enable the continent at managing armed conflicts, stop the rampant human rights abuses and other atrocities.

It should be recalled that by the time the AU came into being, most of the conflicts ravaging the continent were majorly intra-state type. For example Burundi from 2003 to 2004, Sudan from 2004 to 2007, the Comoros from 2006 to 2007, and 2008, and Somalia from 2007 to present[85]. The intervention by the union in these conflicts was tricky considering the new concept that had been adopted, that of non-indifference. This concept obviously conflicted with the African Union's position on the constitutional norms of 'non-interference' and that fact was not going to change. Up to date, Article 4(h) is yet to be invoked by the AU's PSC or its AU Assembly albeit the glaring incidences of human rights abuse and atrocities being committed to civilians in most corners of the continent. For instance, the South Sudan civil war and the 2015 Burundian crisis. Nevertheless, the AU managed to sanction missions in Burundi and Sudan having been given node through consent.

Other African-led peace support operations with formal protection of civilian mandates[86] were the ECOWAS mission to cote d'Ivoire (ECOMICI) from 2003 to 2005, and the African Mission in Sudan (AMIS) 2003-2007 (UN, 2003)[87]. These and other missions by the AU have had several challenges on the part of the peacekeepers in implementing the mandate of civilian protection. For instance, inadequate preparation on the side of the peacekeepers for the protection tasks which include political will and a clear protection mandate (Holt and Burkman,

[84] Student paper submitted to university of Kwazula-Natal.
[85] Cadair.aber.ac.uk
[86] Robert Schutte. "Civilian protecrionin armed conflicts", Springer Nature. 2015
[87] www.rsc.ox.ac.uk

2006[88]. According to the AU (2006), a lot of questions were raised with regard as to whom should shoulder the burden PoC mandate with to and from game of regional or global level institutions! Sadly, the AU appears to be lacking autonomous on the conduct of peace support operations[89]. This is because only few countries have contributed the bulk of the resources towards AU's operations. An example is the 2006 AU budget that was only contributed for by five countries: Algeria, Egypt, Libya, Nigeria, and South Africa (William, 2009)[90]. Likewise on the side of troop contribution, troops to most of the AU peace operations are from a small number of African states[91]. For instance, Nigeria, Rwanda, Senegal, and South Africa, were the main troop contributors for the AU's operation in Sudan (2004-2007) (Williams, 2009)[92]. Therefore it becomes difficult for the AU to have full control of the peace operations and alter the desired direction.

1.5.2.4 AMISOM and the Protection of Civilians

Before delving much into AMISOM mission in Somalia, it would imperative to have a glimpse of how the conflict has evolved in this state of Somalia. Somalia as a country gained independence way back in 1960 from Britain and Italy. Throughout the 1960s proved to be prosperous and democratic country in which the presidential polls conducted were free and fair and the succession of power smooth[93]. The 1970s and 1980s saw Somalia warped under military dictatorships, civil wars, and total chaos[94], the period which ushered in the evolutions of the peculiar Somali conflicts-from civil wars, collapsing of state systems, clan factions, and warlordism of 1990s, to the present globalized ideological armed hostilities in the first decade

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[88] ibid
[89] ibid
[90] Student paper submitted to university of Stellenbosch, south Africa
[91] ibid
[92] ibid
[93] The first democratically elected Somalia president who united former British and Italian territories, Adam Abdullah Osman, who was succeeded peacefully by Abdirashid Ali Sharmarke after seven years of reign.
[94] Robin, Colin (2016). "Revisiting the rise and fall of Somali armed forces, 1960-2012" *Defense and security analysis.32 (3).*

of the new millennium (Mark Bradbury and Sally Healy, 2010). This resulted to the scatter of the Somali people refugee camps and neighboring countries[95].

During the reign of General Siad Barre, is when things went to the dogs though after a promising start. It was this time that the national assembly and the constitution were dissolved and suspended respectively with many political upheavals and the curbing of press freedom; all happened under his reign[96]. This is as said by one of the former Somali Government minister, Jamal Mohamed Ghalib, that "from then, there was a downward trend. In everything. A disintegration. And every time things were going down, the military regime was becoming more brutal, and more dictatorial"[97]. However, for different observers, the collapse of the Somali state is attributable to both internal and external factors. Some of the external influences included the European colonialism that divided the Somali people into several states namely: French Somaliland (Djibouti), British Somaliland, Italian Somaliland, Ethiopia (Ogaden) and the Kenyan Northern Frontier District[98]. Other notable external factors were: the impact of the cold-war, and the total effect of the wars with neighboring countries especially the 1977-78 Ogaden war with Ethiopia[99].

Some of the internal factors that propelled Somali state to an axis of conflict and the eventual collapse of the state included: contradictions between centralized state authorities; factions within the kinship system; and the Somali pastoral culture where power was diffused[100].More

[95] "world orders in the making", Springer Nature, 1998
[96] Helen Chapin. Library of congress, federal Research division (1993). "Siad Barre's Repressive Measures"- US Government Publishing office ISBN 9780844407753.
[97] www.hiiraan.com
[98] www.ukdissertations.com
[99] Tareke 2009, "the Somali invasion, according to Ethiopian official documents, July 1977"
[100] Little, P. D. (2012). On the Somalia Dilemma: Adding Layers of Complexity to an Already Complex Emergency. African Studies Review, 55(01), 191-*Internal and External Security Challenges... (PDF Download Available). Available from:*

incursions continued to happen over the years including the 1977 Ogaden crisis between Ethiopia and Somalia, rebellions against Barre's rule, among others. This continued to extend where the former allies to Siad Barre turned to foes. For instance, the northern region proclaimed its independence[101]. This was then followed by a series of civil wars with myriads of competing factions which called for several involvement by the world powers and neighboring countries[102].

https://www.researchgate.net/publication/322055717_Internal_and_External_Security_Challe
nges_in_Somalia_In_the_Post-_Siad_Barre_Era [accessed May 14 2018].

[101] Abdisalam M. Isaa. Salwe (1996). *The collapse of the Somali state: the impact of colonial legacy.* London : Haan Associates.pp34-55
[102] www.hiiraan.com

Figure 1.1: Map of Somalia with the different region
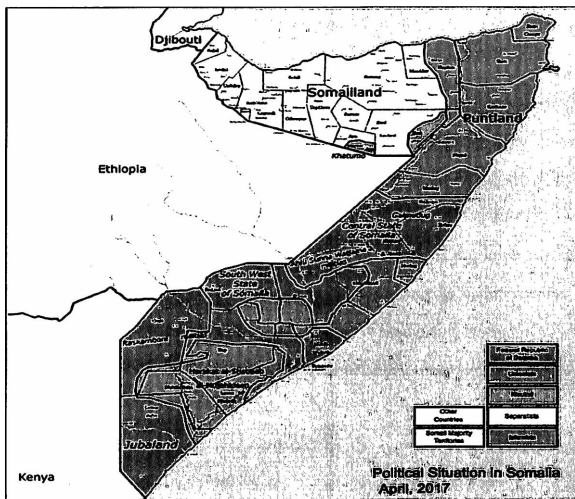
(Source: Google maps.com)

In 2006, the Islamic Court Union (ISU) broke into several factions[103], with Al Shabaab[104] as

one of them. The al shabaab organized itself into a radical group that has now the control of

most of the south of Somalia to date. Bouts of Civil wars have ravaged the country's

infrastructure and economy, with many Somalis left as economic migrants or fleeing as

refugees. According to the US Committee for Refugees(USCR), about 375,000 refugees and

asylum seekers lived in about two-dozen countries at the of the year 2000: some 160,000 in

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[103] ibid
[104] Al shabab- an offshoot of the ICU. The group describes itself as waging war against "enemies of Islam". and engaged in combat against the federal government of Somalia and the African union mission to Somalia (AMISOM)

Kenya, 120000 in Ethiopia, some 55,000 in Yemen, 20 000 in Djibouti, 4000 in Egypt, 3000 in Tanzania, and approximately 10000 asylum seekers in various European countries.

It is the incursion of Al shabaab in Somalia that got the attention of the international community to have a consideration for Somalia. Thus, on 19th June 2007, the AU's peace and Security Council under authority of the UNSC established AMISOM[105]. The UNSC authorization of the mission with resolution 1744 came on the full realization of the impact of the Somali conflict in the region and to the international community at large. This was to be a peace enforcement mission with a mandate to 'take all necessary measures as appropriate to carry out its objective'[106]. This mandate was heavily backed by several players including regional countries that were always in fear of the spillover effects of the insecurity in Somalia.

AMISOM troops were mainly contributed by the regional countries to form the various contingents of the mission. With regard to their deployment, AMISOM, adopted a country-based sectorization of the troop deployment. This meant that every country contingent was responsible for a specific geographical area in Somalia. Off course as was expected challenges would result out of all this. For instance, failure to comply with the decisions of AMISOM's central command to effectively implement CONOP- concept of operation; lack of streamlined communication and coordination among troop contributing countries especially when conducting military operations; and lack of centralized command and control. This arrangement is as opposed to the UN mission system in which a sector comprises of several troop contributing counties under a central command structure (Yohannes, D. ea. al., 2017).

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[105] African union (19 June 2007). Communique of the 69th meeting of the peace and Security Council. African union document plc. /pr/com. Addis Ababa: African union; "peace maintenance in Africa", Springer Nature, 2018
[106] UNSC, 'Resolution 1744, (2007)', article 4, 2 (www.ipstc.org).

According to the Human Rights Watch (2009), the civilians in Somalia have faced several atrocities since the AMISOM operation began in Somalia caused by al-shabaab, TFG forces and the AMISOM troops. A good example is the capital Mogadishu which holds the government personnel and infrastructure and protected by the AU forces. The opposition factions led by al shabaab have been making indiscriminate mortar strikes against government forces and installations and at times AMISOM troops defensive positions. In retaliation, the government forces and the AMISOM troops do the same in the hope of targeting the opposition forces. Unfortunately, it is the civilians who bare the loss, because the oppositions only use their residence and at times some civilian persons as human shields temporarily and disappear. These now become the target points for the government forces and the AMISOM troops to launch their mortar strikes! Acoordingly, then, hang on the wrong side of the law for continued indiscriminate attacks.

In the al-shabaab-controlled area of the south, many atrocities against the civilians have also been observed and reported by the Human Rights Watch. For instance cases of people being subjected to targeted killings, assaults, repressive reforms of social control especially against women, brutal punishments, have been reported all the name of interpreting the sharia law. Some atrocities committed against the civilians by the al shabaab have been reported by the international media showing al shabaab suicide attacks, public hearings, stoning of women accused of adultery, and amputation of convicted thieves[107]. The application of sharia law on punishments has been regarded as too summarily, arbitrary and cruel, even for minor offenders. All these has created an intense environment of fear which makes it difficult for the populace to speak out against these abuses of power. Human Rights Watch once noted an El Wak resident say, "We just stay quiet, if they tell us to follow a certain path, and we follow it".

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[107] www.zamun.sk

Ironically, according to the Human Rights Watch (2009), the many areas al-shabaab has ruled there has been relative peace and order which contrasts with the chaos in Mogadishu with all the government machinery! According to the residents, the presence of al shabaab brought an end to menace of extortion, robbery and murder from bandits and freelance militias, though the security provided for a heavy cost- women. All these atrocities have happened in the eyes of the international community which it heavily condemned, question remaining how best to detour such inhuman actions.

In the meantime, the Protection of Civilian strategy and the rules of engagement developed to guard the same have not been explicit to the AMISOM peacekeepers on protecting civilians (Harley Heningson, 2018). As can be clearly seen in the case of Mogadishu, priority was placed on the protection of government institutions and personnel, which apparently can be related to the mandate of the AMISOM to Somalia: re-establishing and training of Somali armed forces; protection of government and civilian establishments, infrastructure, and government officials[108].Therefore it is not unusual to relate the mandate of the AMISOM and the protection of civilians.

On the sidelines, the AMISOM received rules of engagement that would allow for the application of force in certain situations, like 'affording protection to civilians under imminent threat of physical violence'[109] (Harley Heningson, 2018). This therefore implies that commanders and troops on ground would initiate ways and make decisions on how to protect civilians.

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[108] Theglobalobservatory.org
[109] Ibid

1.5.2.5 Strategies for securing civilians in peace support operations

Since, the atrocities that befell 'civilians in the 1990s during the rampant wave of conflicts in Africa, the international community was forced to rise to the occasion and see what could be done to alleviate civilian suffering in armed hostilities. These efforts resulted to the *Brahimi Report,* which highlighted the importance of protecting civilians in UN peacekeeping operations. Afterwards, there have been several strategies that have been fronted to protect civilians.

First, we have the proactive protection, which involves activities and strategies that discourage against abuses, influencing the aggressors to behave differently, strengthening civilian ability on self-protection, and fostering of institutional reforms. For the international community to intervene in state, then it is usually the last resort when the state is unable on meeting its primary obligation of protecting its citizens. However, this kind of intervention has often been discredited from the grassroots level because the strategies used are usually aimed at high-ranking decision makers. Therefore, the pressure applied by the international community is inconsequential as it is applied far away from the niche of the conflict. Thus, this pressure for it to be effective, it should be transformed into "direct pressure and action on the ground by diplomats, embassies, donor agencies and others. The pressure reaching a state or armed group must go down the chain of command"[110] This is clearly illustrated in the fig below:

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[110] Liam Mahony (2006).Centre for Humanitarian dialogue. Protection presence;" field strategies for civilian protection".

Figure 1.2: Flow of international pressure
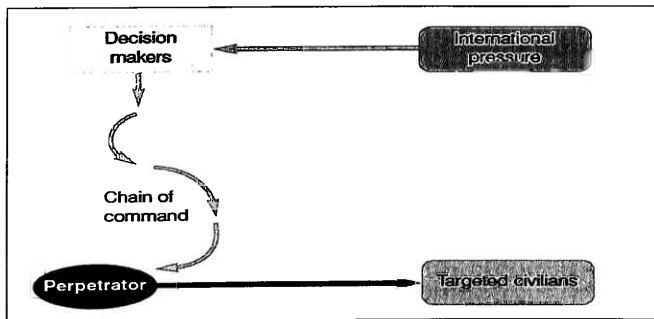
(Source: Adapted from Centre for Humanitarian Dialogue; Henry Dunant, 2006)

Secondly, is the requirement of the presence of international community in the field. This helps to enhance international response in alleviating attacks to civilian groups. This is achieved through: distortion of the entire rank and file of abuser groups- where the field officers, with their capability, are able to associate with all ranks of the military, civilian armed groups, national and local leaders, with a message about international community's cognizance of the atrocities being committed and the likely consequences[111].

The presence of international community in the field also helps to unravel the level of responsibilities, particularly, in the event of armed violence leading to civilian casualties. According to Mahony (2006), the monitoring and investigations on ground will be able to show the connections of responsibilities amongst the armed groups thereby increasing the level of accountability and reduce instances of blame game.

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[111] ibid

Further, the presence of international community on ground helps in strengthening the level of international commitment especially in the wake of an armed attack when personnel of the international community are on ground! As expected, a lot of anxiety will prevail the between the foreign governments'' representatives and the home government , which will result in calls for a more forceful protection so as to rescue the international community staff together with the local civilians[112].

All in all, the presence of international community on the ground ravaged by armed conflict helps to achieve deterrence. This is manifested through: inhibiting armed groups from carrying out the attacks; encouragement- motivating the civilian society with capacity to protect itself; and influence, that is, offering support to opposing and hopeless voices of eminent armed conflict and non-functional institutions, towards promoting reforms (Mahony, 2006).

Another strategy for safeguarding civilians as adopted by UN and international community during peace operations was the principle of Responsibility to Protect (R2P). This referred to all actions focused at making sure that the security and physical integrity of civilian population was guaranteed[113]. This strategy was applied in different missions across Africa in unique ways. As with the case of MONUC in DRC, R2P as a strategy in protecting civilians involved very extensive aspects. These included: integration of the work of UN mission and other agencies so as to avoid compromise of protection and the affording of protection responsibilities (under the guidance of UNSC Resolution1856) while working with the national authorities in ensuring a conducive environment to protect civilians[114].

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[112] ibid
[113] Cedric de Coning et al., Mission wide strategies for the protection of civilians: A comparison of MONUC, UNAMID and UNMIS. 2011
[114] ibid

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The affording of security to civilians as adopted by UNAMID strategized on the cooperation of all the actors involved starting from local authorities and communities, humanitarian actors and other agencies. As derived from UNAMID's mission directory of January 2011 on the securing of civilians, the focal point of this strategy was to bring out the functions of the constituent components of UNAMID as far as their in involvement in protection is concerned. The security of civilian strategy and the separate security concept as applied by the UNMIS aimed at reducing and preventing systematic patterns of violence. This was achieved through preventive, remedial and environmental-binding activities. In this strategy, the core objectives identified were: focusing on the safety security of civilians under inevitable threat; securing approach to humanitarian and relief activities; and encouraging long-term conflict prevention and management through the implementation of human rights. This mission, UNMIS, did not just made protection provisions for non-combatants but also to endangered groups which required special protection measures such as the elderly, displaced persons, refugees, children, women, the disabled, and asylum seekers.

1.6 Justification of the study

1.6.1 Policy justification

Most of the studies around peace support operations have mainly resulted into generation of policies for application in operations like the conduct of specific operations. The new knowledge generated by this study will contribute to policy making action or improve on existing policies aimed at addressing the security concerns in the African continent.

1.6.2 Academic Justification

The new knowledge generated by this study will be a boost to the already existing knowledge in the area of peace operations and the protection of civilians. Also the new knowledge thus

generated will help fill the gap existing in this area of study and ultimately contribute to theory building.

1.7 Theoretical Framework

1.7.1 Constructivism Theory

This study employed the tenets of the 'constructivism' to be able to: have an all-round and substantive understanding of/and explain the Somalia conflict, explain the causes of conflict in Somalia, recognize the plight of civilians under armed conflict environment, appreciate the various method of dealing with the conflict in Somalia, and also understand the perceptions of the various armed groups, especially with regard to what they consider legitimate.

From the realm of International Relations, constructivism posit that major features of the international system are historically and socially constructed (Patrick Thaddeus et al., 2002). The study revolved around one of the tenets of constructivism, social constructivism, that was advocated by Alexander Wendt, that the social world is socially constructed (Wendt, 1999), that is, the core aspects of the international system (international relations) are socially constructed being defined by the on-going processes of social practice and interaction.

1.7.2 Constructivism and the causes of insecurity/conflict

Rather than focusing on the state-system as the basic unit of analysis depicted by both the realists and neo-liberalists, it is also important to look at agents like identity, state interactions, norms, culture, knowledge, and history, among others (which are the main concerns for constructivists) as units of analysis in the international system. With the constructivists' recognition of both the social and material determinants in the international system, Adler affirms that "the material world shapes human interaction and vice versa" (Ikenbery et al, 1999).

Constructivism thought leads to generation of knowledge and ideas, which is well clarified by Riegler (2001) that it is not the task of constructivism to inquire about knowledge but rather questions how knowledge is generated. Riegler goes further to echo this perspective regarding conflict that "it is a human construct; it does not reside somewhere else and it is not independent of the person who makes it" (Riegler, 2001). Regarding the Somalia conflict with this perspective, it is clear in understanding dynamics (identity) of the conflict and its genesis through human interaction.

Many aspects of the Somalia conflict can be understood through the lens of constructivism. For instance, the reference to Somalia as a "failed state"; "heaven of terror group including al-Shabaab and al-Qaeda as structural security problems; the homogeneous characteristic of its population in terms of religion, language and culture and yet it is a dysfunctional state conflicts with Smith's preposition of an ideal state as a society endowed with a native territory, shared traditions and memories, a peculiar public culture and common law and customs.

Moreover, constructivism has been used to show the various sources of human insecurity in society. As Conteh-Morgan (2005) illustrates that, individuals are part of the wider social structure[115], there are several ways in human insecurity has been threatened. We have individual sources of human insecurity which involve harmful actions deliberately aimed at people or property. This includes instances like inter-communal fighting like the civil wars in Somalia and the destruction of property (government installations) by the al-Shabaab. Institutional sources of human insecurity; which includes evils acts and the abandonment of institutions which results in diminished human rights and security to humans. For example, collapsing of social amenities which was depicted after the breakout of civil war in Somalia

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[115] www.gmu.edu/academics

with many education centers, places of worship and health facilities in a bad state, rampant unprofessionalism in the rank and file of security forces, among others. Lastly, we have the structural and cultural causes of human insecurity which involves negative intentions directed at new and modern ways of thinking and doing things in the society brought about by globalization process.

1.7.3 Constructivism and International Organizations vis-à-vis Peace Operations

Modern peace operations (organized and coordinated by international institutions) (Bellamy, William, et.al, 2004)[116], have been regarded as third party interventions with the aim of enabling a peaceful conflict environment. Therefore, a better understanding of the various theoretical foundations in international relations is vital in getting to know the motivation behind and the repercussions in the struggle for concrete peace (Malik, 2015)[117]. According to Pugh (2003), international relations theories have a lasting impact on peace operations as they 'influence what people think of as legitimate or illegitimate, and what analysis regarding as most important agents and agendas in the international system …' In a nutshell, theories help in: identifying the various participants in a peace process, and providing the analytical structures to decision makers to explaining the peace process (Sterling Folker, 2008). As Stephen Walt (1998) summarized that there is need to have theories so as to make sense of the overwhelming information that is presented to us every now and then.

International organizations have coerced states to cooperate internationally even though the states continue with their individual pursue of their interests. The UN, for example, has continued to contribute towards maintaining of global peace and security through the

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[116] www.iafor.org
[117] ibid

deployment of peacekeepers. However, its efforts have been hampered by the member countries in the form of not being commitment, individual state's interests, and the interests of the veto powers.

Mitchel (2006), argues that, international organizations have a role to play apart from regulating the behavior of states but also modifying the identity and interests of states which eventually determines states action[118]. By interacting with international organizations, states come up with international norms of desired state behavior (Normative-Adaptive entities) that help to determine their policies and domestic structure. Thus, the norms in the international system compel states to cooperate internationally, like the case of Somalia that is under immense pressure regionally and internationally to establish democratic governance under central-state authority.

1.7.4 Constructivism and collectivity

Collectivity in the international system is well demonstrated by the UN through one of its organs, the Security Council (SC), which is primarily mandated and responsible for peaceful resolution of feuds as outlined in chapter VI of the UN Charter. The SC usually has the discretion regarding which method to use when a matter that would threaten international peace is brought to its attention (Bayeh, 2014)[119]. However, in certain circumstances, the SC may be compelled as mandated in chapter VII of the charter to make a determination on an appropriate action to be taken when there is continued risk to peace, rift in the peace process, or any offensive actions, which in most cases involve the use of force to ensure restoration of international peace and security[120].

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[118] ibid
[119] www.iafor.org
[120] ibid

The charter enables collective action of the UN-Member states through the SC, with the power to come up with resolutions geared towards pacific settlement of disputes or by the use of military might, depending with the situation at hand. For instance, Security Council Resolution 1744 (20th February 2007) authorizing the establishment of an AU Mission to Somalia (AMISOM) within six months, tasking AMISOM with the protection of TFG and an enforcement of arms embargo on Somalia[121]. This and many other successive SC resolutions have been adopted up to date dealing with the various situations in Somalia.

1.8 Research Hypothesis

HI$_1$-AU has played a role in securing civilians in Africa.

H1$_2$-AMISOM operation has strategies for ensuring civilian protection in Somalia.

H1$_3$-The AMISOM operation is facing challenges in securing civilians in Somalia.

1.9 Research Methodology

1.9.1 Research Design

Research design is the wholesome approach of integrating the various constituents of the study in a coherent and orderly way so that the research issue is properly dealt with (De Vaus, 2006)[122]. This includes collection, measurement and analysis of data. Also research design can be considered too as an alignment of conditions for obtaining and analysing of data in a way that gears towards incorporating vital details to the research purpose with carefulness in the methods being used (Clare Celtis et al., 1977)[123].

This study will adopt the mixed-method approach research design, that is, both use of the qualitative and quantitative techniques to collect data. Under qualitative technique, data to be

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[121] Amisom-au.org
[122] De Vaus, D.A. *Research Design in social research*. London: SAGE, 2001; Trochim, William M.K. Research methods Knowledge Base.2006
[123] Documents.mx

obtained will mainly involve ideas, opinions and general perception of the respondents about the problem of study. Miles and Hubberman (1994) term this method as one used to obtain data not ordinarily expressed in numerical terms. Kasomo (2006) states quantitative technique as the best method for large data or that requiring statistical tools of analysis in order to produce results that can be spread to the target population.

1.9.2 Study site and Population

The study site will majorly be based in Nairobi in Kenya because of the presence and availability of military elements engaged with the AMISOM like the liaison office in west lands, and the various establishments of the international organizations and NGOs based in Nairobi but working alongside AMISOM in Somalia. A portion of the study site will include parts of Somalia especially Mogadishu which has a considerable number of AMISOM personnel will be contacted through online interaction.

The study population from which the findings will give a generalization of the study will comprise of selected AMISOM personnel staff- military, police and civilian components; staff of the various International Organizations and NGOs working with AMISOM; and representatives of the Federal Republic of Somalia based in Nairobi.

This study will work with a population of 10000 individuals from which the sample size will be determined using Yamane's formula[124]:

$$n = \frac{N}{1+N(e)^2}, \text{ where } n = \text{sample size}; N = \text{size of the population}; e = \text{margin of error.}$$

Therefore, in this study, given the population size, and a margin of error of 10%, the sample size ,n, will be:

n= 10000/1+10000(0.01) ^2

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[124] Yamane 1967

n= 99.009≈ 100

Hence, the study will be contacted by collecting data from 100 individuals.

1.9.3 Data Collection

The study involved both primary and secondary sources of gathering information. Primary data was be collected through administering of questionnaires and conducting of interviews of selected respondents. Secondary data will be obtained through analysis of information from official documents of the UN and AU; and also from published information in academic journal articles, publications and relevant books.

The ideal method of selecting respondents in this study was snowballing as most of the operational matters concerning the military and deployment of its personnel are mostly secrete. This was essential in keeping their identity secret and the confidentiality of the information to be given.

1.9.4 Data Analysis

The qualitative data was be analyzed using content analysis. In this method, a systematic description of the form or content of the written or spoken material will be done. On the quantitative data, suitable statistical methods will be applied for instance, use of graphs and pie charts.

1.10 Scope and Limitation of the Study

1.10.1 Scope of the study

This study w focused on the challenges encountered by the AMISOM operation in securing civilians in Somalia. It will be a mixed-approach that will collect data from filled-in questionnaires and interviews for primary sources of data while for secondary sources of data, desktop approach will be used.

This study focused on the past and current AMISOM operations in Somalia, relevant UN agencies involved in the AMISOM operation, humanitarian organizations and other international organizations operating in Somalia.

1.10.2 Limitations of the study

The study findings may not be a generalization of all the aspects of protection of civilians in the region, Africa and over the world in general because of varied political, ideological and economic endowment. However the study will mainly target the horn of Africa because of a peculiar trend of kind of conflicts and an almost homogeneous cultural background in this region.

1.11 CHAPTER OUTLINE

The study comprised of the following six chapters as outlined below:

1.11.1 Chapter one: Introduction and Background

This chapter introduces the topic of study by highlighting basic information and also a preview of related studies to help bring the research problem into focus.

1.11.2 Chapter Two: Roles of AU in securing civilians in Somalia.

The chapter delved deeper into the operations of AU bringing out the specific roles with regard to protection of civilians.

1.11.3 Chapter Three: strategies employed by AMISOM to secure civilians in the Somali conflict

This chapter will present the mechanisms the AMISOM operation has employed to safeguard civilians in Somalia.

1.11.4 Chapter Four: challenges and prospects by AMISOM in securing civilians in Somalia

Having identified some of the approaches employed by AMISOM in affording protection to the civilians, this chapter will look at some of the challenges encountered by the AMISOM operation in carrying out the protection.

1.11.5 Chapter Five: Data presentation and analysis

The chapter will present the various ways through which data about the study will be gathered and techniques of analyzing such data to help in answering the research questions.

1.11.6 Chapter Six: Conclusions and Recommendations

The chapter will present conclusions based on the findings of the study and thereafter make recommendations for both policy and academic application.

CHAPTER TWO

AFRICAN UNION AND THE SECURITY OF CIVILIANS IN AFRICA

2.0 Introduction

This chapter shades light on the security dynamics in Africa detailing the continent's efforts in trying to secure itself and its people particularly the civilians caught in the conflict environment with the apparatus it has put in place.

2.1 Nature of African conflict

The African continent has reported a large concentration of conflicts around the globe which have evolved over the years from interstate to intrastate ones involving majorly organized but unconventional armed and non-armed groups. This, of course, resulting to different ways According to a report by university of Sussex (Armed Conflict Location and Event Data Project-ACLED), engagement in armed conflict in Africa has changed from the traditional one which involved large-scale military engagement to one of lesser volume involving multiple stakeholders[125]. The report goes on to suggest that battles and large-scale wars are on the decline, as they have been quite for some time[126].

Therefore, looking at the current state of conflict in Africa, we have the following as actors to violent conflict exhibited on the continent: local militias, loyalists to external groups like Islamic state and al-Qaeda, rebel groups and even groups of protesting civil society organs[127]. Some of the ways through which these different groups manifest violence include: bombings with improvised explosive devices, rioting, confrontation with security forces, attacking

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[125] https://www.irishtimes.com/news/world/africa/nature-ofconflict-in-africa-is-rapidly-changing
[126] ibid
[127] ibid

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civilians, sabotage to infrastructure, among others. All these is done with a very clear goal to be achieved or sending a particular message to state authorities.

Some of the places in Africa that have recorded notorious violent activities as of 2016 include Libya, Nigeria, Somalia and south Sudan. In all of these areas, the high significant of violent activities have resulted into more fatalities, with majority as civilian targets not part of the conflict. For instance, the high civilian deaths in northern Nigeria following clashes between government forces and the militant group, Boko Haram[128].

One of the major causes to these conflicts in Africa is attributed to political forces. For instance, in 2015 the many civilian deaths reported in Burundi were instigated by the governance crisis. Also the wars in Sudan and Ethiopia all resulted from the street protests related to governance issues. From experts' point of view, only political solutions are the remedy to these kinds of conflicts. Then the question is, to what extend are the African countries willing to go to bring about political sobriety in governance structures so as to do away with this kinds of conflicts and in the end save a lot of civilian suffering?

2.2 AU and African security

The Rwandan experience of 1994 is a scene that Africa as a whole is not going to allow itself be associated with again in any other context. From this mindset, an ambitious plan was welcomed by the AU from early 2000 to conjure institutional infrastructure that would address and manage armed conflict on the continent.

The formation of AU in the year 2001 ushered in a new area as far as handling conflict was concerned on the continent. The non-interference clause of former OAU was done away with,

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[128] Islamic state in West Africa; a jihadist militant organization in northeastern Nigeria and also in parts of chad, Niger and northern Cameroon.

which allowed the constitutive act to have liberty on AU to intervene in member state under solemn situations such as war crimes, genocide, and crimes against humanity. In the same year, APSA[129] was bestowed with the sole purpose of building and strengthening capacity for mitigating and resolving conflicts on the continent. APSA was the overall term for the crucial AU apparatus for enhancing truce, security, and cohesion on the African continent, that is, "an operational structure for the effective implementation of the decisions taken in the areas of conflict prevention, peace support operations and intervention as well as peace-building and post-conflict reconstruction"[130].

The creation of APSA was anchored on two principles: first, that through APSA Africa could take a bigger role in managing truce and security on the continent with the aim of affording 'African solutions to African problems'[131]. Secondly, was that the creation of APSA would see AU exercise its legitimate authority to intercede in a member country on request by the itself, or under extreme conditions to do it independently in situations of war crimes, crimes against humanity or genocide[132].

Premised on the above two principles, the creation of APSA was a way to prevent repeat of tragedies like the Rwandan genocide, and also to fill the perceived gap caused by the international community's failure to stop the calamities that befell the civilians in Africa at the time. This would see an equivalent of Africa's diplomatic and military capability intervention in conflicts.

Structurally, APSA is composed of two interrelated layers. The first layer consists of vital institutions found within AU. These are the: Peace and security council (PSC), panel of the wise, continental early warning system (CEWS), African standby force, African capacity for

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[129] African Peace and Security Architecture
[130] Adrian Lins de Alboquerque.The APSA: discussing the remaining challenges; October 2006
[131] Protocol relating to the establishment of the PSC of the FRICAN Union (article 4)
[132] ibid

immediate response to crises (ACIRC) and the peace fund[133]. The other layer comprises the eight AU's regional economic communities (RECs) and the two regional mechanisms (RMs). APSA has over the years continued to gain because of the interrelationship between the AU and the RECs. These two in their mode of operation work separately as well as jointly[134].

The PSC is the AU's main decision-making organ with matters pertaining to peace and security. This is of course with great support from the panel of the wise and the CEWS. The panel of the wise, according to the protocol, is a composition of the highly regarded African personalities from various segments of security who have contributed immensely to peace, security and development on the continent. The main function of the panel is in supporting PSC and the chairperson of the African Union Commission on matters associated with preventive diplomacy.

The continental early warning system gathers and analyses information on diverse aspects related to conflict outbreak in AU's member states. The findings from the information collected is then brought to the attention of the chairperson of the AU Commission for briefing with the PSC eventually. Some of the sources of these information include: AU field missions, liaison, early warning officers, and monitoring and observation units in the RECs[135].

2.3 AU and the protection of civilians

Since early 2000s, AU has conducted several peace operations across the continent with the goal of promoting peace and security. This has seen large deployments of such missions in Darfur and in Somalia. In conducting the operations, the main aim has been ensuring support to political processes and affording protection to civilians in the midst of conflicts.

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[133] African union handbook
[134] EASF secretariat
[135] ibid

On the backdrop of majority civilian suffering under armed conflict, the protection of civilians

gained much importance under AU which included the development of structures and systems

for easy understanding on the risks faced by the civilian population and how to address such

risks in the context of deployed PSO in the conflict area. This has been catalyzed with the need

for legitimacy and credibility of the peace missions, the need to sustain political momentum

behind the peace process, the high expectations on the peacekeepers from the local population

, and the clamor for human rights under the auspice of international humanitarian law[136].

The AU with regard to the security of civilians has its initiatives borrowed much from the UN

–style of handling PoC issues[137]. For instance, the emphasis on the use of the military and

affording 'physical' protection, all which can be alluded to the following phrase:

> Recognizing the distinct threats faced by civilian populations in conflict zones
> Zones in Africa, and the AU-mandated peace support operations in contributing
> to the protection of civilians in conflict zones, as well as the importance with
> regard to effective conduct and legitimacy of peace support operations, the commission
> .... priotized the development of protection of civilians approach for AU mandated peace
> Support operations[138].

The AU's PoC approach has been predominantly under the military component as compared

to that of the UN, which outlines equal responsibilities on protection amongst the various

stakeholders-military, police and the civilian components[139]. This is attributable to the fact that

the AU's civilian component is still developing[140].

Despite the protection challenges, AU has shown commitment towards PoC through

advancement of Draft instructions for safeguarding civilians together with other AU statements

and documents. For instance, the African Union's PSC commitment to adherence to the IHL

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[136] ibid
[137] Erin Weir, policies that protect: the African union and the protection of civilians. Policy brief July 2012
[138] African union, *progress report* of the chairperson of the commission on the development of guidelines for the protection of civilians in African union peace support operations, para5.
[139] ibid
[140] S. Appiah-mensah and R. Eklou, 'the protection of civilians : a comparison between united nations and African union peace operations', conflict trends, No. 21

in all of its peace operations back in 2010, the 2011 AMISOM mission implementation plan, and AMISOM's 2007 and 2010 iterations of rules of engagement (ROEs)

Actually, there has existed challenges with regard to the implementation of the above statements and procedures, especially in Somalia and Sudan conflicts, but all the same AU has worked with experiences on ground to allow for adjustments of the same to fit the conditions on ground.

2.4 Chapter Summary

From the above discussions of the chapter, it can be deduced that the events of conflict in the early 1990s in different regions of Africa and the formation of AU early, 2000 contributed immensely on the recognition of the plight of civilians in AU-led peace support operations. This was enhanced with having a strong foundation of the institutional framework such as the formation of APSA so as to guide on the same.

The early missions for a litmus paper test on securing of civilians by the AU like the AU and UN hybrid mission in Darfur and the AMIS provided valuable lessons on the conduct of such operations with regard to the safety of civilians which came to be applied in later AU-led peace operations like AMISOM. It is also evident that PoC by AU is heavily military as the other two components- police and civilian, are still developing. Some of the major concerns with AU and the protection of civilians that has had a negative result is the training of military commanders and their troops on how to undertake the protection mandate, and the inadequate of resources to help in the process. Findings in chapter five will be able to shed light on these shortcomings to determine if much has changed with regard to AU and the protection of civilians.

APPLICABLE STRATEGIES BY THE AMISOM IN SECURING CIVILIANS IN

SOMALIA

3.0 Introduction

This chapter outlines the strategies the AMISOM operation has put in place so as to overcome
the challenges it has been experiencing in securing civilians.

3.1 Strategies by the AMISOM to secure civilians

As had been discussed in the earlier sections of lack of a proactive protection mandate for
AMISOM, the resultant civilian causalities during the operational activities of AMISOM led
to a lot of criticism to the mission to the extent of being labelled unable to protect civilians.
However, by the clock of 2010 it was in black and white, with the whole of AU, the AMISOM
itself and the international community, that it was high time something be done to substantially
lower civilian harm in the capital Mogadishu especially from the AMISOM instilled harm
(Williams, 2013)[141]. This would eventually have both legal and moral benefits as the protection
of civilians was turning out to be such strategic to AMISOM's operational success. These
efforts revolved around making key changes to the existing AMISOM policies, with the help
of external assistance so as to enshrine well the objective of securing civilians.

3.1.1 The Indirect Fire Policy

From the provisions of IHL (Law of Armed Conflict), there are prescribed key rules that if paid
attention to, will lead to the protection of civilians. Thus, countries must assess carefully on the
means and methods to be used in launching an attack- indiscriminate or disproportionate,

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[141] www.stabilityjuornal.org

making sure that all the essential precautionary measures have been taken into account to minimize civilian loss.

Fears regarding the use of indiscriminate munitions and weapons were heightened when, in 2011, the ICRC cautioned on the utilization of explosive ordinance that had a big impact area in heavily populated areas as this would result in many innocent casualties[142]. According to the ICRC, the impact area is normally divided into three categories namely: the large destruction radius caused by munitions like large bombs, missiles or IEDs; the area resulting from inaccuracy of the delivery system, for instance, undirected fire weapons like mortars and artillery; and the area resulting from weapon systems accustomed to convey ordinance over a large area like multiple-launcher rocket systems[143].

The development of Indirect Fire Policy (IFP) by the AMISOM was made to control the use of indirect fire weapons such as mortars and artillery. This would in effect reduce civilian harm. The IFP became a policy when it was incorporated into the revised AMISOM's ROE at the end of 2011 (Erin Weir, 2012)[144]. Despite the IFP being in place, its implementation was met with challenges as there were no resources added for training, monitoring and equipping the AMISOM personnel[145].

The introduction of the IFP to the AMISOM operation was geared on the premise that:

> "Winning the support of the people is the guiding principle for the planning and conduct of all our operations. Minimizing civilian harm must be a guiding principle for the planning and conduct of all our operations, and further is a humanitarian imperative on which we all agree..."[146]

The IFP comprised three levels for its implementation, namely: Avoid, Attribute and Amend. In the first step it was perceived prudent enough for the AMISOM, if possible, to avoid the use

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[142] ICRC, international Humanitarian Law and the challenges of contemporary armed conflict; Report submitted to the 31st international conference of the red cross and red crescent, Geneva, swizerland,28th November 2011
[143] ibid
[144] NUPI, policy brief. Policies that protect: the African union and the protection of civilians.
[145] ibid
[146] AMISOM, Commander African union mission in Somalia- Indirect Fire Policy, 2011.

of indirect fire (IDF) which obviously would lead to many civilian casualties. Thus, the use of IDF was to be done under extreme circumstances to protect civilian populations, and where obvious military targets had been identified and a superior tactical advantage on the military surpassing the potential risk of harm to the civilian population[147].

In the second step, in a case where an IDF had been used, then it was upon the AMISOM to own-up and assign responsibility to whoever was involved. Normally investigations would be carried out to detect the origin of the IDF in the field then correspond with the AMISOM's IDF filling records. Being found culpable the AMISOM would then apologize, make account for the accurate use of its weapons and thereafter blame it on the opposing armed groups.

In the event that beyond reasonable doubt the IDF emanated from the AMISOM forces that resulted to civilian casualties, then the only way for AMISOM was to restore confidence[148] amongst the civilians who had been harmed, make recognition of the losses caused and assist in providing immediate help to the injured, distressed, or those affected by the AMISOM operations in one way or the other[149].

Once the IFP was in place, it was then automatic for there to be a change in policy and tactics of the AMISOM and the need for better equipment. For instance, AMISOM had requested for state-of-the-art targeting and spotting device for its mortars together with the required training and support. Tactically, AMISOM commanders had to put in place mechanisms that would aid the efforts of reducing probability of causing civilian harm. Some of these tactics included: conducting of pre-deployment training to troops in IHL that familiarized the commanders on things such as firing only when authorized, designating of "no fire zones", controlling anti-battery fire and obscured fire, making use early warning indicators, and exercising high-degree

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[147] ibid
[148] http://civilianinconflict.org/uploads/publications/amends.pdf
[149] ibid

of restraint (AMISOM officer, 2012)[150]. Of the three steps mentioned, were to be implemented by the military component of AMISOM while the last one to be implemented by the civilian component with the support of UN agencies.

3.1.2 Civilian Casualty Tracking, Analysis and Response Cell (CCTARC)

One of the recommendations by the *Centre for Civilian in Conflict*[151] with the support of UNHCR regarding investigations into civilian harm in southern Somalia, was the creating of the CCTARC as one of the mechanisms for addressing civilian losses[152]. Later on in 2012, AMISOM established a CCTARC on authorization by the UNSC as one of its efforts in reducing and addressing civilian harm in its operations[153].

According to the UNSC, the establishment of CCTARC was aimed at saving civilian lives and ensuring that the victims of hostile hostilities are recognized and afforded necessary assistance which would go hand-in-hand towards enhancing the well-being of the Somali people and the mission's success.

Once the CCTARC system was operational, it equipped the AMISOM with the capability of: tracking and recording incidences and allegations of civilian harm, ensuring accurate and reliable trends of data on civilian casualties, responding to individual cases therefore ensuring civilians get recognized and compensated for losses incurred at the same time putting off false claims, and analyzing the information gathered to help the military in planning and decision making and the gain in tactical skills for minimizing civilian casualties[154].

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[50] ibid
[51] A Washington,D.C based NGO, founded in 2003by Marla Ruzickca as the campaign for innocent victims in onflict
[52] Somalianconsortium.org
[53] ibid
[54] www.somaliangoconsortium.org

3.1.3 Strategic Communication Initiative

One of the major headaches of the AMISOM was driving home the narrative that al-shabaab was a major cause to civilian suffering to its favor (Williams, 2013)[155]. It was until February 2010 when AMISOM assist the development of the Agreement on Public Information with the United Nations Support Office for Somalia (UNSOA).

In this agreement, UNSOA made a pact with three companies that were to assist AMISOM on civic information. These were: Albany Associates, Bell Pontinger, and Okapi Consulting[156]. The activities in the agreement helped AMISOM in obtaining broad popular appeal and understanding its roles in supporting the Somalia government institutions (Williams, 2013)[157]. This positively enhanced the profile, credibility and legitimacy of the AMISOM operation, at the same time thwarting off the efforts of the opponents in tainting its image.

Some of the activities and efforts by the AMISOM in resolving the issue of strategic communication included: launching of a radio station 'Barkular';online publications such as the *AMISOM Bulletin and AMISOM Quarterly Magazine*; visiting media houses, or promoting visits from media houses for international journalists and those from TCCs; production of AMISOM documentaries; holding press conferences, briefings and press releases; and maintaining and making updates to the AMISOM website (www.amisom-au.org); and other efforts[158].

3.2 Chapter Summary

The objective of the chapter was to investigate the strategies that AMISOM employed in countering the challenges manifested in securing civilians in Somalia, at the same time helping

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[155] ibid
[156] ibid
[157] www.stabilityjournal.org
[158] ibid

to test the hypothesis that AMISOM managed to come up with some strategies that would alleviate the suffering of civilians.

The theory of constructivism has been applied in the sense of the power of sharing of ideas. It should be remembered that in the wake of heavy civilian casualty during the operational activities of AMISOM, the international community, the AU, and AMISOM in particular, went back to the drawing board with regard to reducing civilian casualties in the operational activities of AMISOM. It was from the lessons learned of the ISAF[159] on reducing civilian casualties that IFP and CCTARC were embedded into AMISOM. Both of these approaches helped in reducing the number of civilian casualties.

The gap in the literature review of the chapter reveals that the strategies employed by AMISOM were majorly technological. Very little has been discussed with regard to non-technological strategies employed that helped to overcome the challenges of securing civilians.

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[159] ISAF- international security assistance force, mission in Afghanistan established by the UNSC in December 2001 by resolution 1386.

CHAPTER FOUR

CHALLENGES EXPERIENCED BY THE AMISOM OPERATION IN SECURING CIVILIANS IN SOMALIA

4.0 Introduction

This chapter analyses the plight civilians are facing in the on-going AMISOM operation, the efforts the AMISOM forces together with other humanitarian organizations working alongside it are injecting to alleviate the suffering of the civilians, and the difficulties being encountered on all the parties in securing civilians.

4.1 Plight of civilians in the on-going AMISOM operation

Civilians in Somalia could be regarded as to the ones who have endured the burden of armed conflict in the country. All these sufferings have been attributed to all the concerned belligerents, that is, the government forces supported by AMISOM on the one hand and diverse armed groups led by al-shabaab on the other hand. The suffering met on the civilians have either been deliberately inflicted through the activities of the contesting sides as part of targets or indirectly as collateral damage. Some of the sufferings the civilians have experienced in the course of the AMISOM operation are as discussed below.

4.1.1 Attack from militant groups

The hostile activities of the militant group, al-shabaab, has put the country in a precarious position as far as achievement of sustainable peace is concerned. The Somali National Army (SNA) and the AMISOM forces have continued to liberate most parts of the country that previously under al-shabaab control.

According to Nyanduga (2015), several military operations have been launched, for instance Operation Jubba corridor in July 2015, aimed at recovering existing enemy strongholds in

south-central Somalia. This operation was conducted by military forces from the Ethiopian National Defense Forces (ENDF) and the Kenya Defense Forces (KDF) contingents of AMISOM, together with the support of SNA units.

Most of the military gains by the AMISOM and SNA have been thwarted by acts of unconventional war techniques by al-shabaab, with most of them close to civilian installations or with civilian installations as targets. These included the use of IEDs and deadly terror attacks, which culminated to a large scale effect on the civilian population[160] and targeted killings. For instance, 10th July 2015, a complex terror attack on hotels in Mogadishu resulted to 11 civilian deaths with a significant number injured (Human Rights Council report, 2015). Cases of extra-judicial killings by al-shabaab on civilians believed to be collaborating or spying for the government or AMISOM have also been witnessed and reported. The executions normally took very little time from the moment of conviction and sentencing through the al-shabaab court. These executions happened in broad daylight before the public. For example, the four men publicly beheaded accused of spying for the county's west-backed government, the US and neighboring Kenya on pleading guilty in Jamame court (Reuters, 6th Feb 2017)[161].

The military gains by AMISOM and the SNA cannot be ignored. Nevertheless, has had formidable control of some rural areas and supply roots. In these localities al-shabaab banned operations for most for most of humanitarian agencies[162]. As a result, this forced humanitarian personnel unable to access the vulnerable populations because of the threats and attacks from al-shabaab. According to OCHA, these threats and attacks against humanitarian personnel

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[160] Ibid
[161] https://www.reuters.com/articles/us-somalia-violence
[162] ibid

increased significantly to 60 incidences of deaths, injuries, abductions, arrests and detentions of humanitarian personnel in the first five months of 2015.

4.1.2 Collateral Damage from Military attacks against Al-shabby

Nyanduga (2015)[163], shares of many reports of civilian causalities and displacements occurred in the hostile confrontation of the military against al-shabaab. In July 2015, reports indicated that 22 civilians were killed by AMISOM in two separate incidences in Marka, in the lower Shebelle region. In the same month, 18 civilians were reported to have been killed during the operation of the ENDF and the SNA in Bakoul Region[164].

These and many other incidents raised a lot of concerns that the SRCC and Head of Mission of AMISOM urged AMISOM to conduct investigations regarding the reports received of the forces involvement in the killing of civilians. Afterwards, in order to show compliance with the International Humanitarian Law, the SRCC directed AMISOM to: issue directives to operational commanders detailing the applicability of IHL provisions, adhere, to the AMISOM rules of engagement and mission standard operating procedures on the treatment of detainees, among others.

4.1.3 Freedom of expression and Media Blackout

The legality to freedom of expression has been a great challenge particularly to journalists and the media. Reports by the Human Rights Council (2011) have indicated cases of intimidation, arrest and persecution of journalists, confiscation and destruction of radio equipment, among others. In 2015, three radio stations in south-central Somalia, Shebelle, Risala, and Sky, were

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[163] ibid
[164] ibid

shut down but later reopened. As if that was not enough, regional administrations in Puntland and Jubbaland ordered the closure of media houses (Nyanduga, 2015)[165].

In addition, journalists and media workers on many occasions received threats on their lives, intimidation, random and rogue arrests and detentions from al-shabaab and government agencies. A case in point was in south-central Somalia where arrests and detentions were mainly carried out by the officers of the Somali National Intelligence and Security Agency (NISA)[166]. NISA justified its arrests and detentions, and shutdown of media houses on the premise that they were sympathizing with al-shabaab. For example, on 3rd April 2015, NISA shutdown Shebelle and Sky radio station in Mogadishu and detained its senior staff on allegations of airing the voice of the al-shabaab leaders. There was no court order for the shutdown nor the arrests. The arrested staff remained in detention for two weeks even after the Banadir Regional Court their release earlier on.

According to the National Union of Somali Journalists, the media associations and journalist were key in monitoring and reporting violations against journalists and the civilian population at large.

4.1.4 International humanitarian law violation

According to the provisions of the IHL, all the belligerents involved in the Somali conflict have in way or another have found themselves on the wrong side of these provisions (HRW, 2011). These violations have ranged from haphazard onslaught to civilians, extrajudicial killings, random capture and detentions and illegal forced recruitment[167].

From the IHL provisions, belligerents bear the legal obligations to alleviate unnecessary suffering of civilians and the protection of non-combatants[168]. These provisions are applicable

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[165] ibid
[166] ibid
[167] ibid
[168] ibid

to all armed conflict situations either involving conventional militaries or the non-state armed groups, like al-shabaab.

Therefore, any armed group involved in any armed hostility must adhere to the IHL provisions, the violation of which by any individual or group is liable for prosecution in domestic or international courts of war crimes[169]. With regard to the AMISOM operation, the AMISOM forces ought to operate within the confines of the IHL as the equivalent law which also applies to global military forces, not as party to the conflict but with regard to advancing military activities within Somalia.

Some of the conditions that have overwhelmingly increased the suffering of civilians in Somalia include: unnecessary restrictions to humanitarian access leaving those who need such help in pathetic conditions, theft of humanitarian aid by the armed groups for their own use, blanket ban on all forms of delivery of assistance by the al-shabaab in some areas, and the forceful confinement of civilian locals in certain areas[170].

4.1.4 Indiscriminate attacks on civilians

HRW and NGOs operating in Somalia have over time reported on clashes between AMISOM forces and the government of Somali forces on one hand against al-shabaab and other armed groups against the government, which have resulted in many civilian casualties. One such instance involved mortar rounds that repeatedly hit Bakara Market aimed at al-shabaab. Unfortunately, this resulted to 15 civilian deaths with over 80 injured[171]. As reported by an eye witness from Mogadishu to the HRW that in various places like schools and health centers, were levelled to the ground by the heavy weapons from both sides therefore becoming difficult

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[169] ibid
[170] HRW 2011.
[171] "15 killed, 80 injured in Mogadishu shelling", Shebelle media network, may 19th 2011 (http://adafrica .com/stories/20110519.html

to establish the motives were intentional or not as both sides used members of the public as shields.

On the side of statistics, it has been difficult to come by with reliable data. However, by mid-2011, the WHO had confirmed 3900 injured civilians admitted to hospitals in Mogadishu resulting from the fighting. Furthermore, about 250 children under the age of five were admitted in the month of May 2012, after a fierce fighting between AMISOM FORCES and al-shabaab. [172].

HRW reports have shown that al-shabaab to have on several occasions conducted mortar attacks in the capital of Mogadishu where we have AMISOM forces providing protection to the various TFIs and its personnel. According to the eye witnesses, the al-shabaab deployed in the densely populated areas of this town used to fire mortar shells indiscriminately towards TFG/AMISOM positions. They (al-shabaab) would eventually disappear to avoid counter-battery fire from the TFG and AMISOM forces. The sad result was the causalities on the unsuspecting civilians as they would get the rath of retaliatory mortar fire. This clearly manifested the cruelty of the al-shabaab and their cunning nature as they could not give advance notice to the civilians in their neighborhood of their plan to use mortar fire which, definitely would be replied by the TFG and AMISOM forces. By doing so, the civilians could flee to safe areas. This was a dirty tactic on the part of the as-shabaab because in the end it could be seen that the AMISOM and the TFG forces deliberately shelled civilian targets[173] . As one eye witness would lament to the HRW, "al-shabaab doesn't let people go when an attack is coming because they want to be with them and use them as human shields"[174].

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[172] ibid
[173] Human Rights Watch, *Harsh War, Harsh Peace*
[174] ibid

4.1.5 Mistreatment in custody

Civilians under the custody of al-shabaab and other militant groups have undergone un-imaginable ill-treatment[175]. Among the arrests were those individuals seen drinking, smoking, chewing *miraa*, and gossipers, among other petty offenders. Some of the victims complained to the HRW of being blindfolded, shirts removed, kicked and beaten with canes until one became unconscious and transferred to a detention place[176].

Another approach employed by the al-shabaab in arresting and torturing its captives was through the strict interpretation of the *Sharia Law[177]*. In the same caveat of interpreting this law, al-shabaab banned most of the recreational activities like watching and playing football, singing, among others. The violations of these prohibitions was met with the risk of beating, as exclaimed to the HRW by a woman from Kismayu that, "it was suicidal to continue"[178]!

4.1.6 Forced Recruitment and Recruitment of children as soldiers

 UNICEF defines a child soldier as any child- boy or girl, under 18 years of age who is party to any kind of regular or irregular armed force or armed group in any capacity.

Several methods have been applied to recruit child soldiers in the on-going Somalia conflict. These include brain washing the children to make them believe they belong to paradise if they participate in defending Somalia and Islam (Magsuci, 2012)[179]. Others have been lured from their homes with promises of gifts such as mobile phones, or through threats or kidnap, where schools were attacked so that the children once scared and dispersed can easily be taken

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[175] ibid
[176] A victim lamenting to HRW
[177] ibid
[178] ibid
[179] https://templeof understanding.org/wp-contend/uploads/__/UN.project-presentation.pdf

away[180]. According to a source from BBC News, it has been alluded that the al-shabaab often used children as shields.

Once the children get into the militants custody, they are transferred to al-shabaab training camps in southern Somali. While in the camps the children undergo training that is mainly carried out by foreign elements majorly from hired Pakistan, Afghanistan, and Chechnya. The evil of recruiting child soldiers was not only an issue on the al-shabaab side but also there have been reported allegations of the part of Somali government.

The Somali's Transition Government was heavily blamed for recruiting children soldiers according to a report by the Amnesty International communique detailing the impact of war crimes on Somali children. From the report, it was alluded that Transition Federal Government of Somalia to be on the UN "list of shame" as a party to recruiting , using, killing and maiming children in armed conflict. These sentiments were echoed by General AbAbdulkadir Sheikh Ali Dini (Somali's Army General) that "The Somali government should not recruit immature children and adolescents as soldiers and it is not part of our national constitution" (Magsuci, 2012)[181].

Despite all circus involving child-soldier recruitment, UNICEF and some NGOs working in Somalia have continued to advocate for the release of children from military groups. The UNICEF further has been carrying out the following programs with regard to child protection in Somalia: studying child protection and small arms, supporting the rehabilitation of child soldiers, and strengthening Somali's juvenile systems.

Some of the statistics by the UNICEF on child recruitment by 2017 are outlined as shown:

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[180] ibid
[181] ibid

2127- Children recruited and used; 217- Children detained for allegedly associating with al-shabaab; 931- Children killed and maimed; and 1643- abducted children.

Other ordeals that the civilians in Somalia have suffered include: restricted access to humanitarian aid; denial of liberty rights (emigration); illegal taxation structures in al-shabaab controlled areas; abuse to refugees and displaced persons; rape; inhuman living conditions especially in camps, among others.

4.2 Efforts by the AMISOM operation in securing civilians

Apart from offering VIP protection to government officials, Securing of other civilians by the AMISOM was majorly seen as a secondary role because its mandate did not have a provision for engaging in humanitarian activities[182]. For the AMISOM to get involved in such activities it was to be under specific circumstances like: when a life-threatening humanitarian need had been identified requiring immediate response; whereby there was no humanitarian agency to offer assistance to such a need in short notice; and such assistance was not to be used for other purposes like intelligent gathering.[183]

Besides executing the core-mandate issues, AMISOM inevitably found itself performing some tasks that had a humanitarian inclination, for instance, the supposed creation of suitable conditions for delivery of humanitarian assistance[184], and the creation of an effective approach on protecting civilians[185] that would be comprised of activities and operations for protecting children and women.

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[182] https://www.unoch.org: "Somalia country specific Humanitarian-Military Coordination Guidelines for humanitarian actors' engagement with the African mission in Somalia (AMISOM).
[183] ibid
[184] The United Nations Security Council Resolution S/RES/2093 (2013),(para 1e)
[185] The United Nations Security Council Resolution S/RES/2093 (2013, (para 10)

4.2.1 AMISOM's Humanitarian Efforts

The context of the conflict in Somalia coupled with heavy presence of military operations necessitated the need for an active Civil-Military Coordination to adequately handle the humanitarian situations on the ground[186]. AMISOM has maintained this critical link with the humanitarian actors alongside the dissipation and employment of the *Somalia country specific Humanitarian Civil-Military Coordination Guidelines for Humanitarian actor's engagement with AMISOM* in attaining the necessary humanitarian support[187].

As had been discussed in the earlier sections, civilians in Somalia have faced myriad of challenges varying from lack of security and human rights violations resulting from conflicts, political disunity and natural disasters like heavy rains (2015 El-nino)[188], drought, acute food insecurity, and diseases. All these created a gap for humanitarian intervention as the ITF report indicated that about 6.7 million, more than half of the Somali population, were in need of humanitarian assistance, of which 465,000 displaced persons in Mogadishu were severely facing protection risks by November 2016[189].

The conflict in Somalia, without doubt, resulted in substantial lack of needs for the Somali people. This prompted the AMISOM together with the United Nations Assistance Mission in Somalia (UNSOM) and other partners to help pursue peace and state building. In doing so, the extent to which needs were denied to the population reduced significantly as the humanitarian situation and response that was hampered by insecurity had been managed somehow. A special node to this Civil-Military Cooperation (CIMIC) between the AMISOM and its partners was by the Deputy Special Representative of the African Union Commission Chairperson (DSRCC)

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[186] "the Somalia civil-military working group response" Mogadishu: Integrated Task Force (ITF), August 2017
[187] ibid
[188] ibid
[189] ibid

in Somalia (Hon. Lydia Wanyoto, in a meeting on strengthening civil-military cooperation) where she emphasized the importance of CIMIC in providing opportunities for an indispensable discourse and cooperation between the civilians and military actors, promoted humanitarian principles and helped minimize conflict[190].

AMISOM and OCHA engaged in training humanitarian staff of the AMISOM civilian component, the SNA and state security officers of Somalia with 574 personnel trained since 2010. The training included: in-missions training (Bardoa, Bet Meyne, Kismayu and Mogadishu); and training prior to deployment (for senior and contingent commanders) in Entebbe, Bujumbura, Djibouti, Addis Ababa, and Husso. In all these training, emphasis to make uniformed personnel to get familiarized with humanitarian principles and humanitarian 'do's and don'ts'.

Many of the social amenities that had been abandoned during the prolonged Somali civil-war, were protected and temporarily used by the AMISOM forces as headquarters logistical bases for various contingents, for instance the Somali National University (SNU) in Mogadishu and other learning facilities in the Gedo region. These facilities were later renovated and handed over to the respective users under the stewardship of AMISOM. According to the IHL, facilities such as those of health and learning, must be protected so that the civilians utilizing them benefit in the same course. Thus, the AMISOM made sure that all learning facilities in its Area of Responsibility (AOR) were not occupied by any international armed actors, therefore ensuring the safety of the children[191].

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[190] Amisom-au.org
[191] ibid

The efforts by the AMISOM in humanitarian assistance were not all in vain. Some positive results emanated, for instance, the opportunity for the local communities to openly share their worries and resentment directly with the AMISOM senior leadership during the various organized meetings (Regional Civilian Military Working Groups- RCMWGs) assisted in process of de-conflicting and loosening the tensions between the AMISOM and the host communities.

The voluntary refugee returnees also added onto the achievements. The AMISOM Sector 2 Headquarter assisted this process by providing security to the convoys entering Somalia against attacks from the various armed groups within. According to the UNHCR, 102800 Somali refugees had voluntarily returned to Somalia from the start of December 2014[192]. In order to ensure good practice and obligations by the AMISOM forces, AMISOM instituted a refugee guidance note that supplemented the AMISOM CIMIC aide memoire. The CIMIC aide memoire developed by AMISOM CIMIC, AMISOM HLU and the UK-MST provided the AMISOM CIMIC officers with CIMIC guidance, and relevant operating practices and procedures[193].

Somalia, in addition to the challenges posed by the conflict environment, faced other challenges resulting from the effects of floods, drought, disease epidemics, and poor state of infrastructure, among others. All these have impeded the effectiveness of response of humanitarian actors. Humanitarian access was hampered in several areas, especially in rural areas, because of insecurity and poor transport system. The transportation of humanitarian staff and supplies had been constrained due to impassable roads during the flooding season.

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[192] UNHCR 2014
[193] Ibid 190

During the 2015 El-nino[194], AMISOM in collaboration with OCHA, delivered one million sandbags to areas that were hit by floods after rivers Shebelle and juba broke their banks[195]. The two entities repaired the damaged sections of the rivers and further reactivated the community's early warning systems thereby reducing damage to farmland and stored food in the high-risk areas[196]. In the final analysis during the flooding period, the efforts by AMISOM and OCHA ensured that the affected populations receive aid in good time. They also ensure that mitigation plans were in place by having adequate sandbags to assist in controlling floods along the two rivers should they occur.

The other area of cooperation between the AMISOM and other humanitarian actors was with regard to response to disease outbreaks. For instance, by June 2017, nearly 72000 cases of cholera/diahorrea related and 1098 deaths had been reported in the areas of lower Shebelle, Mudug, and Bari regions of central puntland[197]. Earlier on in 2016, Johwar District of the middle Shebelle region had a cholera outbreak. The increasing security situation in this region made it difficult to have personnel on ground to establish the cause of the cholera outbreak and therefore administer the necessary assistance[198].

In this state of confusion, AMISOM was forced to apply the 'last resort' initiative by providing escort to the health partners destined for Johwar General Hospital and securing it for delivery of medical supplies. During the whole episodes of diahorrea/cholera epidemics, AMISOM was always called for to advance the necessary facilitation to humanitarian assistance groups in various regions by transporting medical relief supplies.

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[194] https://www.reliefweb.int
[195] ibid
[196] ibid
[197] WHO 2017
[198] ibid

4.3 Challenges encountered in securing civilians

Since the AMISOM operation began in Somalia, it has faced myriad of challenges ranging from mandate related issues, deployment, logistics and supplies, intelligence gaps, orthodox warfare tactics from al-shabaab, lack of political support, financing, among many others.

The other peculiar challenge the mission has endured is the challenge related to the protection of civilians (PoC) with Vis-a Vis its operations. Some of the challenges the AMISOM has experienced in relation to protection of civilians include the following: conflicting information in some of the AMISOM's documents, limited previous experience, and the guilt of causing harm to civilians.

4.3.1 Conflicting information in AMISOM's relevant documents

One of the perturbing issues to the AMISOM in relation to the security of civilians in the first six years into the mission was its varied and conflicting interpretation of the whole idea on protection (Williams, 2013)[199]. One confusion arose from AU's understanding of its peacekeepers in ending the atrocities meted to civilians in the midst of its operations (Williams, 2013). In simple terms, the AU was uncertain about the implication of the *Brahimi Report*[200] with respect to UN's operations which emphasized that it was not a matter for any mission to be involved in an explicit PoC mandate but, "peacekeepers-troops or police- who witness violence against civilians should be presumed to be authorized to stop it, within their means, in support of basic United Nations principles" (UN 2000: 62)[201].

It should be recalled that from the time the AU started launching its peace operations on the continent in the early 2000s, only one mission had been given the mandate to be proactive in

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[199] www.stabilityjournal.org
[200] ibid
[201] ibid

protecting civilians, that is, the AU Mission in Sudan before it evolved to AU-UN Hybrid Operation in Darfur (UNAMID) (Williams, 2013). It was until 2009 that the AU commenced the process of coming up with general provisions on safety of civilians in its peace support operations. Later in June 2012, the AU's peace and security council through a press statement underscored the importance of "mainstreaming" PoC issues in all standard operating procedures of its peace operations (au: 2012)[202].

The other confusion that surrounded the PoC issue with the AMISOM was on its rules of engagement (ROE) that were enacted in 2007. Basically, ROE are the measures put in place applicable in circumstances requiring the use of force, particularly for self-defense[203]. Some specific clauses in the AMISOM ROE corresponded with one of the tenets of the IHL that 'when force is used, all necessary measures will be taken to avoid collateral damage" (AMISOM ROE March 2007: 7h). Further on, the AMISOM ROE talks of situations where its troops 'could' apply force beyond self-defense, "to afford protection to civilians under imminent threat of physical violence" (AMISOM ROE March 2007: 7k, 1b). With no further guidelines specified it was difficult for the AMISOM to obey the provisions of the IHL at the same time proactively protecting civilians (Williams, 2013)[204].

4.3.2 Limited Previous Experience

'Experience is the best teacher" is one of the quotes that has found lots of casual pronunciation by many people only later to realize of its implications. To the AMISOM operation, though, it has encountered many criticisms vis-à-vis protection of civilians because of the perceived very

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[202] ibid
[203] ibid
[204] ibid

little or no experience to handle the subject matter (PoC) under physical violence. This has been attributed to mainly widespread institutional unpreparedness (Williams, 2013).

From the AMIS in Darfur (2004-2007), the AU had an explicit PoC mandate on the mission but that was not a walk in the park! A sudden surge of problems during the mission in Darfur forced its replacement to that of UN-led hybrid mission, UNAMID, from 2008 (Williams, 2013). Following the brief interlude of the AU with AMIS, it definitely implied that AMISOM had inadequate content with regard to experience to learn of the challenges AMIS had faced in protecting civilians in Darfur.

Nevertheless, it should be echoed that most of the peace operations in Africa have a degree of protection in them without necessarily being defined with an explicit protection mandate. This is probably because of the nature of conflicts the continent has been experiencing over the last 20 or so years. As the AU Commission once recognized that, "all (AU) missions, have, to a greater or lesser degree, faced protection challenges throughout the course of their deployment, and utilized varying strategies to address these" (AU 2011a,: 16; AU 2011e:10).

Inadequate experience and general unpreparedness of the AU and the AMISOM with regard to securing of civilians, was manifested with introduction of PoC guidelines late into the mission long after it had begun[205]. As if that was not enough, the problem had also permeated the AMISOM itself. When the AMISOM was deployed to Mogadishu it had no relevant PoC doctrine, guidelines, and training with the various international organizations taking part in the peace operations[206]. However, experts acknowledged this to be attributable to the influence of the drafting of UN's PoC guidelines for its peacekeeping operations. This was, according to

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[205] These were only used in draft form.
[206] ibid

ie UN, that the AMISOM was a peacekeeping mission but rather a fighting operation that

onsisted of war-fighting, VIP protection, and counter-insurgency elements[207].

.3.3 Guilt of causing harm to civilians

he AMISOM mission had the right intentions of fighting off al-shabaab and other militant

roups in Somalia with the end state of pacifying the country with ne central authority and the

eneral well-being of its civilians. But reality checked-in when in the cause of waging to the

iilitant groups, it became inevitable for civilians to be injured or the worst to be killed resulting

:rom the operational activities of the AMISOM.

he main concern for the locals was not on how the AMISOM was fighting al-shabaab and

ther militant groups but to what extend was the whole mission implementing its mandate with

iinimal civilian casualties[208]. Most of the civilian casualties resulted from the direct, especially

i Mogadishu, when the AMISOM was being deployed there (Williams, 2013). According to

imnesty International, 6000 civilians were killed in 2007 attacks alone (Amnesty International

008:1), while in 2011, Elman Peace and Human Rights Centre[209], had an estimate of 1739

ivilians killed in Mogadishu between 2009 and 2010 (civilian 2011:18).

he ENDF had an unusual approach to the whole operation in Somalia. Since the inception of

ie AMISOM operation in Somalia, the ENDF was not part of the mission but had earlier own

eployed itself since 2006 in pursuit of the one of the militant groups in Somalia. The civilians

i Somalia had accused the ENDF of its brutality towards them during its deployment in

/Iogadishu. For instance, the ENDF was accused of killing street children, was using sniper

[7] ibid
[8] https://www.stabityjuornal.org
[9] A Somali NGO.

fire indiscriminately, cutting people's throats, Raping, all forms of torture (amnesty international, 2008), using phosphorous bombs in the city (April 2007 attack which killed 15 al-shabaab and 35 civilians dead) (UN 2007:12-13).

By the time AMISOM was authorized, they were deployed alongside the ENDF. The AU forces had to put up with the guilt of associating with ENDF, especially from the local population (Williams, 2013). The killings carried out by the ENDF made the Amnesty International to have a blanket conclusion on AMISOM that "has neither the mandate nor capacity to protect civilians in Somalia" (Amnesty International 2008:6).

The AMISOM also suffered the guilt of working together with the TFG. According to the locals, the TFG had committed a lot of atrocities on them and it was difficult to delink the AMISOM forces from the harm the TFG was committing because AMISOM was involved with the TFG in many aspects such as training and supporting the TFG in fighting al-shabaab (HRW, 2010).

Apart from the imposed guilt, AMISOM forces had on several occasions accused of literally inflicting harm to civilians. In a letter to the United Nations, the AU, and other international organizations, Shaikh Sharif Ahmed, accused AMISOM on its brutality and 'war-crimes' that "AMISOM has been using tanks and heavy artillery indiscriminately against the population in Mogadishu ... over 100 people, including children, women and the elderly have been killed, more than 300 wounded, and about 3000 have fled their homes (ARS 2008). Another complain came from the then Mayor of Mogadishu in 2010 to the African Union regarding AMISOM's use of force. In his statement, he mentioned that it was being misused as it was not used to neutralize snipers that were targeting civilians, in his interview to an AU official in January 2010.

In some cases, the harm that was perceived to have been caused by AMISOM to the civilians was not that deliberate. For instance, the al-shabaab would use mortar fire against AMISOM positions and escape immediately. The AMISOM forces would then retaliate hoping to neutralize the al-shabaab, unfortunately, it was the unsuspecting civilians that would be the 'targets'. Al-shabaab would then blow things out of proportion and blame the AMISOM for causing deaths and injuries to innocent civilians. Other civilians killed or injured because of the operational activities of AMISOM were those wrongly taken to be enemy fighters (Williams, 2013). For instance, an incident in 2009 in which a bus was accidentally fired by AMISOM troops after they were ambushed by a roadside bomb and machine gun fire (according to an interview of an AMISOM officer in May 2013) (Civic 2011:20). Other instances of civilian harm by the AMISOM forces majorly resulted as part of collateral damage. For instance, civilians in the midst of cross-fire, and those injured or killed in circumstances of accidents by AMISOM vehicles.

4.4 Chapter Summary

This chapter has tried to explore some of the challenges that the AMISOM operation has faced vis-à-vis securing civilians in Somalia. This was preceded by a discussion of some of the unfortunate situations the civilians encountered in the operation. The objective of the chapter goes ahead to test the hypothesis of there being challenges on the AMISOM operation in securing civilians.

Constructivism has been applied in the chapter's discussion regarding the role of norms and shared understandings to be able to underpin the plight the civilians have faced in this operation. These sufferings elucidates the denial of certain kinds of human rights, for example, unlawful detention and forced recruitment, extra-judicial killings, among others.

The suffering of the people of Somalia have been perennial which has been mostly been attributed to the "failed state" of Somalia. In such a case, Somalia as a country has failed in its core duty of ensuring protection its own people! Therefore the Somali community has the international community as the only hope to come to its aid. However, the suffering of the civilians still persists in the wake of heavy presence of international community and regional players on ground trying to pacify the country. Chapter five of this study will bring out the hitches the peace operations have encountered in not completely assuring the end of suffering to the civilians in Somalia.

CHAPTER FIVE

DATA PRESENTATION AND ANALYSIS

5.1 Introduction

This chapter involves presentation and analyzing of the data that was gathered from the target population. The data was mainly obtained through the use of questionnaires and interviews. In addition, the interpretation of the data collected was pegged on the fronted research questions and the specific objectives which formed the basis for discussions and interpretation of the results.

5.2 Rate of Response

Questionnaires were administered to various categories of respondents: military personnel, staff from selected international organizations (UNPOS, UNHCR Somalia and UNICEF Somalia) and international agencies and humanitarian organizations (NGOs) working alongside the AMISOM operation in Somalia (care international, care Somalia and save the children). In addition to the questionnaires, interviews were contacted to particular persons in the various categories.

Out of the 100 disseminated questionnaires, 80 returned representing a response rate of 80%. This was adequate to providing reliable info on the study. The data collected was as tabulated below:

Table 5.1: Rate of response

Institution	Sample	Returned Questionnaires	Non-responsive
KDF	50	45	5
IOs	30	27	3
NGOs	20	18	2

Source: Author (2018)

5.3 Demographic characteristics of the respondents

The findings from the study revealed that most of the respondents were male at 84 % while 16 % represented female respondents. The respondents according to age were indicated as follows: 21-30 years 46%, 31-40 years 37%, 41-50 years 12% and 50 and above year's 5%.

The need to establish the respondents' level of education was to gauge their understanding of the topic and the related concepts. From the gathered figures, majority of the respondents had undergraduate qualification which generally showed a good grasp of the research topic.

On the level of management, majority of the respondents were at junior level who in most cases had interaction with the situation on ground depicted by the research topic, especially respondents from the military category. This represented 80% of the total respondents. Only 20 % represented respondents at senior level of management, mainly decision and policy making level.

5.4 To determine the role of the AU in securing civilians in Africa

From the interviews conducted on some of the KDF officers who have served in different missions led by the AU like UNAMID, AMIS AND AMISOM and from the responses in the returned questionnaires, it has been observed that indeed AU has tried and still is making efforts to securing civilians in Africa. The AMISOM operation in Somalia is the most recent and largest AU-led mission in Africa currently.

5.4.1 AU roles in securing civilians in Africa.

From a Skype interview with one of the KDF officers based at Afmadhow base, he outlined the impartiality of the AMISOM troops in discharging their duties and that civilian protection

was one of the key concerns of their operations so as to enhance mutual co-existence of the AMISOM forces and the various surrounding clans[210].

According to him, the presence of AMISOM troops in the town of Alfmadhow was a deterrence to the militia in the area, who were forcefully acquiring material wealth from the civilians. Thus, AMISOM troops have managed to prevent this habit and the civilians can now own their property without any fear of it being dispossessed[211].

The presence of AMISOM troops in the diverse regions of the country has to a great deal limit the freedom of operations of Al-shabaab and other armed groups that mostly aimed at inflicting harm to the civilians such as deliberate killings, kidnappings, among others. With the tempo and frequencies of activities of the militia groups reduced, civilians have been indirectly been safeguarded. All this was made possible with the establishment of AMISOM bases in the various regions of the country[212]. Furthermore, the establishment of the various bases in places like Dhobley, Afmadhow, kismayu, Mogadishu, baidoa, among others has deterred the activities of al-shabaab from which the AMISOM forces launch their patrols in the respective areas of responsibility. From the interview and responses in the returned questionnaires, it was evident that AMISOM has conducted capacity building to the SNA, which is the main security force of Somalia, through training. All this has been done with efforts geared at protecting civilians because the presence of local personnel among the security forces has boosted the AMISOM operation with regard to being acceptable on ground[213].

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[210] Skype Interview with one of KDF officers based in Alfmadhow, Somalia.
[211] ibid
[212] ibid
[213] ibid

5.4.2 Achievements resulting from AMISOM activities

Responses from both interviews and returned questionnaires have shown that the operational activities of AMISOM have had tremendous effects on ground. First, there has been improved relation between the AMISOM troops and the local population that has been enhanced through CIMIC activities, secondly, AMISOM troops have benefited from the intelligence reports provided by the locals on the militia activities which has been achieved through the trust that locals have in the peacekeeping troops[214].

Table 5.2: AMISOM'S performance with regard to protection of civilians

	FREQUENCY	PERCENTAGE
ACHIEVED	45	50%
NOT ACHIEVED	37	41.1%
NOT SURE	8	8.9%
TOTAL	90	100

Source: Author (2018)

Moreover, the local population in the various regions of Somalia dominated by AMISOM troops feel more secure. The protection of civilians in areas under AMISOM is really working since the general population is able to go about their day to day business freely characterized by less cases of human rights violations in these areas and reduced human suffering among the non-combatants[215].

Another notable achievement brought forth with AMISOM's presence in various regions of Somalia is the liberation of a number of urban centers from control and force taxation by al-shabaab. The local population can now run their businesses and acquire wealth without fear of

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[214] Interview with one of the officers based in Mogadishu.
[215] ibid

being forced to pay tax as compensation of the security provided by the militants[216]. The interviewee[217] goes further to illustrate how AMISOM presence in Mogadishu has helped the government of Somalia to gain control of the affairs of Somalia in terms of maintaining law and order and advancing the rule of law, though at a slow pace, but the impact is great.

5.4.3 Humanitarian agencies' efforts to protection of civilians

Protection of civilians in Somalia conflict, though mainly carried out by AMISOM, other agencies working alongside AMISOM have contributed a great deal to ensuring civilians' safety is achieved[218]. Some of the humanitarian agencies that have been working alongside AMISOM forces to achieve the mandate of the mission contacted for the purpose of this study include: care Somalia, save the children, Medair Somalia, OCHA Somalia, UNHCR Somalia and UNPOS Somalia, among many others.

First and foremost, the Somali government has been cooperative and has provided a democratic space whereby elections conducted have been free and fair and peaceful[219]. With the allocation of resources from the government, the training of the SNA has bared some fruits as the force now has the capability of being deployed in some areas of Mogadishu to enforce law and order. The Somali government has demonstrated political to ensure civilians are protected by allowing AMISOM to carry out its mandate from the various bases it has given node for their establishment in the various regions including Dhobley, Afmadhow, Mogadishu, baidoa, among others. Furthermore, the regional leaders in Somalia in the regions like Puntland, Jubaland, Somaliland, central state of Somalia, among others, have ensured protection of

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[216] ibid

[217] ibid
[218] Interview with an officer based at kismayu and a representative of care Somalia based in Nairobi.
[219] ibid

civilians by incorporating local militias into the SNA to make it fully established for it to cover the larger Somali country[220].

The international community and other humanitarian agencies have contributed to the protection of civilians by championing for a stable Somalia, at the same time acting as watchdogs in ensuring the operational activities of the security forces are within the standards of the Geneva Convention[221]. In addition, these agencies with the help of donor funding, have put up infrastructure like building of bridges and roads in most parts of Somalia. This has in turn hasten the delivery of much needed humanitarian assistance to different regions.

Other efforts by humanitarian agencies to afford civilian protection in Somalia include: building capacity of the SNA, organizing elections in various regions of Somalia to elect regional leaders for better representation of the general population, supporting AMISOM through the United Nations Assistance Mission in Somalia (UNSOM) in execution of its mandate, among others.

5.5 Strategies applied by AMISOM in securing civilians in Somalia

Respondents both from the filled questionnaires and interviews amongst officers involved in the AMISOM operation have revealed various approaches used by the peace operation in securing civilians in most parts of the country from the wrath of militant groups. Out these approaches, some were offensive in nature while others did not involve the use of force at all. An interview with one of the KDF officer manning Baidoa military camp reveals that in some instances AMISOM forces have been compelled to apply minimum force in order to repel the militants advancing towards civilian dwellings[222]. In certain cases the use of force has been the last resort when physical harm is projected on non-combatants. "In fact, most of the militia led

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[220] ibid
[221] Interview with one of the staff of care Somalia in Nairobi
[222] Interview with a KDF officer based at Baidoa , Somalia.

by al-shabaab on wanting to inflict more damage to the civilians attempt to cut-off any attempted approach by the AMISOM troops by placing IEDs on all pathways to scare us off! Exclaimed the officer"[223]. "However, with our new acquired aerial surveillance devices, we have managed to fend-off these tricks by the armed groups and resort to attacking them before they lay their plans", continued the officer[224].

Figure 5.1: Justification on the use of force by AMISOM

	80%
	15%
	5%
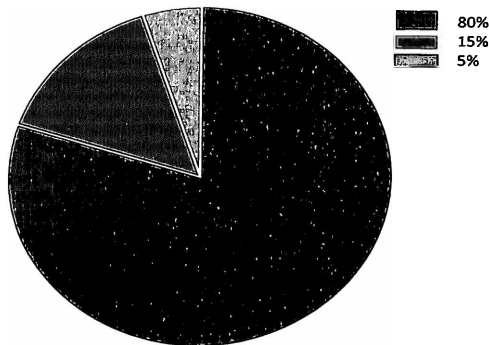
Source: Author (2018)

One of the CIMIC officers based at Dhobley stressed on the importance AMISOM had attached on training of its troops regarding the conduct of the peace operation, more so, on safeguarding civilians. Most of this training is contacted in institutions based in Nairobi, IPSTC and HPSS, that encompass both military and civilian staff, said the CIMIC officer[225]. Troops

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[223] Ibid.
[224] ibid
[225] Interview with KDF CIMIC officer based in Dhobley, Somalia

in these institutions are undertaken through pre-deployment with emphasis on the importance of protecting civilians.

Besides training, AMISOM forces have been involved in a number of CIMIC activities, for instance, provision of free treatment to the locals, repairing roads like in Mogadishu, provision of basic commodities like food, distributing books to schools. All these activities have been carried out to civilians that had earlier been ravaged by the actions of militant groups to have their confidence restored in the peacekeeping forces[226].

Table 5.3: AMISOM engagement in humanitarian activities

	FREQUENCY	PERCENTAGE %
YES	70	77.8
NO	12	13.3
NOT SURE	8	8.9
TOTAL	90	100%

Source: Author (2018)

Most of the respondents in the various AMISOM bases in Somalia alluded to the fact that civilian protection was mainly achieved by active engagement of the AMISOM troops in patrols. These involved both foot and aerial patrols in order to dominate wide areas. For instance, AMISOM off late has the capability of conducting aerial patrols up to 200km from their respective bases. This has enabled the security forces to react to any threat facing the locals in good time[227].

Responses from all contacted AMISOM officers point to an important aspect of protection, which is fortification. Most of the AMISOM bases in Somalia have been fortified which makes

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[226] ibid
[227] Interview from with an officer based in kismayu, Somalia.

them hard to force through by the militant groups in case they launch attacks on these AMISOM bases. Most of these bases harbor civilian personnel working alongside AMISOM to achieve its mandate. For instance, the Banadir AMISOM base has accommodated most of the civilians working with AMISOM and this ensures their safety and be able to deliver the much needed assistance to the mission and to the local civilians in general. Other fortifications have also been witnessed to key government installations in Mogadishu and Kismayu, and therefore the operations of the Somali government towards the people of Somalia run smoothly.

An interview with one of the KDF officers who served with AMISOM one and four revealed some efforts that AMISOM operation has conducted with regard to security sector reforms which goes hand in hand with the core duty of securing civilians. "AMISOM forces have been involved in strengthening and rebuilding of a conducive political structure, of course with the assistance from international actors like the United States"[228]. He adds of the ambitious plan AMISOM has in place that "would make Somalia to steadily take responsibility for security"[229]. The plan, according to him, entails the gradual process of transferring some of the responsibilities held by AMISOM to the Somali security forces, allowing Somali security forces to dominate certain areas especially those where AMISOM forces have not toured yet[230]. He concluded by asserting that all those efforts among others are geared to building the state of Somalia and achieve peace building objectives with effective Somali institutions.

Other strategies applied by AMISOM on protection of civilians as revealed from the respondents included: physical protection through patrols to dominate areas where civilian populations reside and scare off the militants, providing armed escorts to civilian convoys, adoption of a strategy that would completely cutter for protection of civilians, capacity building

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[228] Interview with a KDF officer who served in AMISOM 1 & 4
[229] ibid
[230] ibid

of the SNA to help in the protection, promoting the return to peace by pursuing and defeating the militant groups, advocating for professionalism on the part of the AMISOM troops, outlining clearly the rules of engagement and exposing troops to humanitarian protection strategies to be applied while in action[231].

5.6 Challenges and prospects of securing civilians in Somalia by the AMISOM

On the question regarding the challenges and prospects of the AMISOM operation in Somalia in securing civilians, most of the responses both from personal interviews and questionnaires had a lot of convergence-meaning all the respondents agreed to a greater extend on the subject matter. Some of the responses from the questionnaires and interviews are as follows:

First was the issue of cooperation between the civilians and some factions of the militant groups. "This cooperation was in two aspects. We had situations where the civilians could deliberately take sides with the enemy elements and at the same time also befriend us-AMISOM forces. The other instance, which was more rampant was cases where the militant groups coerced the civilians to side with them or else that would be their end!"[232] exclaimed one of the KDF officers based in Mogadishu. According to the officer, it was difficult to distinguish between the genuine civilians requiring help from those compromised by the militant groups because those siding with the enemy at times enhanced the enemy activities by feeding them with intelligence concerning AMISOM activities. One case in point the officer sited was when AMISOM forces had intelligence of militant group conducting indoctrinating lessons to a village near Afmadhow, only to arrive and found the enemy forces already dispersed. "This and many such operations were compromised to which some which involved

[231] Responses from emailed questionnaires from Somalia.
[232] Skype Interview with one of the KDF officers based at Afmadhow.

saving civilian lives were unsuccessful, all because of the intelligence some dishonest civilians provided to the enemy forces"[233].

Related to the issue of cooperation of some civilians and enemy groups, most of the respondents especially from the questionnaires pointed out that many of the locals if not directly cooperating with the enemy side, they withheld crucial intelligence about the militant activities and course of action from the AMISOM troops. Therefore, some of the atrocities committed by the militant groups could have been countered by the AMISOM troops only that they could not access critical information for them to plan counter-actions[234].

An interview with another AMISOM field officer based in Mogadishu showed that the protection of civilians by the AMISOM was being hampered a great deal by the losses being incurred on the side of the SNA. "The SNA being alongside especially when handling issues concerning the locals was a big boost as they assisted much when it came to language barrier and also the locals themselves felt confidence when being attended to by one of their own". He further went ahead to add that "the gains made by the AMISOM operation with regard to PoC in most cases were shattered low morale on the SNA side especially after suffering losses from attacks by al-shabaab. The SNA appeared too vulnerable because of being poorly equipped and being less in number"[235]. The interviewee went ahead to lament that the issue of less numbers on the side of the SNA also was a challenge to the AMISOM forces in general. The AMISOM forces were overwhelmed by the expansive rough terrain that they were supposed to cover. This he said was majorly attributable to the limit of personnel set by the AU to be contributed by troop contributing countries. Despite the perceived less numbers, the interviewee goes ahead to assert that AMISOM troops were required to cover a very large area characterized by poor

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[233] ibid
[234] Questionnaire information from the respondents.
[235] ibid

infrastructure and very rough terrain, thus response against al-shabaab aggression was at times very slow. The interviewee concluded that, "the main challenge has been the ratio of the force in the country versus the areas to be liberated. That is why the impact as far as protection of civilians by the AMISOM has not really been felt"[236].

Table 5.6: Importance of SNA in securing of civilians

	FREQUENCY	PERCENTAGE %
STRONGLY AGREE	25	27.8
AGREE	35	38.9
NOT SURE	15	16.7
DISGREE	15	16.7
TOTAL	90	100

Source: Author (2018)

The use of orthodox tactics by the al-shabaab was one of the challenge encountered by AMISOM forces in carrying out protection of civilians' mandate. Most respondents referred this approach to as where al- shabaab used civilians as human shields incase AMISOM troops engage them directly. A case in point is in the town of Jilib, perceived as al-shabaab stronghold, where it has been difficult for the AMISOM forces to contact rescue missions on civilians under threat. This is because the enemy had learned how to blend well with the non-combatant civilians so that it was difficult to recognize the aggressor from harmless civilian. One interviewee pointed out that "whenever al-shabaab operatives found out that there cover was blown, they would resort to forcefully shield themselves behind innocent civilians or at times

[236] ibid

resort to evacuate civilians to their residences so that launching any indirect attack would too impossible"[237].

Other challenges that AMISOM faces in connection to safeguarding civilians as found out from the findings include: violation of the rules of law by troops like use of indirect fire as it was almost impossible to prevent the use of fire against civilians or deliberately attack civilians in situations where the enemy elements collaborated with the normal civilians, lack of enough resources especially air assets to assist in reconnaissance and track enemy activities so as to call for immediate ground action, rape allegations which tainted the image of the AMISOM operation, and self-interest from troop contributing countries thus protection of civilians appeared to as a lesser objective, among others[238].

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[37] ibid
[38] Findings from the different questionnaire disbursed to AMISOM personnel in Somalia.

CHAPTER SIX

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

6.1 Summary of findings

This particular study was set out to find out the challenges of securing civilians through peace support operations in Africa with a focus on the AMISOM operation in Somalia. From the study, it was established that African-led peace support operations, the security of civilians affected with armed conflict is still a matter of great concern that requires more engagement from all the stakeholders. Although efforts have been made in more recent operations for peace to safeguard civilians, the issue of securing civilians should inform every mandate of subsequent peace support operations.

Research findings on the objective of the role of AU securing civilians in Africa, most of the respondents, over 70% were of the opinion that peace support operations led by the Afrian Union are heavily loaded in that troops deployed are usually involved in aspects like counter insurgency, counterterrorism, protection of civilians, and mostly maintaining stability of the host country and ensuring smooth democratic transitions. Therefore, the broad mandate to some extend resulted in poor execution of the protection of civilians' part.

Majority of the respondents on this objective were optimistic of the strides the AU had made to make protection of civilians a reality in the ongoing and subsequent operations under the stewardship of the AU. 80% of the respondents acknowledged that the institutions put in place that is APSA and its related five pillars were a great milestone for Africa in achieving continental security and in the long run protecting its civilians from harm of armed conflict.

One major challenge that most of the respondents agreed with on Africa's ability to secure secure civilians was the issue of financing. Financing of African-led peace support operations was a big hurdle as manifested in poor equipment of troops, little or allowances for the troops,

among others, all because of poor remittance by the African countries to the AU for it to finance such important peace operations. This therefore lives Africa with one alternative of seeking external assistance to run its missions from the UN, EU and the United States. It is therefore difficult to emerge as a leading player in the peace missions it has initiated. As Paul Williams posits, "when AU deploys a mission, it always needs to find external assistance". It is therefore clear as to why many African peace support operations are majorly collaborations between the AU and the UN, for instance, United Nations and African Union mission in Darfur (UNAMID) and the AMISOM where the participating African countries provide troops and the UN does the funding, training, logistics, and planning support. Therefore the research findings on this objective agree with the hypothesis that the African Union has played a role in securing civilians in Africa.

On the objective about the strategies/roles AMISOM has applied to secure civilians in Somalia, findings from the research indicated that indeed there have been some approaches that AMISOM has applied in its operation towards effective protection of civilians. Research findings have shown that AMISOM put efforts to make PoC more effective with 85% of the respondents indicated some of the strategies that have been applied like sensitization of population on the importance of peace, relocating civilians to save regions, conducting of CIMIC activities, among others. Though some of the approaches were not entirely new to peace support operations but worked uniquely to this context.

In the same regard, findings showed that other than humanitarian approaches in protecting civilians, AMISOM also applied other methods, military in nature, to ensure the security of the local population. Out of the total number of respondents 90% were informed of the non-humanitarian approaches used by AMISOM troops to safeguard civilians like providing

armed escorts to civilian convoys, pursuing the enemy and defeating them far away from civilian areas of residence, fortifying their bases and conducting of armed patrols, among others. The remaining 10% were of the opinion that only humanitarian approaches were being used to secure civilians in Somalia.

Research findings regarding the effectiveness of AMISOM operation in securing civilians and whether it was working, 72% of the respondents pointed out that indeed the AMISOM operation was on the right track in carrying out the mandate of protecting civilians, illustrating with some of the instances like huge population of the Somali people now live normal life without fear of intimidation from the militant groups. Only the challenges mentioned that try derail the whole mission but were certain that the peace mission will attain its objective. 28% of the respondents could not agree that AMISOM was making progress with the issue of securing civilians citing the various incidences of civilian killings, unprofessionalism amongst some of the AMISOM troops, and many more accusations.

The objective of the challenges/prospects of the AMISOM in securing civilians in Somalia, research findings indicated that the peace operation undoubtedly faced critical challenges with regard to civilian protection. This was marked by 100%respondents. The indication of this was that it was high time the AMISOM operation to rethink its ways of approach when it came to dealing with civilians.

65% of the respondents were of the notion that the AMISOM operation was sufficient in handling the protection of civilians with 20% thinking that AMISOM alone could not handle the protection of civilians single-handedly therefore required the input of other agencies, while 15% of the respondents did not have exact clue on whether the peace operation insufficient in handling the issue of protecting civilians or otherwise. Furthermore, majority of the

respondents, 88%, believed AMISOM was impartial in its handling with the operation in Somalia and the security of civilians with 12% citing instances of partiality from the AMISOM.

In the same regard, many respondents representing 86% were of the opinion that peace support operations in Africa are essential towards affording protection of civilians faced by armed conflict. The 14% mostly regarded the issue of protecting civilians be under the stewardship of humanitarian agencies with only the military coming in to offer necessary support. Closely related to this was the task of SNA in securing civilians 90% of the respondents were confident with the SNA working alongside AMISOM to secure civilians in Somalia with only 10% feeling that SNA is still a distance far to be entrusted fully with the protection of civilians as some of its elements were aiding the militant groups to sabotage the AMISOM operation.

From the findings of this objective it was evident that there exited challenges with the AMISOM operation as far as protection of civilian was concerned. However, despite the challenges, most of them were optimistic of the fact that the strategies being applied by AMISOM in securing civilians under armed conflict in Somalia would bear fruits. Therefore, the findings were agreement with the hypothesis that, there exist challenges/prospects on security of civilians in Somalia.

6.2 Conclusion

Securing of civilians through peace support operations gained prominence in the late 1990s when the whole world failed to respond to two successive genocides of Rwanda and Srebrenica in 1994 and 1995 respectively. By the close of the 1990s, the UN had shown commitment towards enhancing civilian protection in armed hostilities by authorizing robust mandates that "afford protection to civilians under imminent threat of physical violence"[239], which started

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[239] Gerrit Kurtz et.al: protecting civilians through UN peace operations. Global public policy institute.2016

with the UN mission in sierra Leone in 1999. After that several such missions were conducted a cross the world, especially in Africa.

The emphasis on the security of civilians is in the whole banner of protecting human rights as spearheaded by the UN system. Looking at most of the atrocities committed against civilians or non-combatants for that matter, constitute abuse or denial of basic human rights, for example, forceful detention, torture, unnecessary killings, loss of liberty, among others. Thus the conduct of peace support operations right from the UN level is a direct way of restoring the denied human rights to the affected populations.

Human rights issue is a major theme that has permeated almost all UN policies, programs and UN activities especially the areas of peace and security, development, humanitarian assistance, economics and social affairs[240]. Therefore the emphasis of securing civilians in peace support operations is an overall objective of ensuring human rights are enjoyed despite the glare of conflict.

The conduct of peace support operations to secure civilians around the world has not been a walk in the park even for the UN and the international community. These operations have experienced many challenges ranging from structural, financial, political, and operational to many accusations that have been labelled against these operations and its participants. For instance, the failure of the UN forces to intervene/ prevent rebel invasion of Goma in 2012 got a lot of criticism from all sects of humanitarian agencies.

Securing of civilians through peace support operations has been done because of the several importance associated with it. First, by advancing the mandate of protecting of civilians in peace support operations, the end result is in preventing unnecessary deaths that would be

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[240] www.un.org/en/sections/issues-development/human-rights/

brought about by the effect of armed hostilities, secondly, by focusing on the security of civilians it goes a long way in enhancing the credibility of the UN system and other security organizations in doing so, and lastly, protecting civilians in peace support operations is a good indication of long-term political process that will follow immediately after the withdrawal of the security forces.

The African continent has been the host of the larger percentage of all the peace operations so far contacted by the UN and other organizations. The emphasis for protection of civilians in Africa begun almost the same time with that of the UN late 1990s during the formation of AU. However, its operationalization has been very slow due to financial constraints, non-commitment from member states, political instabilities, and other factors. The slow pace of carrying out protection of civilians by the AU has necessitated it to merge with the UN in some situations so as to get the required boost.

Since the entry of AMISOM into Somalia, a lot of gains have been realized with the mission in general but particularly the aspect of security of civilians. Before then, civilians in Somalia bore the brunt of the rampant armed hostilities featuring security forces and armed groups. Once the AMISOM troops were on ground, the frequency of commitment of these evils greatly reduced and majority of the civilians have been living normal lives since then.

The AMISOM operation has faced many challenges regarding protection of civilians but in spite of these, the mission is not relenting on its mission. It has been noted that the mission can achieve the protection of civilians more effectively by: AMISOM working along with the government of Somalia so that it can learn to shoulder the primary responsibility of protecting its own citizens, establishing safe havens to accommodate rescued civilians and more resources to accommodate the mission-wide protection of civilian strategy.

6.3 Recommendations

The study recommends that the issue of protection of civilians should be the foremost endeavor in all of African peace support operations and not something to come and stumble upon once a peace operation has rolled the ground. This has had negative ramifications as far as reconsidering resource allocation and force distribution, and at times resulting into confusion on what exactly need to be done. Therefore from the outset of any of the subsequent African-led peace support operations, the security of civilians should be made explicit so that the peacekeeping forces are not left to their devices on how to manipulate the mandate and carry on with protection of civilians. This would in the long run save a lot of lives because as soon as the mission commences, the troops have a clear objective on what to do.

In the field of scholarly work, lots of literature have been written on the matter of security of civilians in peace support operations in Africa. However, more is encouraged on the following topics:

i)   Contribution and role of women in enhancing protection of civilians

ii) Impact of securing civilians in advancement of human rights in Africa.

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SECURING CIVILIANS THROUGH PEACE SUPPORT OPERATIONS IN AFRICA:

A CASE OF THE AMISOM

QUESTIONNAIRE

PART 1: GENERAL INFORMATION/DEMOGRAPHIC INFORMATION

1. Please indicate your gender:

☐

Male

☐

Female

2. Age:

21-30 yrs		31-40 yrs		41-50 yrs		Above 50 yrs	

3. What is your highest level of education?

☐

Secondary

☐

College

☐

Undergraduate

☐

Post Graduate

4. For how long have you been working for your organization?

Less than 5yrs		5-10yrs		11-15yrs		16-20yrs		Over 20yrs	

5. Grade and Department

Senior management	Junior management	
Department		

PART II: OBJECTIVES/STUDY VARIABLES

6. Are you aware of the concept of Protection of Civilians (PoC) in peace support operations?

YES ☐   NO ☐   I don't know ☐

Explain..
....
....
....

7. How do you relate the concept of PoC with regard to AMISOM?
....
....
....
....

8. What are some of the roles / activities that AMISOM has performed with regard to PoC? Elaborate on them.

....

....

....

9. Has AMISOM been effective (or not) with regard to PoC? Why?

....

....

....

....

10. what is your opinion on the protection of the population (civilians) in Somalia by the AMISOM?..

....

....

11. Can you identify the positive aspects /achievements concerning the protection of civilians? Illustrate by way of examples.

....

....

12. How do you assess the operations of other agencies (Intergovernmental Organizations, NGOs, and other Humanitarian Agencies) working alongside AMISOM in relation to the protection of civilians?

....

....

....

....

....

13. Does the government of Somalia assume its primary responsibility? Does it allow

AMISOM to carry out its task? Illustrate with examples.

....

....

14. Is SNA important to the course of securing civilians in Somalia?

Strongly Agree (   )   Agree (   )   Not Sure (   )

....

....

....

....

15. Does the international community assume its responsibility with regard to PoC issues in

Somalia? Elaborate.

....

....

....

16. What are the weaknesses/challenges of the AMISOM with regard to PoC? Illustrate with

examples (Give specific sources if any).

....

....

....

17. What do you think are the causes of these weaknesses/challenges? Elaborate.

....

....

18. Do you believe that the civilian protection by the AMISOM is insufficient?

YES ( )   NO ( )   NOT SURE ( )

Explain...

....

19. Any better way to afford protection to the Somalia population? How?

....

....

20. Is AMISOM impartial?

YES [   ]   NO [   ]

21. What is your opinion on how civilians in the midst of armed conflict ought to be

protected/secured?

....

....

22. In general, do you consider that protection of civilians by AMISOM is working?

Elaborate.

....

....

23. Are there other ways to improve the protection of civilians (Somalia scenario)?

....

....

....
....

24. What efforts has the AMISOM put in place to make PoC effective? Illustrate with examples.

....

....

....

....

25. Other than humanitarian approaches, what other methods has AMISOM applied to protect/secure civilians, especially those found in crossfire between the AMISOM, and al-Shabaab and other armed groups in Somalia?

....

....

26. Does AMISOM engage in humanitarian activities as part of efforts to secure civilians?

YES ( )   NO ( )   NOT SURE ( )

Explain...

....

....

27. How can the conduct of peace support operations be carried out for effective protection of civilians?

....

....

....

....

28. What is your overall conclusion regarding the effectiveness of AMISOM with respect to

protection of civilians?

....

....

....

...

29. Has AMISOM so far achieved on its mandate of securing civilians in Somalia?

   YES ( ) NO ( ) NOT SURE ( )

Explain...

....

....

....

APPENDIX B: INTERVIEW GUIDE

SECURING CIVILIANS THROUGH PEACE SUPPORT OPERATIONS: A CASE OF

THE AMISOM

1. Are you aware of the concept of PoC? In relation to AMISOM?

2. What specific roles/activities has the AMISOM done with regard to PoC?

3. How has AMISOM partnered with other agencies in ensuring security of civilians?

4. In your opinion, is the resort to conducting peace support operations (like AMISOM) as the only way to secure/protect civilians?

5. How has the government of Somalia contributed to the security of civilians? What of the international community?

6. What challenges has AMISOM faced in relation to PoC?

7. What do you think are the causes to these challenges?

8. How well has AMISOM addressed these challenges?

9. What measures has AMISOM put in place to make PoC effective?

10. What is your overall opinion on peace support operations as instruments for securing the continent and its civilians?

11. What other ways/approaches do you see as appropriate in securing/protecting civilians?