

THE NIAMEY COMMUNIQUE ISSUED BY SUB-SAHARAN AFRICAN SECURITY PRACTITIONERS AND EXPERTS AT THE PAN-AFRICAN WORKSHOP ON THE PROTECTION OF CIVILIANS IN AFRICA

HELD ON THE 28TH& 29TH OF SEPTEMBER, 2021 IN NIAMEY

PREAMBLE

Center for Civilians in Conflict (CIVIC) in collaboration with the Nigerian Army War College and under the leadership of Nigerian Ministry of Defense and with support from the European Union and the Government of Denmark, organized a two-day Pan African Workshop on the Protection of Civilians in Armed Conflict in Africa in Niamey, Niger. General and senior military officers, as well as select high-level senior representatives from Niger, Nigeria, Chad, Mauritania, Democratic Republic of Congo, Uganda, Mali, Burkina Faso, the G5 Sahel Joint Force, the African Union and African Union Mission in Somalia (AMISOM) attended this important workshop. The workshop focused on best practices on the protection of civilians (POC). Workshop participants underscored the urgent need for African nations to implement key policies and practices related to the protection of civilians' agenda on the continent, including developing and implementing country, regional, and organizational military action plans that will enhance the capacity of security forces to better protect civilians. Furthermore, participants called for synergy between political leaders and security and defense forces in the protection of civilians and constant sharing of experiences at the continental level.

OBSERVATIONS

- The crucial issue of military and internal security forces effectively distinguishing between combatants and non-combatants, also known as distinction, within communities on the frontlines is critical for POC. However, distinction remains a top priority for military and security forces (DSF) in most theatres on the continent given that most operate in asymmetric conflicts. The problem is exacerbated by absent or inadequate security force-community engagement (CE) that is required to help the military better understand civilians, and help civilians to better understand DSF, and improved engagement between both sides – this is also critical to enable DSF to better protect civilians.
- Participants observed that there have been situations during which the DSF have suffered setbacks in their fight against armed non-state actors (ANSAs). Where these ANSAs live amongst communities, DSF's suspicion could tempt the DSF to harm civilians suspected of being aligned with ANSAs. Experience and lessons learned from past situations are critical to enable DSF to adapt training and tactics to enable them better handle such situations.
- Participants understood and appreciated post-harm amends. However, participants lamented that even when DSF intend to provide in-kind or financial assistance to civilians harmed during operations, they often lack the financial resources. Participants agreed that

amends should go beyond the doctrinal and routine Civil-Military Coordination (CIMIC) activities.

- DSF emphasized the importance of good governance in dealing with the root causes of conflict. Participants noted the importance of using political engagement together with security actions to respond to local conflicts.
- Training, in particular joint training is critical to achieve improved understanding between armed services and security agencies, between security forces and civilian organizations. In particular training focused on operationalization (implementation) of the Laws of Armed Conflict (LOAC) and Rules of Engagement (ROEs). Trainings should be experiential and exercises should include PoC at all stages.
- Extended deployments and lack adequate mental health support for DSF personnel on and from the frontlines is a significant driver of frustration, mental health challenges, and fatigue which contribute to increased risks that they may harm civilians. Deployments must not look like they are punishments for personnel. Post deployment should include mental health support.

RECOMMENDATIONS

i. SDF Planning, Operations and Capabilities

1. Adapt security responses and operations to consider the potential negative effects on civilians as well as the local economy; DSF need to consider the multiplicity of actors operating in their zone of operations, it is essential to order and orient actions to avoid the multiplication of activities against civilian populations;
2. Communicate clearly, and in a timely manner, regarding the presence of SDF and their partners as well as harm caused to civilian populations by SDF or other actors;
3. Establish an internal mechanism for identifying and analyzing harm caused to the population in the normal conduct of operations, and establish a mechanism to make amends; where necessary, work with civilian government actors to put in place necessary funds for amends to respond to harm caused to civilians.
4. Place operational emphasis on anticipating the prevention of occurrences of attacks on civilian populations in the remote zones.

ii. Doctrine, Training, Mentoring and Lessons Learned

5. Reinforce the operational capacities of DSF and other security bodies in the domain of operational learning on PoC for the benefit of deployed forces and government actions.
 - o Adoption and implementation of a national security policy on PoC

- Include PoC in all national strategy to counter terrorism, all sections of society should be including in the process.
 - Adoption and implementation of a plan of action to implement the PoC strategy
 - Institutionalize pre-deployment trainings of PoC for engaged units.
 - Systematically include the presence of civilians and their need into DSF' trainings and exercises.
6. Include in military training curricula from the ground up basic concepts of Protection of civilian, including international humanitarian law and other approaches and mechanisms for the protection of civilians. Discuss with security and defense forces that POC is a fundamental obligation.
 7. At the force level, integrate the idea of POC in counter-insurgency operations training and operations reports.
 8. Training should aim at achieving a better understanding between armed Services and security agencies, between services and civilian organizations and also a better appreciation of IHL and ROEs.
 9. National armed forces, coalition forces and their allies should continue to place emphasis on the two important principles of distinction and proportionality during basic and career progression courses. These training should include the practical experiences that frontline units go through when confronted with POC challenges.
 10. Implement an African-wide training module on the concepts of POC in times of peace as well as times of war.
 11. Regional inter-governmental organizations such as the Economic Community of West African States (ECOWAS), Southern Africa Development Community (SADC), East Africa Community (EAC) and the African Union should set up a network of Military Commanders (serving or retired) and their civilian counterparts who have been involved in POC training and/or practices. Such a network would serve as a reservoir of knowledge and practice of POC to guide future commanders.
 12. As a way of identification, recognition and promotion of best practices of DSF on POC across the continent, an Annual POC Award should be instituted. The winners of each year's award should be decided by stakeholders of POC on the continent.

III. Engagement with Civilians, Communities and External Organizations

13. SDF must include local communities in the decision-making processes that concern them. to improve DSF's ability to protect local populations.
14. Improve the resilience of populations to reinforce their capabilities to add value on PoC efforts in their region.
15. Broaden and popularize the procedures and methods for the protection of local civilian populations in order to empower them to participate in their protection
Develop, apply and popularize the concept of community policing for winning the confidence of civilians and to facilitate the communication strategy directed towards civilians

16. Governments and their partners should initiate, for the benefit of local populations, activities generating revenue in order to allow them social and economic autonomy to survive.
17. Develop initiatives and mechanisms for psychosocial support for military victims of post-operations trauma and for civilian populations impacted by the consequences of armed conflict.
18. Reinforce dialogue between human rights organizations and DSF – this is critically important in the case of alleged or confirmed case of civilian harm or abuse.

Participants expressed their sincere appreciation to the Government of Niger for their hospitality in hosting this critically important event. Participants expressed their gratitude to the President of Niger who, on Tuesday 28 September 2021, received the heads of delegation from the Pan-African Workshop on the Protection of Civilians at the presidential palace. The president recognized the importance of the workshop on POC given the critical protection issues that countries are facing across the continent, noting that the protection of civilians must be taken seriously in military operations.

In addition to security responses, governments and their partners should also prioritize non-military responses to conflicts including political processes, efforts to support community resilience, local conflict transformation, justice, and good governance.