
Disarmament, Demobilisation and Reintegration in War torn Societies in Africa in the context of Human Rights: Rights of ex-combatants and Justice for victims

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To cite this article:

Omaore, D. (2024). Disarmament, Demobilisation and Reintegration in War torn Societies in Africa in the context of Human Rights: Rights of ex-combatants and Justice for victims. *Journal of Diplomacy, Peace and Conflict Studies*, 1 (1), 1- 4

Received: 03 JAN, 2024; **Accepted:** 15 JAN, 2024; **Published:** 18 JAN, 2024

Abstract: The policy paper sought to establish the efficacy of Disarmament, Demobilisation and Reintegration (DDR) in Post-War Societies in Africa in the context of international Humanitarian law especially the Convention on Treatment of Prisoners of War and justice for victims. The policy paper was undertaken through examination of empirical studies evaluating DDR implementation in various contexts including frameworks, challenges and successes. The paper examined policy papers done under the auspices of UN and AU. The process will also involve examining various case studies of DDR implementation in Africa. The paper will then identify policy options for post conflict societies in Africa and ensuring recommendations. The analysis concludes that the process of implementation of DDR process in post conflict societies in Africa have been marred with challenges. The international community including the UN has been either overreaching in the DDR processes or not involved at all. A good mix of involvement neutral third party is needed to ensure unbiasedness that may compromise human rights in the process especially those of ex-combatants. Special treatment of marginalized groups within the larger ex-combatant's community has been lacking in most DDR processes. The women, children and war disabled have tended not to receive fair treatment in the whole process thereby compromising their human rights such as right to education for children and right to fair involvement of women in social and political issues in the society as espoused in UNSCR 1325 of (2000).

Keywords: Disarmament, Demobilization, Reintegration, Human Rights, Justice, Ex-combatans

1. Introduction

A dozen of countries globally and in Africa have been embroiled in civil war and instability pitting the ruling regimes against aimed insurgent groups. Such conflicts have been to known to be accompanied by violation of human rights. One of the strategies presented by the United Nations to end such conflicts has been Disarmament, Demobilisation and Reintegration (DDR) of armed groups involved in the conflict. Indeed, DDR is critical part of the post-conflict society peace building process. DDR is a concept that is made up of three elements: Disarmament, Demobilisation and Reintegration.¹ Disarmament is a process that involves collecting weapons from the former armed parties with the aim of either re-utilisation in a legitimate way or being destroyed. The process involves documenting the weapons including their quantity, make and sometimes even serial numbers to ensure disposal process is safe and transparent.¹ Demobilization is the renunciation of military status and structures by war combatants. It is an organised transition of armed groups from militarily related roles and structures into civil life in society. During demobilization, there is either downsizing or complete disbandment of the military group. Finally, reintegration is the process whereby ex-combatants are given assisted regarding how to cope as civilians. Such assistance may be politically, socially, economically and psychologically.² Inadequate DDR programs may result to recidivist ex combatants who resort to violence to achieve their aims in post-conflict environments hence compromising peace, security and stability. In

¹ Ndlovu, M. (2019). Disarmament, demobilisation and reintegration in Zimbabwe: the Zimbabwe people's revolutionary army's experience and its implications for peace building (Doctoral Dissertation). Johannesburg: University of Johannesburg.

² Casey-Maslen, S., Solademi, O. & Kilonzo, J. (2020). Disarmament, demobilisation & reintegration and the disarming of armed groups during armed conflict: considerations of international law, policy and programming. African Human Rights Policy Paper 1.

the process of implementing DDR programs, it is critical that the process be done in the context of international human rights. In the aftermath of World War II, conventions were adopted in Geneva on August 12, 1949 regarding how prisoners of war ought to be treated.³ Further, the DDR process needs to take care of human rights abuses that were committed by ex-combatants during the civil war or conflict. The rights of ex-combatants during the DDR process also needs to be upheld. Hence there is tough balancing between rights of ex-combatants and persecution of human rights atrocities.⁴

1.1 Problem

The United Nations (UN), through its Integrated DDR Standards, observed that DDR programs majorly spearheaded by external parties have often failed due to lack of coordination with local leadership. Such leads to local stakeholders being dissatisfied with DDR process.⁵ However, evidence also exist that shows that DDR programs led by local governments tended to be biased as most of them have often been directly been involved in the conflicts. For instance, the DDR program owned by Zimbabwe government was characterised by hostilities and rivalries leaving some stakeholders disgruntled. The main goal of DDR is peace and stability; however, this may never be achieved when rights of ex-combatants are abused in the process by the ruling government. Further, human rights abuses by the ex-combatants also needs to be persecuted even as amnesty is given to combatants hence delicate balancing. The policy paper therefore sought to establish the efficacy of Disarmament, Demobilisation and Reintegration (DDR) in Post-War Societies in Africa in the context of international Humanitarian law.

1.2 Purpose

The policy paper therefore sought to establish the efficacy of Disarmament, Demobilisation and Reintegration (DDR) in War torn societies in Africa in the context of international Human law especially the Convention on Treatment of Prisoners of War and justice for victims.

1.3 Scope

The policy paper sought to establish the efficacy of DDR in Post-War Societies in Africa in the context of Human Rights. The paper specifically evaluated whether ex-combatants are treated according to Convention regarding how war prisoners ought to be treated in the process of implementing DDR programs. The evaluating should lead to policy recommendation for implementation of DDR by leadership of different states while in observance of the international laws such as the UN integrated DDR standards.

3. Methodology

The policy paper will be undertaken through examination of empirical studies evaluating DDR implementation in various contexts including frameworks, challenges and successes. The paper will also examine policy papers done under the auspices of UN and AU. The process will also involve examining various case studies of DDR implementation in Africa. The paper will then identify policy options for post conflict societies in Africa and ensuring recommendations.

4. Results

An examination of effectiveness of government led DDR processes and its effect on the peace building process in the post conflict Zimbabwe.⁶ The analysis noted that a DDR program implemented by the Zimbabwe government in the context of ethicised and politicised military formations compromised the peace building efforts. The process was incomplete, partisan, inadequate, and favoured the group with political power leading to marginalisation and persecution of those considered 'Others' in the DDR process. The analysis recommended that DDR process ought to be robust and timely especially in promoting political inclusivity and reconciliation. Further, there ought to be the existence of a neutral third party to supervise, facilitate and underwrite the DDR process to ensure that the DDR process is not manipulated and abused.⁷ An analysis of DDR program in Sri Lanka focused on the process of DDR critical in restoration of stable peace in war torn societies. The Government of Sri Lanka took the sole responsibility of implementing the DDR without involving international community. The result was a DDR program that was not fully implemented and only served to continue the military victory over the Liberation fighters. Less attention was directed at DDR and that international supervision and assistance was not sought.

³ Ikeda, D., (2019). Toward a New Era of Peace and Disarmament: A People-Centered Approach. 2019 Peace Proposal.

⁴ Casey-Maslen, S., Solademi, O. & Kilonzo, J. (2020). Disarmament, demobilisation & reintegration and the disarming of armed groups during armed conflict: considerations of international law, policy and programming. African Human Rights Policy Paper 1.

⁵ Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS, 2006). New York: UN Resource Centre.

⁶ Ndlovu, M. (2019). Disarmament, demobilisation and reintegration in Zimbabwe: the Zimbabwe people's revolutionary army's experience and its implications for peace building (Doctoral Dissertation). Johannesburg: University of Johannesburg.

⁷ Ibid

Further, the ex-fighters have not been integrated successfully to participate in societies civilian socio-economic activities.⁸

A case of Columbia DDR process noted that ex-soldiers ought to be given special treatment such as support programmes especially during the first years after disarmament and demobilisation. This would help ease their reintegration. The case study noted that ex-combatants may resort to violence when they face difficult conditions. The case also showed that DDR process should involve a multiplicity of parties including Governments, military officers, NGOs, the international community, civil society and the media. The role of international community is to give credibility to the process as well as funding. The process of DDR should clearly comprehend nature conflict to be able to identify combatants' groups that have been discriminated such as children and women.⁹

According to African human rights policy paper, in mid-1990, a large-scale DDR process was undertaken in Mozambique. The process was preceded by the General Peace Accord in which demobilised Mozambican National Resistance forces and government troops were required to be merged into a strong army. The aim was to arrive at 50-50 balance consisting of the government and resistant combatants. However, in real sense only a fraction of armed opposition groups was included into the strong legitimate army of national unity. The DDR was overseen by UN Operation in Mozambique. The reintegration of former fighters involved providing them with vocational training, cash payments in the initial period. Children ex-fighters were separated from adults and offered educational support. However, the DDR process did not meet the specific needs of female former fighters reflecting discriminatory nature of DDR to women ex-combatants leaving them at risk. Further, However, it was revealed that weapons collected during and after demobilisation were never destroyed and that the disarmament was partial.¹⁰

An examination of the radicalised Niger Delta inhabitants after Kaima Declaration under the auspices of Ijaw Youth Movement. The militants were involved in human rights abuses such as killings, kidnapping, destruction of oil installations. In an effort to end the conflict, government started the process of de-radicalisation processes followed by DDR process. The DDR process in the Niger Delta has been critiqued for poor implementation, corruptions and the non-involvement of large segment of society, such as women and victims. There was also political interference with the conditions of the DDR agreement being dictated by the ruling government on sections of militant groups. Further, most ex-combatants never received reintegration support. Further, the local communities that suffered atrocities in hands of ex-combatants complained that human rights abuses have not been prosecuted in the courts and justice awarded accordingly.¹¹

6. Conclusions and Recommendations

6.1 Conclusion

The analysis concludes that the process of implementation of DDR process in post conflict societies in Africa have been marred with challenges. The international community including the UN has been either overreaching in in the DDR processes or not involved at all. A good mix of involvement neutral third party is needed to ensure unbiasedness that may compromise human rights in the process especially those of ex-combatants. Special treatment of marginalised groups within the larger ex-combatant's community has been lacking in most DDR processes. The women, children and war disabled have tended not to receive fair treatment in the whole process thereby compromising their human rights such as right to education for children and right to fair involvement of women in social and political issues in the society as espoused in UNSCR 1325 of (2000).

6.2 Policy Option for Africa

The policy analysis has shown that various DDR processes have been undertaken globally and in African setting. A number of policy options exist for African states when implementing DDR in the post war era. First, African states must decide whether to involve international community like the UN or not. And if they decide to involve them, they must also decide on the level of involvement of international community. Secondly, another policy option exists on whether or not to integrate former combatants into army of national unity. And if they so wish to integrate them into army, they must decide on the extent of integrating them to ensure stability of unified army. Another policy option area has to do which how to handle special group ex-combatants including women, children and disabled who needs additional or special handling beyond what the general group of ex-combatants needs during the whole process of DDR. Finally, another policy option has to do with whether or not to persecute ex-combatants for atrocities committed against human rights.

⁸ Kamalasinghe, V., Fowsar, M. & Fazil, M., (2020). Disarmament, Demobilisation and Reintegration of Armed Groups in Post-war Sri Lanka: A Study based on Koralaipattu South Divisional Secretariat Division in Eastern Sri Lanka. *Journal of Politics and Law*; 13 (3), 236-247.

⁹ Salazar, S. (2017) disarmament, demobilisation and reintegration Identifying lessons for Colombia (Unpublished Masters thesis, University of the Witwatersrand Johannesburg)

¹⁰ Casey-Maslen, S., Solademi, O. & Kilonzo, J. (2020). Disarmament, demobilisation & reintegration and the disarming of armed groups during armed conflict: considerations of international law, policy and programming. African Human Rights Policy Paper 1.

¹¹ Folami, O. M. & Aribigbola, A. (2022) Security without justice: a critical review of disarmament, demobilisation and reintegration processes in the Niger delta, Nigeria. *Spanish Journal of Legislative Studies*. (4), p. 1-24. DOI: 10.21134/sjls.vi4.1679

6.3 Recommendations and action plan

Based on the findings, a number of recommendations have been advanced in this policy paper: First, the paper recommends that DDR processes in post conflict African states should be undertaken under the radar of international community such as the UNSC to ensure the process is unbiased, done in line with international human rights confines and is well financed. Second, the paper recommends that their ought to be differential treatment for special ex-combatant groups including women, children and disabled. Such groups have special needs that should not be lumped together with the needs of the larger group of ex-combatants. Children ex-combatants for instance needs education and psychological support to enable them live like normal children thereafter. Third, there should be a balanced involvement of all stakeholders in the local setting. The process should be all inclusive including the legitimate government, the legitimate military body, the resistant group, the religious community, the civil organizations, the general society. A multiplicity of parties ought to be involved at every step of the DDR to ensure success.

Conflicts of Interest

“The authors declare no conflicts of interest.”

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