

African Union

**DDR**

Disarmament  
Demobilization  
Reintegration



**AFRICAN UNION  
DISARMAMENT, DEMOBILISATION AND REINTEGRATION CAPACITY  
PROGRAM**

**REINTEGRATION OPERATIONAL GUIDELINE**

**AFRICAN UNION COMMISSION  
ADDIS ABABA, ETHIOPIA**

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## ABBREVIATIONS AND ACRONYMS

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ACRWC	African Charter on the Rights and Welfare of the Child
AfDB	African Development Bank
APSA	African Peace and Security Architecture
AU	African Union
AUC	African Union Commission
CAAFAG	Children Associated with Armed Forces or Armed Groups
CAR	Central African Republic
CPU	Child Protection Unit
CRC	Convention on the Rights of the Child
CSO	Civil Society Organization
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of Congo
ICRC	International Committee of the Red Cross
ICRS	Information, Counselling and Referral Systems
IDDRS	UN Integrated Disarmament, Demobilization and Reintegration Standards
IDDRTG	Inter-Agency DDR Training Group
IDP	Internally Displaced Person
ILO	International Labour Organisation
LRA	Lord's Resistance Army
M&E	Monitoring and Evaluation
MDTF	Multi-Donor Trust Fund
MIS	Management Information System
NDDRC	National DDR Commission
NGO	Non-Governmental Organization
OGN	Operational Guidance Notes
PCRD	AU Post-Conflict Reconstruction and Development Policy
PSO	Peace Support Operation
PTSD	Post Traumatic Stress Disorder
REC	Regional Economic Communities
RM	Regional Mechanisms for Conflict Prevention, Management and Resolution
SALW	Small Arms and Light Weapons
SGBV	Sexual and Gender based Violence
SOPs	Standard Operating Procedures
SSR	Security Sector Reform
TJ	Transitional Justice
UN	United Nations
UNDP	UN Development Programme
UNICEF	United Nations Children's Fund
UNDPKO	UN Department for Peacekeeping Operations
WAAFAG	Women Associated with Armed Forces or Armed Groups
XC	Ex-combatants

## A. PURPOSE OF GUIDELINE

### 1.1. DDR in Africa

Over the past few decades a sizeable number of African countries, drawn from across all the AU regions, have undertaken some form of Disarmament, Demobilization and Reintegration (DDR) process. Effective DDR can be a crucial element of stabilization and recovery interventions and DDR processes are often amongst the fundamental preconditions for establishing stability. Conversely, poorly conceptualised and delivered DDR may undermine stabilisation efforts and even be a cause of further conflict and insecurity. It is important that every effort is made to ensure that DDR interventions are well designed, effectively delivered and properly coordinated with other activities such as Security Sector Reform (SSR) and stabilization, recovery and development frameworks.

DDR interventions have increasingly been called for in complex security and political environments where responses often have to be undertaken in situations where security remains fragile, and that many of the historically stated preconditions for DDR are not present. With many conflicts increasingly having cross border dimensions it is also increasingly important that policy frameworks and approaches are also regional and transnational in nature. This includes ensuring that DDR approaches consider the regional dimensions of conflict and the potential both for the recycling of combatants and the frequent high mobility of armed groups. In recent years DDR programmes have also had to consider issues related to violent extremism and terrorism.

### 1.2. DDR and the African Union

Strengthening capacity within the AU regional security architecture to provide effective support to DDR is viewed by the AU as integral to its objective of promoting peace, security and stability in Africa. The importance and mandate of the AU Commission to support DDR was made in the 2004 Common Africa Defense and Security Policy (CADSP) and then subsequently in the 2006 Post Conflict Reconstruction and Development Policy (PCRDP). The African Peace and Security Architecture (APSA) Roadmap (2011 – 2013) specifically recognised that that DDR must: *“Be integrated into the entire peace processes, from the initial peace negotiations through peacekeeping and follow-on peace building activities”*. Effective and appropriate DDR responses are also important in terms of realizing Aspiration 4, *“A Peaceful and Secure Africa”* of the Agenda 2063 Framework and Objective 8 of the African Governance Architecture. It also recognized that whilst, historically, many DDR programmes have often fallen under the auspices of the UN that there has been increasing demand for a strengthened role of the AU with a growing number of Peace Support Operations (PSO) AU led and including DDR activities.

### 1.3. Operational Guidance Notes on DDR

Following discussions with the Regional Economic Communities, Regional Mechanisms (RECs/RMs) the AU Peace and Security Department (PSD) through its Defense and Security Division (DSD) has developed a series of Operational Guidance Notes (OGN's) as part of efforts to strengthen APSA capacity. The OGN's aim to provide African stakeholders, and particularly APSTA stakeholders, with practical guidance to assist in the planning and implementation of individual DDR programs including those providing support and training to PSO. It is also hoped that the OGN will be useful for a wider group including colleagues in the Inter-Agency Working Group on DDR and the Integrated DDR Training Group (IDDRTG). While drawing from experiences in Africa and catering to the specific needs of stakeholders on the continent, they are also compliant with international best practice and complementary to existing DDR frameworks including the UN Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS).

As well as being compliant with international standards and best practice the AU OGN series is also cognisant of the aspirations contained within Agenda 2063 on peace and security and work related to the African Governance Architecture (AGA). Specific efforts have also been made to ensure that human rights issues are considered and integrated into the OGN's in line with international and African Human Rights instruments and standards in recognition of the fact that DDR interventions should be designed and built in a manner consistent with normative human rights standards as set out in international treaty and customary international law. This is based on the recognition of the centrality of human rights in the establishment of a sustainable transition to a secure, peaceful and stable society.

The following DDR OGN's have either been produced or are under development;

- DDR and Children
- DDR and National Frameworks
- DDR and Reintegration
- DDR and Foreign Fighters
- DDR and Women
- DDR and Detention
- DDR and CVE
- DDR and M&E

Completed OGN can be downloaded via the Defense and Security Division DDR web pages at: [African Union OGNs on DDR](#)

#### 1.4. About this OGN

This OGN aims to provide guidance to assist in the planning for, and implementation of the reintegration component of DDR programming. It covers the objectives and principles of reintegration programming as well as describing specific models and approaches that may be considered. It also identifies and describes the some of the specific needs and issues that may be faced by particular groups of ex-combatants.

**The AUC welcomes feedback on this OGN from users including suggestions related to additional content, corrections or revision. Comments can be sent to: [\(insert email address or link\)](#).**

## B. OBJECTIVES, FRAMEWORK AND GENERAL PRINCIPLES

### Definition of Reinsertion and Reintegration

*Reinsertion* is the small “r” of the DDR process. It is defined as short-term assistance provided to XCs immediately after demobilization, as a form of transitional assistance to help cover their basic needs and that of their immediate families before entering into the reintegration program.

*Reintegration* is the longer-term process through which an XC regains a civilian life. In most cases, the reintegration process involves not only the XCs but also their family and community. Reintegration is multi-faceted and includes *social reintegration* through which the XC is accepted back into the community; *political reintegration* where by the XC acquires a role in decision-making processes; and *economic reintegration* which allows the XC to gain a livelihood through gainful employment.

### B.1 Objectives of Reintegration

*There is no short cut or simple prescription for healing the wounds and divisions of a society in the aftermath of sustained violence. Creating trust and understanding between former enemies is a supremely difficult challenge. It is, however, an essential one to address in the process of building a lasting peace. Examining the painful past, acknowledging it and understanding it, and above all transcending it together, is the best way to guarantee that it does not – and cannot – happen again.*

-Archbishop Desmond Tutu-<sup>ii</sup>

The primary objective of reintegration programs is to ensure that ex-combatants return to civilian life in a manner in which they can be productive and socially integrated individuals who do not pose a threat to society. While this will not by itself guarantee peace and security, a successful reintegration process is an important component of wider efforts to restore security so that national recovery and development can take root. Experience has shown that if DDR, and reintegration in particular, is not done effectively there is a significant risk that individuals may return to insurgent groups or criminal activity. In addition, if reintegration programs are conceived of poorly, they may also undermine stabilisation efforts by exacerbating tensions within communities. It is therefore important that interventions are informed by a thorough analysis of the overarching context in which they are to take place.

In Africa, the extended family and community network is often the first access point to which the ex-combatant will turn when seeking to return to civilian life. This unique social capital in Africa is a significant asset on which reintegration programming should aim to enhance rather than undermine. For this reason, assessing and addressing the needs of the host-community is often as important as the needs of the ex-combatant.

### B.2 General Principles and Considerations

Reintegration as a component of the DDR process is complex and difficult because, as opposed to disarmament and demobilization, ‘it must take place in the communities to which ex-combatants return’.<sup>iii</sup> Successful and effective reintegration programmes should aim at ensuring that the XC is able to participate in the three facets of a community; economic, social and political.

## B2.1. Definition of an ex-combatant

Definition of an ex-combatant (XC)
<p>The definition of an ex-combatant can be deduced from the definition of a combatant. Under customary international humanitarian law, a combatant is a member of the armed forces of a party to the conflict.<sup>iv</sup> An XC is therefore one who has ceased to directly take part in combat. For a while, literature in humanitarian law used the term ‘demobilized soldier’ to refer to those who were officially disarmed and demobilised and who had received an identification card as demobilised soldiers.<sup>v</sup> In addition, the IDDRS define an XC as a person who has assumed or carried out any of the following combatant activities and has laid down or surrendered his/her arms with a view to entering a DDR process:</p> <ul style="list-style-type: none"><li>i) has been a member of a national army or an irregular military organization; or</li><li>ii) has actively participated in military activities and hostilities; or</li><li>iii) has been involved in recruiting or training military personnel; or</li><li>iv) has held a command or decision-making position within a national army or an armed organization; or</li><li>v) has arrived in a host country carrying arms or in military uniform or as part of a military structure; or</li><li>vi) having arrived in a host country as an ordinary civilian, thereafter assumes, or shows determination to assume, any of the above attributes,</li></ul> <p>The IDDRS also provide that the former combatant status may be certified through a demobilization process by a recognized authority. Spontaneously auto-demobilized individuals, such as deserters, may also be considered ex-combatants if proof of non-combatant status over a period of time can be given.</p>

While a definition of an XC has been stated above, the different dynamics of conflict makes it difficult to obtain a cross-cutting and clear definition. For instance, defining XCs as those who surrender weapons post-conflict proved problematic in Madagascar because there was a group of hard-core, long-term fighters on one hand, and on the other, a group of people who had simply acquired weapons to defend themselves or to ‘join the chaos of plundering’.<sup>vi</sup> Reintegration programmes were largely unsuccessful since the term ‘ex-combatant’ was so negatively perceived by society, largely due to the extremities of the cruelty exercised by combatants. For each context, then, it would be important to carefully factor in the perceptions of the society as far as the term ‘ex-combatant’ goes. The case study below illustrates the definitional challenge of XCs.

Case Study: Northern Mali
<p>In Northern Mali, the Programme d’Appui à la Reinsertion des Ex-Combattants dans le Nord du Mali (PAREM) was very successful in reintegrating the ex-combatants who benefited from it. But the whole process of defining who was and who was not an ex-combatant was complicated and caused serious problems related to the issue of targeting.</p> <p>According to the extremely egalitarian Tuareg society, almost everybody was part of the rebellion and should therefore be considered as an ex-combatant. The war involved more than just people with guns; women sold all their jewellery to contribute to the movement, ‘marabouts’ went to the frontline to assist the fighters and drivers transported ammunition supplies. Furthermore, arms were often shared by groups of combatants, with a number of combatants sharing out missions with one gun.</p> <p>Listing the combatants had been a highly political exercise that was part and parcel of the peace negotiations between the Tuareg rebel leaders and the Government of Mali...To this day, there are many frustrated ex-combatants who were left out and as a result did not receive any assistance at all.<sup>vii</sup></p>

## B2.2. Community and Ex-combatant perceptions

XCs may include diverse groups of people, all of whom have different needs and challenges. It is often difficult to view them as vulnerable groups in need of assistance, since they may in some circumstances be perceived to be the source of the trouble and devastation or in others as heroes who need to be accorded special status and privileges. Nonetheless, the community should be made to understand that reintegration is ‘not meant to reward ex-combatants but are measures to ensure local security by keeping them off the streets’.<sup>viii</sup> The XC label itself can make one vulnerable- unable to access goods, services and employment. Children who are XCs may struggle in particular with

trauma and may not be educated like those that have been cared for by their parents and young girls who are sometimes single mothers by the time the conflict ends have an entirely different set of needs altogether. Consider the excerpt below;

Case Study: Liberia and Sierra Leone
In Liberia, almost all ex-combatants were socially excluded from jobs, goods, services and land for many years due to a negative social perception. In Sierra Leone, the hatred towards the Revolutionary United Front (RUF) combatants was expressed so openly that demobilization exposed them to the risk of being killed. Other vulnerable groups in the crisis context often included those who already had a specific vulnerable position before the crisis but became even more heavily affected during the crisis...In fact the majority of combatants come from groups and areas that are classified as vulnerable. <sup>ix</sup>

In addition to the above it is also important to note that in many situations XCs frequently have extremely elevated expectations about their social and economic status, the support they will receive and opportunities they will be able to access following their demobilization. These might be fed by an initial sense of euphoria following the cessation of conflict but also, in some cases, by perceptions of entitlement and what they may have been told to expect by their commanders. Perhaps surprisingly an unrealistic sense of entitlement can even be manifested in situations where the armed group to which they belonged may have been militarily defeated and where the reputation of the group to which they belonged may be very poor. Understanding and considering strategies to manage expectations is likely to be a vital component of an effective reintegration process.

### B.2.3 Human Rights Approach

Reintegration must be premised on an understanding, however difficult, that XCs are human beings who have human rights that should be respected, protected and promoted regardless of the label. Communities must be made aware of these fundamental rights and principles in order to shape how they treat them. Governments should also be made aware of their specific duties and obligations to the XCs and the XCs themselves should empower themselves with the knowledge of how constitutional, national, international and regional law affect how they settle into their communities. It should also be appreciated that under the human rights approach the status of XCs does not necessarily afford individuals with impunity and mechanisms such as transitional justice may play an important role in the processes of reintegration.

The goal of reintegration is to help support the XC to become part and parcel of the community again with a civilian identity. It is a fresh start, that can only take place within the context of a people and there is no better way to start than the recognition that the XC is just a human being, deserving equal treatment and opportunity as any other human being in the society. Reintegration projects should therefore use human rights as a compass and as a light and ensure that the society within which these programmes are implemented is well aware and appreciative of its ideals. It is firmly believed, that with commitment and patience, this can be realized in reality.

One of the most basic principles of human rights is non-discrimination and it is to the effect that 'every individual shall be entitled to the enjoyment of the rights and freedoms recognized without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status',<sup>x</sup> which should be interpreted to include the label as an XC. This very principle is also at the heart of the Universal Declaration of Human Rights.<sup>xi</sup> The ACHPR under Article 2 also enunciates the same principle. Further, Article 3 of the ACHPR enshrines equality of individuals before the law and the entitlement of every individual to equal protection of the law. Thus, XCs are entitled to equal treatment before the law like other individuals in the society and equal protection of the law.



The African Commission on Human and Peoples' Rights (African Commission) in the case of *Purohit & Another v Gambia*,<sup>xii</sup> stated that Article 2 and 3 of the ACHPR are non-derogable and therefore must be respected in all circumstances in order for anyone to enjoy all other human rights. Based on this decision, it can be deduced that the right of XCs to non-discrimination and equal protection before the law is non-derogable and must be respected in all circumstances in order for them to enjoy all other human rights.

XCs are likely to and do face discrimination on many more grounds, other than the label of being an XC that may often attract contempt, bitterness and anger. The power that discrimination holds is in its ability to quash the realization of almost all other rights. Article 19 of the ACPHR states that all peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Discrimination of the XCs effectively challenges the assertion that they have the same rights. As attempts are made to reintegrate XCs economically, it has been observed, quite expectedly, that in many situations employers may be reluctant to give anyone known to be an XC a job opportunity.

Unemployment is already a fundamental problem in many situations and youth in particular struggle to secure decent work. XCs often find it even harder to secure employment because as noted by ILO, XCs are often viewed with suspicion and stigmatised on their return to communities.<sup>xiii</sup> This is exacerbated by the fact that XCs may be disadvantaged from competing in a tight job market as they often have lower education, skills, and lack of start-up capital.<sup>xiv</sup> This is a worrying reality considering assertions that 'employment creation is critical for building sustainable peace' and that 'an ever growing army of unemployed, socially alienated youth is a perennial threat to security'.<sup>xv</sup>

It is therefore imperative to include and build on a non-discrimination campaign when attempting to reintegrate XCs. Difficult as this may be, especially in employment, the community should be aware that it is in their own interest to accord the XCs the same opportunities they would to non-XCs. The goal here is not to force brotherly and sisterly love but to operate from a legal awareness that no-one should be discriminated upon based on past misdeeds. Caution should, however, be taken to make sure campaigns appropriately address perceptions by communities that DDR interventions are designed to "reward" XCs. The approach taken should be seen in conjunction with alleviating the living conditions of other poor non-XCs.<sup>xvi</sup>

#### **B2.4 Recognizing the specific rights and needs of Women and girls**

Women usually bear disproportionately the consequences of wars and suffer violations of human rights in situations of armed conflict including being the most likely victims of sexual and gender based violence. Those who actively participate in combat endure a different kind of discrimination when the war is over and the weapons are surrendered. In a continent where discrimination against women is still prevalent, being a female XC often represents an additional challenge. Consider the succinct observation made by the ILO:

"Social support networks that provide food and other services are often community based and female veterans can face considerable social stigma that excludes them from assistance...families may ostracize women due to their role in armed groups, as this challenges existing gender roles and the appropriate moral order. Women may not reveal their identity as associated with armed forces, due to the fear of stigmatization, discrimination and associations with violence, rape and illegitimate children...Women can face discrimination in other domains, such as access to land or credit".<sup>xvii</sup>

The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol, the African Charter on the Rights and Welfare of the Child and more specifically in Africa, Protocol To The African Charter On Human And Peoples' Rights on the Rights of Women In Africa, all advocate for the abolition of discrimination against Women, and this should be and must be even for those that are XCs.

The Committee on the Elimination of Discrimination against Women (CEDAW Committee) in General Recommendation No. 28 stated that pursuant to Article 2 of CEDAW states have an ‘obligation to respect, protect and fulfil the right to non-discrimination of women and to ensure the development and advancement of women in order that they improve their position and implement their right of de jure and de facto or substantive equality with men.’<sup>xviii</sup> Therefore, states have an obligation to respect, protect and fulfil the right to non-discrimination of XC women and to ensure their development and advancement.

Women XCs also are likely to be the most affected in post-conflict societies as they continue to face the risk of violence.<sup>xix</sup> Research has shown that during post-conflict periods, ‘violence against women remains widespread (or increases in prevalence), but moves from the “public” sphere of war to the “private” sphere of home.’<sup>xx</sup> This is ‘attributed to the “normalization” of violence against women during conflict, the effects of trauma suffered by men during war and frustrations in the post-conflict period manifesting in domestic violence, the continued availability of weapons and the lack of jobs, shelter and essentials services.’<sup>xxi</sup> The CEDAW Committee in General Recommendation No. 35, which is an update of CEDAW Committee’s General Recommendation No. 19, stated that opinion juris and state practice suggest that the prohibition of violence against women has evolved into a principle of customary international law. As such, violence against women XCs is a violation of normative principles of international human rights treaty and customary international law.

Evidence from both conflict and post conflict situations suggests that, not only do women have a fundamental right to protection and to contribute to decision making, but that they also bring vital skills, resources and experience to contribute to building resilience and re-establishing social and economic structures of benefit to women, men and children.

The UN Special Rapporteur on Extreme Poverty and Human Rights (Special Rapporteur on Extreme Poverty), pointed out that participation is a basic human right and a precondition or catalyst for the realization and enjoyment of other rights as well as fundamental means of empowering people living in poverty to tackle poverty and asymmetries of power in society.<sup>xxii</sup> Also, the Special Rapporteur on Extreme Poverty stated that the designing, implementation and monitoring of participatory processes, must take into account different experiences of men and women as well as gender and power relations in the society.<sup>xxiii</sup> Based on this, women XCs must be allowed to meaningfully participate in processes that affect their lives and human rights and their unique experiences must be taken into consideration.

### **B 2.5 Recognizing the specific rights and needs of children**

During reintegration the rights of the child must be taken into account. In fact, the rights of the child as protected by the Convention of the Rights of the Child and the African Charter on the Rights and Welfare of the Child should reign supreme due to the special vulnerabilities faced by children during conflict. Children are vulnerable and they suffer greatly, whether or not they directly took part in the conflict.

#### **Case Study: Sierra Leone**

In the Girls Left Behind Project, 494 girls wanted assistance tracing their families, and 424 were ultimately reunited with either immediate or extended family members, though many decided eventually not to remain with them. Some did not remain because they were stigmatized by members of the community due to their former association (though forced in most cases) with a rebel group. A UNICEF report indicated that among girls; ‘many testified that although their parents and other immediate family members were happy to receive them, community reactions were not always positive. Many girls were subjected to verbal abuse, beatings and exclusion from community social life’.<sup>xxiv</sup>

Since reintegration is largely community based, the immediate and the secondary environment of the children should be made aware that the child soldier and an ex-soldier is actually a victim of a serious violation of their rights. Article 22 of the ACRWC prohibits the recruitment of children into armed conflict considering the adverse effects war has on children. Reintegration efforts should take place against a backdrop that has a community willing to act within the best interest of the child, recognizing that the children whether XC or not will determine the future of the community itself. In addition, the CRC under Article 38(4) requires states to take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Importantly, Article 3 of the CRC provides that in all actions concerning a child, the best interests of the child shall be a primary consideration. The ACRWC in Article 4 provides that in all actions concerning a child, the best interests of the child shall be the primary consideration. The UN Committee on the Rights of the Child in General Comment No. 14 stated that the concept of the best interest of the child aims at ensuring the enjoyment of the rights of the child and the development of the child.<sup>xxv</sup> In addition, in General Comment No.14 the Committee asserted that the principle of best interests of the child is linked to the other cardinal principles, namely; non-discrimination (Article 2 of CRC), the right to life, survival and development (Article 6 of CRC) and the right to be heard (Article 12 of CRC). Reintegration of ex-child soldiers should therefore, be done in line with the principles of best interest of the child, non-discrimination, right to life, survival and development and the right to be heard.<sup>xxvi</sup>

### **B.2.6 National Ownership**

Ensuring national ownership of reintegration programming is essential for its success and sustainability as well as its ability to be integrated within the broader national stabilisation and development planning. National ownership ensures that the intervention is informed by an understanding of the local context and conflict dynamics as well as the dynamics between the XC and the local population.

Although the government may receive financial and technical assistance from partners, it is the responsibility of the national government to ensure that it is leading the process from the design to implementation. It is also the responsibility of the government to ensure that there is sufficient coordination within the government ministries and local government, between government and national civil society and between the government and external partners. In contexts where state structures are weak, the principle of national ownership still requires that national authorities be involved in national reintegration programming with a view to progressively take over responsibilities as their capacity develops.

#### **Case Study: South Sudan**

DDR was recognized as an essential part of the Comprehensive Peace Agreement between the Government of Sudan and the Government of South Sudan and a DDR strategic plan was developed in November 2007. However, the Government of South Sudan felt that it was never sufficiently involved in DDR programming which, in its view, did not sufficiently consider the situation in South Sudan or its national priorities. Instead, there was a perception that external actors were leading the process. As a result, there was a lack of consensus on reintegration modalities and management leading to considerable dissatisfaction. Though the program was implemented for several years, it achieved poor results and the Sudan People's Liberation Army leadership put many of the XCs back on the payroll.

### B.2.7 Create Synergy with other Post-Conflict Recovery Processes

Reintegration programming is only likely to be effective when it is part of the broader post-conflict recovery efforts. Reintegration should therefore be planned in coordination with and in support of national SSR and reconciliation efforts as well as national job creation and development efforts. In post-conflict settings, there are a number of processes that the government should seek to integrate their reintegration programming. This may include the Post-Conflict Needs Assessments (PCNAs) which are multilateral assessment and planning processes used by the UN, the European Commission (EC), the World Bank (WB) and Regional Development Banks and bi-lateral donors as a way of conceptualizing, negotiating and financing a common shared strategy for recovery and development in fragile, post-conflict settings. They are usually intended to culminate in the development of a Transitional Results Framework.

Integrating reintegration into broader recovery and development efforts will help to ensure that reintegration is prioritised by the government budget and donor community as well as ensuring that the reintegration programming contributes or forms a part of longer term development initiatives. Regional institutions, including the RECs/RMs, may also play an important role in supporting these efforts.

#### Case Study: Uganda Peace Recovery and Development Plan (PRDP)

Launched by the Government in 2007, PRDP aimed to stabilize Northern Uganda through recovery and development programs. Reintegration programs were embedded within its objectives. This assisted in reintegration programming being harmonized coordinated with transitional justice efforts including reparations for victims of conflict. The mid-term review of the PRDP identified that XCs required further assistance despite the end to formal reintegration programming. If not for its inclusion at the beginning of the planning process, it is doubtful the XCs would have been identified as a segment of the population requiring additional assistance.

### B.2.8 Regional Dynamics

Due to the nature of conflicts in Africa and cultural, political and economic inter-connectedness or African regions, many conflicts have cross-border implications. This has been the case particularly in Libya where combatants left the country during the recent conflict creating instability in Mali and neighbouring countries. The same phenomena has also occurred during other conflicts in West, Central and East Africa. In fact, the recycling of combatants due to cross-border recruitment has now become more of the norm than an exception. Consider the excerpt below concerning West Africa,

“Although West African wars are considered internal conflicts, they cannot escape the influence of realities and dynamics of the immediate sub-regional, regional, and wider international environments in which they unfold. Conflicts in any state in West Africa have affected neighbouring countries, all due to the complexity and depth of the demographic, political, economic and cultural ties between countries...For instance, the Casamance conflict has embroiled neighbouring Guinea-Bissau and the Gambia just as the influx of mercenaries from the Liberian conflict has exacerbated insecurity in western Côte d’Ivoire. In the same way, the insurgency in northern Niger has influenced the resurgence of separatism and banditry in northern Mali, particularly among the local Tuareg”<sup>xxvii</sup>

Due to the porous nature of the borders and the increasing liberalization of policies to facilitate regional movement, the success or failure one country's reintegration program impacts the security of its neighbors. As a result planning for reintegration of XCs should consider regional dimensions, including the operating modalities of armed groups and war economies as well as ensure that repatriated foreign combatants also have access to reintegration programs.

Nonetheless, the regional nature of conflicts can also offer solutions to particular challenges of DDR. Economic and development cooperation within the APSA, and the growing role of the RECs/RMs provide potential opportunities for reintegration efforts of XCs. Where there are existing trade or monetary unions, there are also opportunities for XCs to find jobs and livelihoods in neighbouring. Additionally, where there are regional conflict management architectures, it would be prudent to include reintegration programmes as a way of averting future conflict. The ECOWAS Monitoring Group (ECOMOG) launched by the ECOWAS following the Liberian war of 1989 would have been an excellent opportunity within which to integrate reintegration programmes as part of a long term move to avert future conflict.<sup>xxviii</sup>

However, to ensure that the regional dimensions are used as a positive rather than a negative, it is important that a country coordinates with and be transparent in their reintegration planning with other interested countries.

#### Case Study: West Africa

In Sierra Leone, many viewed the DDR process as a success as the program demobilized over 70,000 fighters and collected 43,300 weapons. However, it later became apparent that a significant numbers of XCs had not fully reintegrated but instead migrated to other West African countries where they found work as mercenaries or criminal gangs creating instability in neighboring countries.

### B.2.9 Consider Gender Dynamics

*"...the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields"*  
-The Convention on the Elimination of All Forms of Discrimination against Women-

Despite conflict not having a gender, it does not affect men and women the same way, both during its peak and afterwards.<sup>xxix</sup> Although gender is often understood to mean women, the term gender actually refers to the socially and culturally constructed differences between men and women. Across Africa, these social constructs vary widely not only between cultures but between urban and rural settings. Conflict can also change the cultural construct for gender which may change again in post-conflict settings. Common gender related challenges for women include the fact that reintegration support tends to neglect the needs of women and children who are often not considered a security threat and are also viewed as a dependent of their male partner. Women also face higher rates of stigma when returning from conflict, particularly if they have children conceived during the conflict, and may have difficulty gaining access to land. Similarly, African male XCs often return from conflict with a perception that prowess, power and aggression are positive components of their masculine identity and when they are faced with a return to civilian life this can lead some to feel deprived of their sense of purpose and identity leading to substance abuse or physical violence

In the past, failure to take into account gender considerations has been a major gap in several DDR programmes. This has resulted in both a deficit in programmes which tackle female-specific needs in post-conflict situations, and in many situations, women XCs self-demobilising without the benefits and assistance availed to their male counterparts.<sup>xxx</sup> . This reality is captured by the Solemn Declaration on Gender Equality in Africa which notes that ‘while women and children bear the brunt of conflicts and internal displacement, including rapes and killings, they are often largely excluded from conflict prevention, peace-negotiation, and peace-building processes in spite of African women’s experience in peace-building’.<sup>xxxi</sup> The IDDRS stated that exclusion is either as a result of the design of DDR programmes or exclusion out of choice of women XCs as a result of experiences or perceptions of insecurity and stigmatization at disarmament and demobilization sites.<sup>xxxii</sup>

While examples of gender related needs vary widely, it is important that reintegration programs factor in these dynamics while ensuring that human rights standards pertaining to gender are followed. Any discrimination based on gender biases, especially against women ‘violates the principles of equality of rights and respect for human dignity’ and ‘is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries’.<sup>xxxiii</sup> As stated earlier, according to the African Commission in the case of *Purohit & another v Gambia*,<sup>xxxiv</sup> the rights to non-discrimination, equality before the law and equal protection of the law are non-derogable. Also the African Commission in the case of *Social and Economic Rights Action Centre (SERAC) & Another v Nigeria*,<sup>xxxv</sup> stated that states have an obligation to respect, protect, fulfil and promote fundamental rights and freedoms. Further, the CEDAW Committee in General Recommendation No.28 pointed out that states have an ‘obligation to respect, protect and fulfil the right to non-discrimination of women and to ensure the development and advancement of women in order that they improve their position and implement their right of de jure and de facto or substantive equality with men’.<sup>xxxvi</sup>

It is also important for States to recall commitments made in numerous policy documents relating to gender and post-conflict activities. Among them is the eighth commitment under the African Union Gender Policy of 2009 which ‘seeks to enhance the role of women in creating an enabling, stable and peaceful environment for the pursuit of Africa’s development agenda’ by ‘enhancing and increasing the participation of women in the entire spectrum of peace building activities such as conflict prevention, conflict management in particular peace support operations, conflict resolution, post conflict reconstruction and development’.<sup>xxxvii</sup> Internationally, these gender dynamics were considered when the UN, under Resolution 1325 of 2000 recognized that ‘an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security’.<sup>xxxviii</sup>

Additionally, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa while guaranteeing the right to peace for women under Article 10 necessitates State parties to ensure the increased participation of women in the structures and processes that work towards the promotion and maintenance of peace,<sup>xxxix</sup> and this would by far and large, include reintegration programs. It has been said that putting an end to a conflict does not simply mean to resolve the situation at hand; it also challenges society to transform.<sup>xl</sup> In this case, reintegration efforts must look beyond traditional, cultural set-ups and take very deliberate steps to promote gender equality in post conflict reconstruction and development as well.



### Case Study: Eritrea

Although women's experience of war is often profoundly negative, in some cases involvement in conflict can lead to new opportunities and identities. In Eritrea women played a full and active role in the war of independence creating a new and more equal society. However, when women and girls were demobilized they returned to a society that was largely not ready to accept the equality they experienced in military life. Many women XCs found it difficult to accept what they saw as the traditional gender related constraints and expectations of society. As a result, women XCs who married their male peers suffered high rates of divorce as many male XCs wanted to re-marry 'civilian' women who they perceived as more feminine. As a result, women XCs often found it more difficult to reintegrate socially and economically when they returned home.

Men also have gender-specific needs which must be taken into consideration in designing, implementing and monitoring of DDR Programmes. If male gender-specific needs are not taken into consideration, DDR may lead to a masculinity crisis, which can in turn increase violent behaviour.<sup>xlii</sup> The violence may be meted against women in the domestic sphere resulting in violation of dignity of women and the freedom from cruel, inhuman and degrading treatment. DDR programmes may need to create room or opportunities for men to 'renegotiate their masculinities vis-à-vis the existing hegemonic ideal of manhood.'<sup>xlii</sup> The multi-layered impacts on how gender identities and perceptions of masculinities are formed must be considered in designing, implementing and monitoring DDR Programmes.<sup>xliii</sup>

#### B.2.8 Transitional Justice

Situations emerging from conflict usually require a form of transitional justice and national reconciliation. Transitional justice "comprises the full range of processes and measures associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation" (UNSC 2004). Reconciliation, on the other hand, is 'both a goal and a process' and alludes to movement of society 'from a divided past to a shared future.'<sup>xliv</sup> Reintegration is most effective where reconciliation and transitional justice processes are the underlying pillars and even though Although state institutions may be fragile during transition periods, it is important to begin a process of accountability in order to provide redress to victims and strengthen the rule of law. In fact, some authors have posited that DDR, particularly reintegration, and transitional justice processes should occur simultaneously.<sup>xlv</sup> If conducted appropriately, these processes can assist in the reintegration of XCs as it may improve the sense of justice in receiving communities and reduce stigma. It is, however, important that communities are engaged prior to the reintegration of the XC in order to understand the dynamics.

There are a number of different and often parallel modalities that can be used in furthering the process of national reconciliation.

**Criminal Prosecutions:** Often for serious crimes, XCs may be liable for criminal prosecution. Although criminal prosecutions can at times enhance reintegration processes, they are often viewed as creating tension and possibly even disruption in reintegration programs. As such, creating a clear national policy on who is to be prosecuted is important in order to create certainty and build confidence.

Also, the prosecutions must uphold the normative standards of international human rights law on fair trials. The ICCPR under Article 14 provides that everyone is entitled to a fair and public hearing before a competent, independent and impartial tribunal established by law. The Human Rights Committee (HRC) in General Comment No.32 stated that the right to equality before courts and tribunals and to a fair trial is a core element of human rights

protection and serves as a procedural means in safeguarding the rule of law.<sup>xlvi</sup> Further, the HRC stated that although the right to fair trial has not been listed as one of the non-derogable rights under Article 4 of the ICCPR, ‘the guarantees of fair trial may never be subject to measures of derogation that would circumvent the protection of non-derogable rights.’<sup>xlvii</sup>

**Traditional Reconciliation Processes:** In many African communities’ traditional practices and processes exist to resolve conflict and restore relationships within communities affected by violence. In some countries, communities have adapted the use of traditional justice mechanisms has also been used in some African countries including Rwanda and Uganda. Whatever process is most appropriate, the affect should be to promote reconciliation between XC and communities so as to ensure that the XC are accepted back into their communities.

**Truth Commissions:** A state may decide to use a Truth Commission to investigate and report on system abuse and as a means to help communities understand the underlying causes of the harm they suffered.

**Legal and Institutional Reforms:** As part of a transitional justice process, it is important to restructure laws as well as institutions that safeguard democratic governance as well as peace and security. These could include constitutional and legal reforms as well as to create a vetting process to identify those who may have been involved in atrocities and human rights abuses. The goal is to prevent such individuals from being integrated into public and security institutions.

**Reparations and Memorialisation:** Reparations include: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.<sup>xlviii</sup> For reparations to be meaningful they must be accompanied by a public acknowledgement and must be adequate, effective and prompt. While reparations can be individual they can also be collective and could also include symbolic gestures such memorialization.<sup>xlix</sup> XCs may be part of processes by the State to return illegally acquired property during conflict and may be required to pay compensation to victims as part of reintegration well as be engaged in consultations with victims on memorialisation projects.

#### Case Study: Sierra Leone

While the pursuit of criminal prosecutions is often viewed as an obstacle to DDR programs due to the fear it causes with ex-fighters, there are instances of criminal prosecutions assisting reintegration programs, particularly. In Sierra Leone, the indictment of Charles Taylor by the Special Court for Sierra Leone in 2003 allowed for the conclusion of the peace process and the start of the DDR process. Some argue that when the prosecution policy targets only those most responsible it reduces the perceptions that XCs have impunity, it individualizes guilt rather than attaching it to all members of the group, and it restores a sense of justice in the affected communities. Also, in Sierra Leone, although the creation of a Truth and Reconciliation Commission initially caused concern among XCs, the ability of the government to clearly articulate its purpose soon caused relief with support among XCs for the Commission increasing to 85%.

#### B.2.9 HIV/AIDS

Most conflict affected areas in Africa face a relatively higher prevalence of HIV. This grave concern was raised by the UN Security Council under Resolution 1308 of 2000, which recognized that ‘the HIV/AIDS pandemic is...exacerbated by conditions of violence and instability, which increase the risk of exposure to the disease through large movements of people, widespread uncertainty over conditions, and reduced access to medical care’.<sup>1</sup> There is similarly a general low awareness of the risks of HIV/AIDS among XCs who had little access to information and few means of prevention or



treatment. Increased promiscuity and sexual violence during conflict also account for increased rates of transmission. It is important therefore to include HIV/AIDS awareness programming in reintegration programs as well as access to care and treatment for those who are living with HIV/AIDS. The following excerpt by the UN Inter-Agency Working Group on Disarmament, Demobilization and Reintegration helps put this matter into context more clearly:

HIV/AIDS and DDR
Almost two-thirds of the global burden of HIV infection is in countries affected by complex emergencies...As noted by the Inter-Agency Standing Committee (IASC), the characteristics of a complex emergency favour the spread of HIV and other sexually transmitted infections in the following ways: (1) Mass displacements of people between high and low HIV/AIDS prevalence areas, especially migration towards urban settings. (2) Breakdown of social networks and support mechanisms place women and children at an increased risk of violence and can force them into transactional sex as a means of accessing basic goods and protection. (3) Risk of HIV is further increased when rape and sexual abuse are heightened in post conflict settings and used as methods of war. ...Children associated with armed forces and groups are often sexually active at a much earlier age and face increased risk of exposure to HIV. Female combatants, women associated with fighting forces, abductees and dependants are frequently at high risk, given the widespread sexual violence and abuse. <sup>ii</sup>

Why is HIV/AIDS an issue of concern within reintegration programs? The answer lies in the stigma that HIV/AIDS attracts as well as it being a considerable public health risk. As discussed in preceding sections being labelled as an XC alone can alienate one from society. Where knowledge about HIV/AIDS is a private matter, being known as an XC living with the virus is a cause for double alienation. Additionally, if the infected XCs themselves are not well informed on the implications of their HIV status, they may infect more people in the societies they are reintegrated into.

Different, positive results can however be achieved if XCs are included in the fight against HIV/AIDS. In areas where XCs are considered heroes and are esteemed, their influence can be used for good to sensitize and educate the community about HIV/AIDS. The following has been noted;

“As they work side by side with other community members against AIDS, the lines that separate ex-combatants from former enemies or communities affected by conflict tend to fade, negative attitudes towards ex-combatants become more positive, and ex-combatants help build a stake in a peaceful, prosperous community together with other members of the community. Ex-combatants in Rwanda remarked that in some ways reintegration had been easier for HIV-positive ex-combatants due to their contact and interaction with groups involved in the fight against AIDS.”<sup>iii</sup>

It must be remembered at all times that human rights standards have to be adhered to while dealing with HIV/AIDS and that no XC should be discriminated against based on their status. As stated by the African Commission in the case of *Purohit & another v Gambia*,<sup>liii</sup> the right of everyone to non-discrimination as guaranteed under Article 2 of the ACHPR is non-derogable. Accordingly, nobody should be forced to take a HIV/AIDS test and similarly, the same should not be a pre-condition to any XC receiving assistance. Reintegration within a context fraught with misconceptions regarding HIV/AIDS indeed requires ‘bold policies and reforms that reach out to populations that are deeply marginalized and criminalized’,<sup>liv</sup> including the XCs.

## C. OPERATIONALISING REINTEGRATION PROGRAMING

### C.1 Contexts where reintegration activities may be requested

Every situation in which the reintegration of XC occurs will have its own unique background and features. Interventions will always need to be tailored to meet specific requirements on the ground. However, it is possible to identify a number of broad contexts or types of scenarios which may need to be responded to. These are highlighted in the below:

**Table 1: Reintegration scenarios and programing implications**

Scenario	Key Features	Implications for Reintegration Programming
A. Outright and clear military victory of one conflict party	<ul style="list-style-type: none"> <li>• Clear balance of power and ability to enforce law and order</li> <li>• Functional command structures for overall command and control</li> </ul>	<ul style="list-style-type: none"> <li>• Formal DDR process for combatants on the winning side as a component of restructuring of regular armed forces.</li> <li>• Elements on the losing side may be reintegrated into the regular armed forces, enter a DDR process or spontaneously return to their communities of origin.</li> </ul>
B. End of conflict through a peace agreement agreed by warring parties	<ul style="list-style-type: none"> <li>• Security situation may remain precarious but a degree of “balance of power” between parties to the conflict likely to exist</li> <li>• Peace agreement may be supported by a regional or international peacekeeping force</li> </ul>	<ul style="list-style-type: none"> <li>• DDR process likely to have been agreed as part of peace agreement along with SSR and wider power sharing arrangements</li> <li>• Details of the DDR process may be vague requiring close follow-up and additional negotiations</li> </ul>
C. Peace agreement brokered or imposed external parties	<ul style="list-style-type: none"> <li>• Security situation remains precarious and a peacekeeping mission usually present</li> </ul>	<ul style="list-style-type: none"> <li>• DDR process likely to have been agreed as part of peace agreement along with SSR and power sharing arrangements but components of the agreement may remain contested.</li> <li>• Parties to the conflict may be reluctant to engage in DDR until there are sufficient security guarantees and there is a clear solution to the conflict</li> </ul>
D. No peace agreement or ceasefire	<ul style="list-style-type: none"> <li>• Ongoing conflict or insecurity</li> <li>• Multiple factions, lack of clear command or other structures, lack of political will to reach a political solution</li> <li>• The conflict may have regional dimensions</li> </ul>	<ul style="list-style-type: none"> <li>• Reintegration programming may be called upon for use in specific areas as a means to de-escalate tension or as an incentive for some individuals or groups to renounce violence.</li> <li>• Necessitating strengthened regional cooperation both on security issues and broader recovery and development frameworks.</li> </ul>

## C.2 Context analysis and planning

### C.2.1 Situation analysis and needs assessment

Whether reintegration support programmes are being developed as part of a highly structured overall DDR programme or are being carried out in response to more informal efforts to reintegrate individuals or groups from irregular armed groups as part of localised stabilisation efforts, the gathering and analysis of information on both the context under which reintegration will take place and the XC is critical for effective planning.

The table below highlights the information needed and the possible sources of data. In each situation this needs to be considered and adapted in light of the local context. In structured DDR programmes data on XCs, profiles should be available from those responsible for demobilization of XCs at initial registration and screening. In other cases, information may not be readily available and will need to be specifically gathered and analysed. It is important that gender specific information requirements are considered in order to understand the specific needs of women and girls and boys and men and consequently, the human rights standards applicable to every category of XCs.

**Table 2 Key information needs for initial reintegration planning and potential sources of information**

Information Needs	Details	Potential sources of Information
<b>Political, conflict &amp; security analysis</b>	<ul style="list-style-type: none"> <li>• Analysis on the drivers of conflict and assessment of current security status and outlook</li> <li>• Analyse the political process as well as special arrangements for particular groups or commanders</li> <li>• Understand the composition and structure of armed groups, support they receive, doctrines and beliefs; identify potential spoilers and their motives</li> </ul>	<ul style="list-style-type: none"> <li>• Historical and analytical reports</li> <li>• Security briefs and peace agreements</li> <li>• Interviews with stakeholders</li> <li>• Consideration should be had on the Geneva Conventions of 1949 and the Optional Protocols thereto of 1977 and Case law of the International Criminal Tribunal for Former Yugoslavia (ICTY), the Special Court for Sierra Leone, the Special Tribunal for Lebanon and the International Criminal Court (ICC).</li> </ul>
<b>Demographic data on XC target groups</b>	<ul style="list-style-type: none"> <li>• Estimate of number of XCs including any available data on age, health (including psychological health), sex, language, areas of origin</li> </ul>	<ul style="list-style-type: none"> <li>• Survey of returned members of the group</li> </ul>
<b>Special needs Groups</b>	<ul style="list-style-type: none"> <li>• Identification of special needs groups such as chronically ill, women, children and youth.</li> </ul>	<ul style="list-style-type: none"> <li>• Information from group leadership</li> </ul>
	<ul style="list-style-type: none"> <li>• Assess levels of education amongst the group and skills</li> </ul>	

Information Needs	Details	Potential sources of Information
<b>Education &amp; livelihoods</b>	<ul style="list-style-type: none"> <li>Information on previous livelihoods pursued by members of the group</li> </ul>	<ul style="list-style-type: none"> <li>Authorities or communities in areas of combat and in areas of origin/return</li> </ul>
<b>XC Expectations &amp; key concerns</b>	<ul style="list-style-type: none"> <li>Expectations and key concerns of XC about the process of reintegration; it is important to manage expectations</li> <li>Assessment of XC intentions in terms of whether they want to be resettled in their areas of origin or another location</li> </ul>	<ul style="list-style-type: none"> <li>Service providers</li> <li>Consideration should be given to the normative human rights principles set out in among others ICCPR, ICESCR, CRC, CEDAW and CRPD, ACHPR, Maputo Protocol, decisions of among others, the CEDAW Committee, HRC, Children Rights Committee, Committee on Economic Social and cultural Rights, African Court on Human and Peoples' Rights and African Commission and General comments and recommendations of the foregoing treaty bodies.</li> </ul>
<b>Areas of return</b>	<ul style="list-style-type: none"> <li>Overall views and concerns of the community in the areas of return; assessment of capacity and willingness of communities to receive the XCs; identification of potential sources of conflict and reconciliation mechanisms</li> <li>Assessment of current and future security context as well as health, availability of services and cohesion of the communities</li> <li>Settlement patterns in return areas, particularly where there was displacement; availability and accessibility of land</li> <li>Livelihood patterns and how these have been affected by the conflict</li> </ul>	

#### Case Study: Sierra Leone

Following the end of the civil war, XCs were concerned that they would be ostracised by their communities when they returned home. This concern was well founded as community resentment against the SCs was high. To address the issue, the National Committee for Disarmament, Demobilization and Reintegration (NCDDR) set up social reconciliation programs which included community consultation and sensitisation with the support traditional leaders and traditional reconciliation mechanisms. In serious cases, the NCDDR directly negotiated disputes regarding the return of XCs. The NCDDR also engaged the XCs in infrastructure rehabilitation as a means to improve their standing in the communities.

### C.2.2 Stakeholder analysis

There are a wide range of stakeholders involved in any DDR process. A regular stakeholder analysis is helpful to identify key partners in the reintegration process as well as potential gaps or problems that need to be managed appropriately. The goal of a stakeholder analysis is to keep all the actors involved in the DDR process moving in the same direction with the same understanding so that their interventions are complementary.

**Table 7: Potential stakeholder groups involved in reintegration**

Groups		Role and Importance
Ex-combatants		<ul style="list-style-type: none"> <li>Ongoing interaction with XCs is essential throughout the reintegration process and they should be consulted and engaged in the design of reintegration activities. Appropriate modalities to interact and communicate with XCs need to be found that allow them to participate but avoid reinforcing their prior command and control structure or affiliation with an armed group.</li> </ul>
Leaders of Armed groups		<ul style="list-style-type: none"> <li>Interaction with leaders of armed groups is important both to access data (always verify) and to ensure that proposed reintegration activities are understood and supported. It is also important to interact with the leaders in order to ensure that they do not become spoilers to the DDR process.</li> </ul>
Leaders & opinion makers	Political	<ul style="list-style-type: none"> <li>Support of national and local political leaders is important as they influence support from the communities. Efforts should be made to involve them in the planning and consultations should be continuous in order to maintain their support.</li> </ul>
	Religious & Cultural	<ul style="list-style-type: none"> <li>Traditional leaders are important not only to maintain community support but also as they are the custodians of reconciliation mechanisms</li> </ul>
	Others	<ul style="list-style-type: none"> <li>Within any given community there are a set of important leaders. These should be identified and consulted to ensure their support.</li> </ul>
Service Providers & Employers		<ul style="list-style-type: none"> <li>Will be important sources of information (see table 7) but also need information and feedback for their own operational planning and resource allocation processes Likely to include local and national government, private sector and NGO's</li> </ul>
Civil society		<ul style="list-style-type: none"> <li>This includes an array of civilian groups involved in service providing, advocacy and peace building.</li> </ul>
Media		<ul style="list-style-type: none"> <li>Although not often viewed as stakeholders, media play an important role in garnering support for the program. It is important to provide them with information on a regular basis.</li> </ul>
International donors & partners		<ul style="list-style-type: none"> <li>There are a range international partners providing technical, political and financial support to the DDR process. They may include diplomatic offices, the UN or AU and RECs/RMs. It is important that all of them stay informed and work in a coordinated manner.</li> </ul>

### C.3 Information Management and Outreach

#### C.3.1 Information management

Given that information requirements in reintegration programs are substantial, the establishment of an information management system is important at the outset. If reintegration activities are being carried out as part of an integrated DDR programme it is likely that an overall DDR Management Information System (MIS) will have already been established. If reintegration activities are being carried out as a discrete programme, however, some form of MIS or database will need to be established in order to process the information needed by those planning and managing reintegration. The following are key areas for consideration when designing an information management platform:

- Compatibility with other information systems:** If the reintegration program is following a traditional DDR process, it is likely that information on the ex-combatants was captured in previous databases. It is important that when the reintegration database is designed that it be able to utilise this information.

- **Identify objective indicators:** The DDR program needs to identify key information and indicators to be captured by the database so that information can be used and progress measured.
- **Consider issues of access to information:** As the database will likely include personal information, access to sensitive information in the database should be restricted. It is important, however, to ensure that access to information restrictions do not impair operational effectiveness.

The ICCPR under Article 17 provides that no one should be subject to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. Therefore, management and access to information of XCs should be carried out in line with this provision. In addition, the HRC in General Comment No.16 stated that states should take effective measures to ensure that information concerning an individual's private life does not reach the hands of persons who are not authorised by law to receive, process and use it, and it should never be used for purposes that are incompatible with the ICCPR.<sup>iv</sup>

Information, Counselling and Referral Systems (ICRS)
In some situations, such as South Sudan, integrated Information Counselling and Referral Systems (ICRS) were developed to systematically capture and manage information related to ex-combatants needs and match these with specific opportunities and referrals made by caseworkers. ICRS are most suited for programs that are focused on providing support to the livelihood of ex-combatant as individuals although it could be adapted for other reintegration methodologies.

### C.3.3 Communications and outreach

The dissemination of accurate and timely information is important throughout the reintegration process in order to inform stakeholders and the broader population. A clear communication strategy should be developed at an early stage. The strategy should identify the audience, message, modality for communication and the most appropriate voice to communicate the message.



Figure 1: Diagram showing the importance of information flows

Modalities of communication may include the radio, television and print media. Non-traditional communication may also be considered including drama, music a story telling as well as the use of mobile phones and other electronic media.

#### Case Study: Sudan

In Sudan, female singers known as *Hakamas* ('the wise ones') are a traditional cultural feature of the states of Southern Kordofan, Northern Kordofan and Southern Darfur. During conflict, these groups were known to be associated with armed groups encouraging combatants to fight by performing cultural songs on the front lines. After the conflict, the DDR program enlisted the support of these women to write and perform songs of peace and reconciliation in support of DDR.

### C.4 Reintegration models and approaches

Every situation requiring a reintegration program is different. As such the reintegration approach that is used needs to be adapted to the context and the prevailing needs. After conducting the necessary analysis, it is important to choose the most appropriate reintegration model and adapt it as needed. Below is a description of several reintegration models and a description of the advantages and disadvantages. They include:

- Ex-Combatant Focused Reintegration
- Community Focused Reintegration

It is important to note that some of these models can be integrated into one program or used simultaneously.

#### C.4.1 Ex-combatant focused reintegration.

This approach is focused on providing targeted assistance to individual or groups of XCs. This assistance will aim to address the unique set of needs of the individuals which may vary depending on the context of the locality to which they are returning. The assistance provided is intended to provide the XCs with a sustainable livelihood and assist them in their transformation into productive members of their community. Programs of this nature may include vocational training, micro-credit and micro-project programs as well as specialized services.

#### Potential advantages include:

- Allows for specific concerns of individuals to be addressed and followed up on. In some situations, these types of programs may have been included in peace agreements making it a political imperative.
- Requires fewer resources than other reintegration programs.

#### Potential disadvantages include:

- Communities may feel that the XC is being rewarded for actions that have caused them to suffer. The program may increase tensions between the XC and the community.
- The program may create perverse incentives for persons to opportunistically claim XC status or to initiate acts of conflict in order to benefit from the program. This may worsen the security situation, creating splinter groups and, ultimately, inflating the target group. Situations of ongoing armed conflict are particularly susceptible to this phenomenon.
- Where conflict has severely impacted on the available social services and economy, directing assistance to one group may not contribute to the wider recovery of the community making any assistance to individual livelihoods unsustainable.

### C.4.2 Reinsertion Packages

In many DDR programmes, XCs receive a reinsertion package when they exit from the demobilisation phase of the program. This package is intended to provide for the basic needs of XCs and their dependents as they return to their community. The reinsertion package is sometimes referred to as the “transitional subsistence support” or the small “r” in DDR. This support may include a cash payment or cloths and household items. While important to assist in addressing the XCs immediate needs, a few issues need to be considered.

Firstly, as in any XC focused program, there is a danger of perverse incentives with people pretending to be XCs or initiating acts of violence in order to obtain the benefit. There are also the danger of the communities resenting the XC for the assistance that is provided thereby complicating the reintegration process. To manage these risks, evidence indicates that it is best to avoid giving significant cash payments as a reintegration package. That stated, even commodity packages such as seeds and tools can be sold and monetised. Another approach is to give access to services such as training, literacy through a voucher program. A service-based approach, however, will need to be balanced against the immediate subsistence needs of the XC and the dependents. Once innovation that could be explored is the use of mobile phone as a means of money transfer. This system is used increasingly in social protection programs and could be considered as an option if the conditions are appropriate. If a reintegration program or other beneficial programs are envisaged for, it is important to link the reinsertion support to these more comprehensive programs.

#### Case Study: Ethiopia

Following the end of the 1991 Civil War, the Ethiopian government initiated a DDR program for a large number of XCs. This included immediate financial or in-kind support when the XC returned home and the XC was also eligible for free health care and provided with land for residential and agricultural use. Studies have shown that the Ethiopian reintegration program was relatively successful, particularly in the rural areas.

#### Case Study: Liberia, DRC, Uganda and Sierra Leone

All three of these countries provided reinsertion packages to the XCs. This created community resentment as the community felt that their needs were not addressed. Studies have shown, however, that community resentment dissipated if i) the rationale for the reinsertion support was explained, ii) the community shared in the benefits through trade and purchase of commodities iii) if the benefits were viewed as limited and proportionate, and iv) if they were accompanied by community focused interventions of wider benefit.

### C.4.3. Commander Incentive Programs

A variation of ex-combatant focused reintegration programming is the Commander Incentive Program. This program creates a two-tiered system of reintegration that provides special assistance to commanders of armed groups. The purpose of such a program is to dismantle the command structure of armed groups by separating the commander from his fighters as well as to co-opt them to supporting the DDR process rather than act as spoilers either by re-recruiting or becoming involved in criminal networks.

There are a number of factors to be taken into consideration when designing such a program. This includes the effect it may have on junior commanders and the rank and file who are given a lower amount of assistance. This may create resentment and dissatisfaction which could encourage some to engage in illicit activities. The other factor to be taken into consideration is that some of the commanders may be suspected of committing serious crimes which could result in the local



community perceiving the assistance as a reward for their misdeeds. Such a perception could negatively impact the process of national reconciliation and transitional justice.

As a result, the use of a Commanders Incentive Program should only be done after thorough analysis as well as consultations with the affected communities. Careful monitoring of the program and the activities of the former commanders is and assistance should be suspended if there are indications of abuse.

Alternatively, support for commanders could be facilitated through support for veterans groups or cooperative associations. This could dilute the perception that the commanders are receiving special assistance while providing them with a new role and purpose that could benefit the XC community at large.

#### **C.4.4 Vocational and life skills training**

A common component of both XC focused and community-based reintegration (below) is providing the beneficiary with training and new skills that will assist them in obtaining employment and a sustainable livelihood. Best practices demonstrate that before providing vocation training that an assessment of the labor market should be done to ensure that there are adequate employment opportunities for this skill. If the beneficiary is not able to obtain employment with the skill provided, it may become a source of frustration. As such, before training beneficiaries to be carpenters, make sure there are jobs available in the community to avoid flooding the market.

It is also identified as best practice that the training be used as a platform to provide life skills to the beneficiary. While providing vocational training may be the focus of the training, XCs benefit significantly if they are provided with conflict resolution skills, domestic and family planning as well as a course on their rights and responsibilities as civilians. These types of courses can assist XCs in the transition process.

It is equally important in designing a training program that the differing needs of men and women are taken into account as well as the needs and capacities of the disabled. Defining what training is best for which group requires not only consultation with the beneficiary group itself but also an understanding of what would be beneficial to their host community based on the prevailing social values and economic needs.

#### **Case Study: Liberia**

After the conflict in Liberia, significant investments were made in vocational training for XCs. However, in the post-conflict situation in which the economy was only beginning to recover and there was a large return of IDPs and refugees, there were few job opportunities for the XCs. As a result, the 10,000 who benefited from the programme became frustrated when their hope for employment did not materialize.

#### **C.4.5 Short-term employment programmes**

In some situation the creation of short-term, labour intensive employment opportunities linked to the rehabilitation of essential infrastructure have proved useful as instruments for providing immediate economic support to XCs and the community as well as simultaneously contributing to the infrastructure development; and at the same time can help reduce immediate security concerns by ensuring that XCs are actively engaged in day to day activities.

Labour intensive schemes of this nature should involve both XC and other community members and, if possible, should be linked to longer-term sustainable livelihoods. To do so, those who participate in

the labour programs could also be included in training, micro-credit loan schemes or small business development. This will help to ensure that the income earned is invested for longer-term impact. Before launching such a program, it is important to ensure that they do not compete with the local labour market development.

#### Case Study: Liberia

In 2006 the Liberian Ministry of Public Works with support from UNMIL, UNDP and the World Bank initiated a labor intensive employment scheme that was focused on the rehabilitation of road networks along that provided access to markets and essential services. Some 8,000 jobs were offered to both the XCs and war affected youth. Studies indicate that the crime rate and domestic violence reduced in areas where these programs were implemented and a number of the participants invested their income into other income generating activities.

#### C.4.6 Community-based reintegration

This model provides assistance to XCs in the context of support to the community to which they are returning. In this model, both the XCs and the community are actively engaged in selecting the activities and interventions. This approach is sometimes referred to as “dual targeting” as the XCs are assisted as part of a broader group be it youth, the unemployed or broader job creation initiatives. This type of program can be particularly useful where XCs cannot be readily identified due to widespread spontaneous return. In such situations, support can be provided to communities where there are high concentrations of XCs.

##### Potential advantages include:

- Improves the chances that the XC will be accepted back into the community and avoids stigma
- Create opportunities to address the needs of both XCs and others associated with armed groups (e.g. CAAFAG and WAAFAG)
- Reduces the risk of perverse incentives
- Community involvement in the planning and benefits of the program may support the broader process of reconciliation and the rebuilding of social cohesion
- Creates opportunities to link the DDR reintegration programs with the wider recovery and development efforts

##### Potential disadvantages include:

- There is a risk that targeting some communities and not others may create tensions
- If there are provisions for direct support to XCs in a peace agreement or perceptions of direct entitlement, XCs may not be satisfied with this approach and could act as spoilers
- DDR reintegration programs may not have sufficient resources to invest in an adequate number of qualifying communities. For this reason, it is important to link the DDR funded efforts with wider recovery initiatives

#### Case Study: Somalia

A community-based rehabilitation program implemented in Somalia in the 1990s excluded the eastern part of Somaliland. Studies reported that this exacerbated existing tensions amongst armed groups and communities thereby undermining the main objective of the DDR program.

#### C.4.7 Community-based violence reduction initiatives

In conflict areas, the deterioration of the security situation may result in a proliferation of armed groups as well as criminal and vigilante gangs. In some situations groups may have allegiances with state actors or other powerful elites.

In these circumstances a range of initiatives has increasingly been deployed that seek to change the behavior of these individuals by creating alternative livelihood opportunities, counseling and mentoring, community associations and dispute resolution mechanisms. These are not traditional DDR programs in the sense that individuals are not formally demobilizing but the goal of transforming these individuals into productive and integrated members of the community is the same.

##### **Potential advantages include:**

- The range of responses is diverse and can be tailored to the needs and circumstances of the particular community
- The process are locally owned with a high degree of participation from the affected communities
- The programs are adaptable and can respond to opportunities and crisis as they emerge

##### **Potential disadvantages include:**

- The choice of the initiative must have the consent of the necessary political and social polities of the given community or government
- Programs should be able to address not only the needs of the individuals at risk but also the underlying sources of conflict within and between communities
- Depending on the benefits being offered, there is the risk of perverse incentives

##### **Case Study: Somalia**

In 2011, the local and national government in Somalia, with the support of UNDP, initiated the Youth-at-Risk Program. This program centred on the formation of community-based security committees who would identify youth who had committed or were at risk of committing crimes. These individuals signed an agreement on behaviour with the local authority and were paired with a mentor from the community who would assist the youth in various programs including employment, substance abuse and other programs. If there were infractions, the youth would be brought before the security committee to determine what should be done to correct the behaviour.

#### C.4.8 Pension schemes

Pension schemes have been used as a means to downsize the number of personnel in national security institutions and support their reintegration as well as provide a degree of official recognition of the duties they provided. Pension schemes are often done as part of a Security Sector Reform process. However experience with pension schemes across Africa has often been highly problematic. A number of issues need to be carefully considered prior to the selection of this option:

- **Affordability:** it is important that a realistic assessment of the ability of the state to pay the entitlements is undertaken prior to giving any commitments. The recurrent cost implications may be significant particularly in the context of a country recovering from conflict suffering from severe resource constraints and where the numbers of people registered as members of the armed forces may be large.
- **Perverse incentives:** Potential pension payments could act as an incentive for further recruitment into armed groups prior to DDR registration occurring or the inflation of lists.
- **Security risks:** Failure to make payments when they have been promised could have significant implications and become a source of renewed violence.

#### Case Study: Liberia

As part of the restructuring of the Armed Forces of Liberia (AFL), 10,000 personnel were de-activated. Of these, approximately, 4,600 were eligible for pensions at a cost of \$2.1 million per year. However, the government had difficulty providing regular payment of the pensions which resulted in several violent demonstrations by XCs.

#### C4.9. Choosing the right approach

Every reintegration process will need to be adapted to the particular of the given situation. Often a combination of the models are used concurrently or sequentially to address the needs of the XCs and the community. However, it is increasingly recognized that for reintegration to be successful, a narrow focus on XCs alone should be avoided. Instead, successful reintegration program focus on addressing both the needs of the XC as well as the immediate family and community.

Given the complexity and endemic nature of some of the conflicts in Africa, many of the pre-conditions for traditional DDR processes may not exist. As such, it may not always be appropriate to frame the reintegration programs as pertaining to DDR as such but rather as stabilization or conflict reduction measures.

However the programs are described, it is critical that interventions are based on a realistic assessment of the problem and the needs as well as the likelihood the programs having a positive impact on the situation. It is equally important that the ideals of human rights are considered and incorporated in every step so as to ensure the dignity and respect of all groups, including the non-XCs.

Of key importance also, is the assessment of the risks of a program, including the availability of resources, as well as the mitigating measures to control the risks. It is also essential to develop the program in consultation with the XCs as well as local government and communities in order to better understand the situation, moderate expectations, and promote ownership. A constant monitoring of any of these programs is necessary as well as the ability to adapt the program to the changing situation.

Africa has a relatively high degree of social capital, particularly within its extended family structures. It is important to utilise and enhance these existing structures and relationships rather than undermine them by imposing new structures or engendering an unhealthy sense of dependency and entitlement.

Importantly, 'do no harm' is normative principle against which all DDRs programmes or interventions should be evaluated at all times. False promises should not be made and, at the end of the day, no person or community should be made to experience insecurities by the return of XCs, or the presence of police, civilian personnel or UN peacekeeping team. Humanitarian organisations should be accountable to the communities benefiting from their assistance and to donors. This will ensure that dignity of individuals is respected and protected as assistance is being offered and that donor funds are used for the intended purpose.

Also, due diligence principle should guide DDR interventions through undertaking risk assessment processes and determining the likelihood of human rights violations in particular post-conflict contexts. DDRs should incorporate standard procedures that respect human rights in decision-making. Due diligence should also inform humanitarian organisations on whether to intervene in certain situations to effect DDR programmes.

## C.5 Special needs groups

XC's are not a monolithic group. There are some groups of XC's or persons associated with the armed group that have special needs. The identification and analysis of these special needs groups is important at the outset of any reintegration program. Support provided to these groups may be linked to or addressed by existing health and social services if they exist. Otherwise, particular programs will need to be developed. Special needs groups may include:

### C5.1 The chronically ill and disabled

#### Definition of Disability

Under Article 1 of the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention (No. 159) 1983, a disabled person refers to an 'individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognised physical or mental impairment.' For the purposes of this discussion, "disabled ex-combatants are understood to be members of fighting forces who experienced physical, physiological or psychological injuries, caused by bullets, grenades, land mines, bombs and torture. Chronically ill ex-combatants, on another hand, are individuals who during the course of executing the war are afflicted by chronic incurable illnesses".<sup>lvi</sup>

It has been observed that there is a considerable gap in post-conflict reintegration processes when it comes to XC's with disabilities and chronic illnesses 'notwithstanding an apparent acknowledgement that physical and mental trauma impact civilians and ex-combatants alike.'<sup>lvii</sup> Due to injuries or health problems associated these ex-combatants will require access to health services as well as particular attention in developing an appropriate livelihood program. This group often has the most difficulty with social reintegration and finding employment. On average about 10% of XC's are in this category.

The preamble of the Convention on the Rights Of Persons With Disabilities (CRPD) states that disability hinders their full and effective participation in society on an equal basis with others. The main goal in DDR programs that involve the chronically ill and the disabled should be assistive in as far as the condition interferes with their ability to reintegrate and fend for themselves. It should be considered that XC's are already alienated and cast out by society and being a disabled or chronically ill XC is double tragedy because when the donors fold up their files and budgets, these are left alone and helpless if they are not in an accepting environment. In Sudan, disabled soldiers are particularly prone to attack not only when they remain with their units but also when they return to their home communities since some of them are denied access to rifles and other weapons due to their inability to use them.<sup>lviii</sup>

Rwanda's efforts to bring on board XC's living with disabilities and chronic diseases have been praised and although no shoe fits all as far as reintegration is concerned, States, donors and NGOs can learn from their experience:

#### Case Study: Rwanda

The Rwanda DDR program created a special assistance to XC's considered ill or disabled or otherwise vulnerable. Assistance provided included building homes for the disabled XC's, health insurance, and access to grants, additional training and counseling services. Candidacy for this additional assistance was based on criteria that included socio-economic and health factors. Candidates were identified by representatives of the community and civil society.

It is impressive to see what can be achieved when proper and well thought out reintegration actions are taken as has been observed in the case of disabled combatants:

“If disabled ex-combatants are given the opportunity, they demonstrate resourcefulness and a commitment to a new life. In Rwanda, although small in number, some disabled ex-combatants have started selling scrub iron, pig rearing and poultry farming. In 2005 I observed some disabled combatants in Gisenyi (Rwanda) were engaged in dairy farming and bee keeping mixed with subsistent farming and are well integrated into the community. In Changugu (Rwanda) a group of disabled combatants were rearing pigs and have a small poultry farm and were average farmers in their community. In Eritrea there were more than 500 small scale businesses owned by disabled combatants in the year 2003. Nearly all the bakery enterprises in the small towns of Eritrea are owned by disabled combatants.”<sup>lix</sup>

Programs involved with this special need group should therefore focus on the long term much more than the short term so as to guarantee their continued wellbeing after specific reintegration programming has been phased out.

DDR Programmes should also focus on promoting independent living of XCs with disabilities within the society. The CRPD in Article 19 provides for the rights of persons with disabilities to live independently and be included in the community, with freedom to choose and control their lives. The Committee on the Rights of Persons with disabilities in General Comment No.5 provided the state obligations to repeal or reform discriminatory policies, laws and practices that hinder persons with disabilities from living independently and participating in the community.

#### C5.2. Victims of Sexual and Gender Based Violence (SGBV):

Definition of sexual violence
According to the 2013 Report of the UN Secretary General, sexual violence is defined to include ‘rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity perpetrated against women, men or children with a direct or indirect (temporal, geographical or causal) link to a conflict’. <sup>lx</sup>

Women ex-combatants or women and girls associated with armed groups often suffer high rates of sexual or physical abuse, particularly if they were forcefully conscripted. While this OGN acknowledges that even men have been abused during war, the statistics are greatly tilted towards women. Victims of SGBV may suffer from varying degrees of physical disability and illness (including sexually transmitted diseases including HIV) as well as psychological trauma. Both victims and alleged perpetrators of sexual violence may face significant stigmatisation at community level and may have difficulty expressing or acknowledging the violence that occurred. The Committee’s<sup>lxi</sup> report captures this concern accurately:

Committee on the Elimination of Discrimination against Women, General recommendation No. 30
Many female combatants suffer sexual and gender-based violence, resulting in children born of rape, high levels of sexually transmitted diseases, rejection or stigmatization by families and other trauma. Disarmament, demobilization and reintegration programmes often fail to address their experiences as well as the psychological trauma they have undergone. As a result they are unable to successfully reintegrate into family and community life. Even when women and girls are included in disarmament, demobilization and reintegration processes, the support is inadequate, gender stereotyped and limits their economic empowerment by providing skills development only in traditionally female fields. Disarmament, demobilization and reintegration programmes also fail to deal with the psychosocial trauma that women and girls experience in conflict and post-conflict situations. That in turn can cause further rights violations, given that women’s social stigma, isolation and economic disempowerment can force some women to remain in exploitative situations (such as with their captors) or force them into new ones if they have to turn to illicit activities to provide for themselves and their dependants.

While noting with concern that women have been underrepresented in formal peace processes, UN Resolution 1888 of 2009 emphasized the importance of addressing sexual violence issues from the outset of peace processes and mediation efforts, in order to protect populations at risk and promote full stability.<sup>lxii</sup>

In addressing SGBV, it is important to ensure that the needs of this group are incorporated in the planning for health care and services. This care includes the provision of surgical care as well as counselling and sensitisation on sexually transmitted diseases. The provision of health care often provides a relatively non-threatening entry point for discussions on SGBV with both XCs and the community. The use of media, both electronic and traditional, may be used to provide venues to discuss the topics that may otherwise be socially taboo. The provision of life skills is particularly important for victims as many may suffer from low self-esteem as well as social stigmatisation. The use of transitional justice mechanisms, including accountability and truth telling, may also assist in addressing the sense of injustice carried by victims. It is equally important to involve the community so as to reduce the two-tier discrimination that XCs are likely to face- first due to the identity as an XC and second of being a victim of SGBV.

#### Case Study: DRC

Health clinics in the DRC report that up to 6% SGBV victims that they treat are men, while legal clinics report that 10% of their SGBV cases involve male victims. In addition to rape, men and boys were subjected to other forms of SGBV including being forced to have sex with relatives or be forced to watch SGBV crimes.

### C5.3. Children:

*“Seven weeks after I arrived, there was combat. I was very scared. It was an attack on the paramilitaries. We killed about seven of them. They killed one of us. We had to drink their blood to conquer our fear. Only the scared ones had to do it. I was the most scared of all, because I was the newest and the youngest”*

-Human Rights Watch, "You'll Learn Not to cry", p.64-

#### Paris Principles: Principles & Guidelines Children Associated With Armed Forces/Armed Groups (2007) <sup>lxiii</sup>

A child associated with an armed force or armed group” refers to any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities.

Children are protected under international and regional human rights law by virtue of their vulnerability, gullibility and their importance as being the future of civilization. As far as conflict is concerned, human rights law extends substantial protections to children. The African Charter on the Rights and Welfare of the Child for instance recognizes under its preamble that ‘the child occupies a unique and privileged position in the African society and that for the full and harmonious development of his personality, the child should grow up in a family environment in an atmosphere of happiness, love and understanding’. This ideal is echoed in the preamble of the Convention on the Rights of the Child. These two principal documents also prohibit the recruitment of children into conflict and abolish any possibility of claims that children joined the war voluntarily.<sup>lxiv</sup> Member States went a step further with the CRC and signed an Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict to ensure that no one under 18 takes part in direct combat.



The 1977 Additional Protocols to the Geneva Conventions also prohibit the recruitment of children into conflict and universal principles such as the Paris and Cape Town Principles have been agreed upon all to try and save the child from the cruelties of war. Additionally, recruitment and/or use of child soldiers was listed as one of the Six Grave Violations against children during Armed Conflict by the UN Security Council.<sup>lxv</sup> Even jurisprudence from courts in cases such as the Charles Taylor case before the Special Court for Sierra Leone and the Lubanga Dyilo case before the ICC affirm the law's desire to protect the child from the combat zone.

Nonetheless, thousands of children have continued to be enlisted as soldiers, even where the combat and suffer from psychological trauma, loss of access to education and social stigma. Other than exposure to physical and sexual abuse, a considerable number may have contracted diseases such as HIV/AIDS, been exposed to substance abuse and the fact that many are forced to commit violent acts on civilians, including their own families, subjects them to unimaginable psychological damage. It has observed that for reintegration of young female girls, a '*conspiracy of silence*' forces female ex-combatants approaching the age of marriage to be hide their involvement in conflict and 'pretend to be the gentle, soft-spoken and submissive woman that their civilian counterpart is'.<sup>lxvi</sup>

The UNICEF Cape Town Principles have asserted that 'family reunification is the principal factor in effective reintegration.'<sup>lxvii</sup> To overcome fear and stigma, it is important that families are consulted prior to the return of their child. This will allow them time to prepare. It is also important to consult with community and traditional leaders who may assist in enhancing community acceptance as well as providing positive role models for the child. Additionally, it is crucial for the families and the community to be aware that a child XC is actually a victim and not a villain and for all involved to understand the importance of acting in the best interest of the children. As stated earlier, the CRC under Article 3 provides that the best interests of the child should be a primary consideration in all matters concerning a child. The ACRWC under Article 4 provides that in all matters concerning a child, the best interests of the child should be the primary consideration. The other cardinal principles, namely, non-discrimination, right to life, survival and development and the right to participation must also be put into consideration in the reintegration of child XCs.

Children and communities are resilient and, with the right support, usually have the capacity to cope with the experiences they have gone through. Support activities should aim to build upon a child's natural resilience and the community and families desire to care for and protect children. The support should be provided in an inclusive manner addressing the needs of other war-affected children. This will reduce stigmatization and avoid stigmatization that the child soldier is being unfairly rewarded. The type of support provided may include the provision of health services as well as the formation of youth groups and counseling or mentoring. The provision of education and training to allow the child to catch up with his/her peers is particularly important. The provision of reinsertion packages to children has been found to create problems, resources instead should be focused on establishing sustainable reintegration programs. Programs should also pay specific attention to particular needs of children who have been disabled during the war, as well as female children as these all have unique needs and challenges.

#### Case Study: DRC

In areas of eastern DRC where there exists high levels of child recruitment and re-recruitment, international partners provided support for the creation of Community Child Protection Networks (CCPN). These were forum bring together local leaders do discuss child protection issues and devise strategies to address them. Despite security difficulties, studies found that some of the CCPNs had registered successes in preventing the recruitment and re-recruitment of children as well as increasing the level of community acceptance of returning child soldiers.



#### C 5.4 Psycho-social support:

*“Ex-combatants are not over the war, they are not at peace. It’s a psychological change, a certain mind-set that many of them still are in...”*An ex-combatant for the FNL rebel group in Burundi-<sup>lxviii</sup>

XCs with unaddressed psychological trauma and mental health issues, including Post Traumatic Stress Disorder (PTSD), may exhibit anti-social behaviour such as numbness, guilt or anxiety. Some may also use self-medication to address their disorders which may lead to drug and alcohol abuse. This can complicate their relationship with the community and result in self-harm. Support from the family and community is critically important but some may not know how to address the illness. As such, reintegration programs should plan for the provision of mental health services or programs that can provide the required treatment. This may include providing training to health workers, women’s groups, teachers and community organisations so they can identify symptoms and refer them to get treatment. It is important in any reintegration program that mental health issues are given prioritisation as those with mental conditions may not benefit from the economic livelihood programs and may become a burden to their communities.

##### **Case Study: Uganda**

In northern Uganda approximately 20% of formerly abducted youth showed severe and persistent mental health disorders including PTSD, depression and suicidal tendencies as well as high levels of aggression. Several NGOs developed programs to address these issues by combining counseling, which included the recounting of traumatic incidents in order to externalize the trauma, in combination with vocational training which provided beneficiaries with a new sense of purpose.

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