



Preventing Mass Atrocities in West Africa

Jaclyn D. Streitfeld-Hall

The Global Centre for the Responsibility to Protect was established in February 2008 as a catalyst to promote and apply the norm of the “Responsibility to Protect” populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Through its programs and publications, the Global Centre for the Responsibility to Protect is a resource for governments, international institutions and civil society on prevention and early action to halt mass atrocity crimes.

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COVER PHOTO:

Peacekeepers from the UN Mission in Côte d’Ivoire prepare weapons surrendered by ex-fighters for destruction in Abidjan, during a July 2012 disarmament campaign following the 2010-2011 post-election crisis.

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EXECUTIVE SUMMARY

During the late 1990s and early 2000s populations across several West African countries endured civil war, violence that spilled over borders and mass atrocities perpetrated by both armed rebels and governments. The repercussions of identity-based conflict ensured that inter-communal divisions, socio-economic instability and weak or corrupt governance remained pervasive throughout the region even after the conflicts had ended. Today, however, actions taken at all levels are changing the pattern of conflict and governance in West Africa and countries that previously experienced mass atrocity crimes are now implementing structural reforms to ensure that violent conflict does not recur.

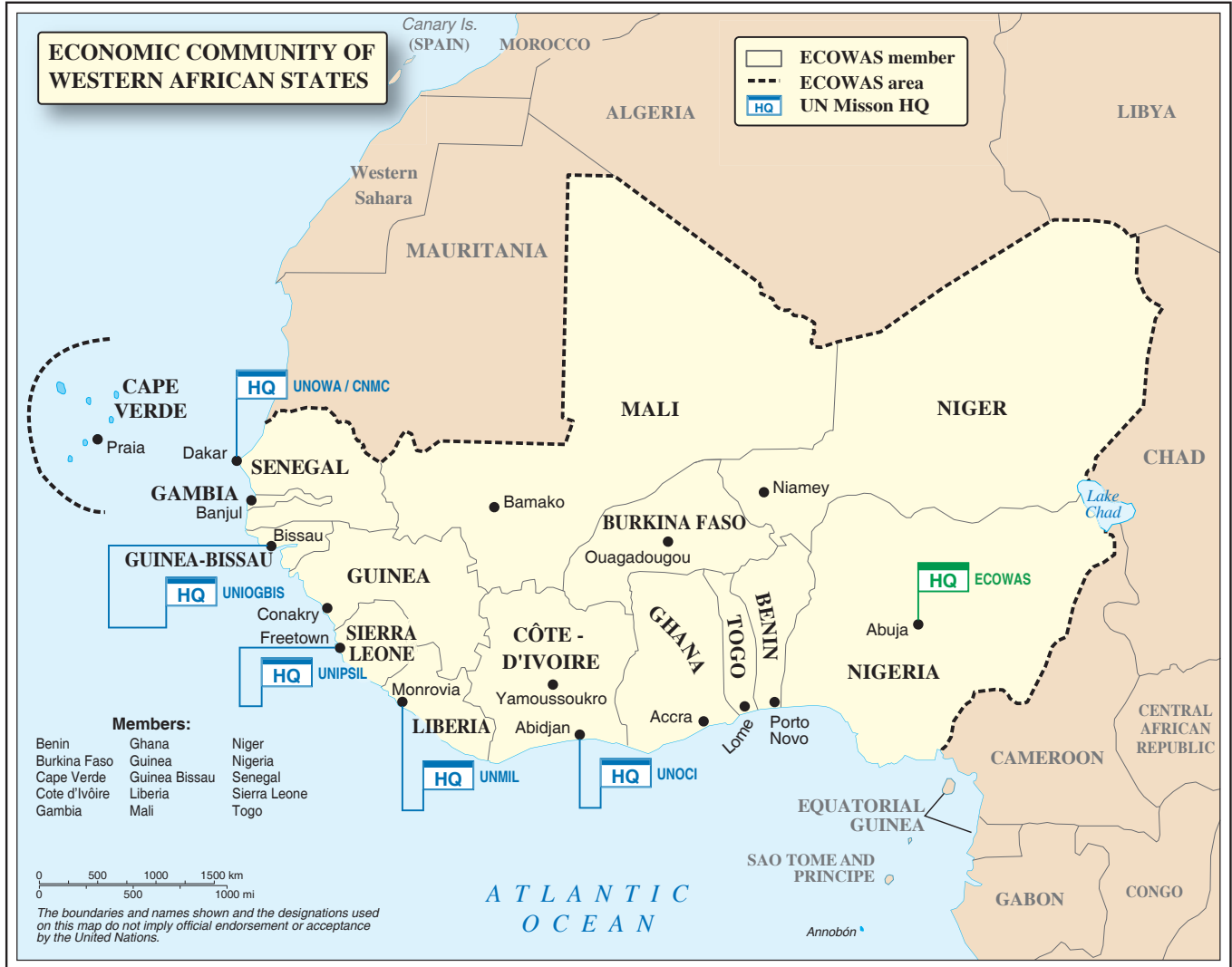
This occasional paper from the Global Centre for the Responsibility to Protect assesses institutions that play a role in mass atrocity prevention at the national, regional and international level in West Africa. From Ghana's National Peace Council to the Early Warning Response Network of the Economic Community of West African States, diverse actors throughout the region are taking critical steps towards safeguarding populations from mass atrocity crimes.

Case studies of Côte d'Ivoire, Guinea, Liberia and Sierra Leone review preventive mechanisms undertaken after mass atrocities have occurred, addressing the gaps between the need and desire to rebuild and the reality of post-conflict government capacity. This paper is being published at a moment that will serve as a critical test for preventive efforts undertaken by Guinea and Côte d'Ivoire as both countries prepare for October 2015 elections.

In the case of Côte d'Ivoire, following a 2011 post-election crisis that resulted in more than 3,000 deaths, the new government promised wide-ranging reforms to ensure that the country did not relapse into conflict. While many of these reforms have had positive results, an incomplete accountability and reconciliation process threatens the long-term stability of the country.

In Guinea, long-delayed parliamentary elections, a history of violent conflict and previous atrocities committed by the security forces created serious risks ahead of the 2013 legislative elections. While many worried that the government had not undertaken sufficient reforms, the elections that took place in September 2013 were relatively peaceful. As the country approaches a crucial presidential ballot, the case study examines the role of sustained engagement at the regional and international level in aiding Guinea in its preventive efforts.

Together these cases show that prevention, which is at the core of the Responsibility to Protect, has been embraced by a variety of West African states. While not all prevention and protection needs have been resolved, the paper argues that investments that result in incremental changes have significant value in helping societies become more resilient to mass atrocities. Finally, the persistence of West African countries in pursuing decades-long reforms demonstrates that while prevention is neither an easy nor a fast process, sustained commitment is essential to addressing the root causes of conflict and protecting vulnerable populations from mass atrocity crimes.



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INTRODUCTION

When United Nations (UN) Secretary-General Ban Ki-moon delivered his Five-Year Plan on 25 January 2012, outlining five “generational imperatives” that the UN needed to address, conflict prevention was prioritized.¹ The Secretary-General particularly emphasized early warning and expeditious action aimed at preventing violent conflict and violations of human rights, including through advancing the Responsibility to Protect (R2P).

The Secretary-General’s “imperatives” reflected two significant trends in international politics – the widening dialogue on R2P and a commitment to take prevention of mass atrocity crimes seriously. Unlike conflict resolution and crisis response, which have more easily measurable indicators of success, states and international organizations have historically struggled to evaluate successful preventive action. Nevertheless, political actors at the national, sub-regional, regional and global level are now implementing targeted measures to prevent the occurrence - or recurrence - of widespread and systematic violations of human rights.

During the 2005 UN World Summit, when member states adopted the Responsibility to Protect concept, they accepted three important principles, which were later explicated as R2P’s three “Pillars” in the Secretary-General’s 2009 report, *Implementing the Responsibility to Protect*.² The first two principles – every state has the primary responsibility to protect its population from genocide, ethnic cleansing, crimes against humanity and war crimes (Pillar I), and the wider international community should assist states in meeting this

responsibility (Pillar II) – are primarily preventive. In order for a state to uphold its sovereign responsibilities it must possess the capacity to prevent mass atrocities, and in upholding Pillar II responsibilities the international community agrees to provide the support necessary to ensure that national preventive mechanisms are effective. Only the final pillar of R2P explicitly addresses coercive measures when preventive efforts have failed.

The heightened emphasis on prevention is possibly the most critical element in ensuring that R2P changes the way the world confronts mass atrocities. By contrast with the idea of “humanitarian intervention,” R2P was never envisioned solely as an international military response to ongoing crises or as simply a new means of raising public awareness of mass atrocities. Pillars I and II emphasize that above all else, states can and should be developing and strengthening mechanisms that prevent atrocities before they occur.

The prevention of mass atrocities involves a synergistic relationship between conflict prevention and human rights protection, whereby all sectors of government, the security apparatus and society more broadly, need to be sensitized to respect human rights and eliminate discrimination. Governments must ensure that if conflict prevention fails and violence results, there are still mechanisms in place that prevent this violence from escalating into widespread and systematic mass atrocity crimes.³

Prevention of mass atrocities has been broken down into two broad categories: structural prevention and direct prevention (the latter is often also referred to as proximate or operational prevention). Structural prevention emphasizes long-term institutional measures, including reforms that promote fair and accountable governance, build confidence in the security sector and support economic development. Proximate prevention, by contrast, includes measures implemented prior to, or during, a conflict situation in order to prevent escalation that could result in mass atrocities. The key aspect of both forms of prevention is that, as former Australian Foreign Minister and the progenitor of R2P, Gareth Evans, notes, all sectors of government – political and diplomatic, economic and social, constitutional, legal and security – have essential roles to play.⁴

This Occasional Paper will examine measures undertaken by various actors within West Africa to prevent mass atrocities. The growing emphasis on prevention is particularly apparent in the region, with countries that previously experienced violent conflicts and mass atrocities, including Sierra Leone, Liberia, Côte d'Ivoire and Guinea, now implementing wide-ranging structural reforms. Other countries, most notably Nigeria, continue to struggle with armed groups perpetrating mass atrocity crimes within their borders.

This Occasional Paper is intended to provide perspective on the breadth of measures undertaken in the West Africa region to prevent atrocities, including actions by the Economic Community of West African States (ECOWAS), African Union (AU) and UN, providing country-specific examples of how those measures have been implemented. Two longer case studies – on Côte d'Ivoire and Guinea - will also provide an overview of the types of measures states can undertake in post-conflict situations, as well as gaps in implementation that may contribute to ongoing risks. Although it does not address the ongoing situations in Nigeria and Mali, by highlighting best practices from the region, this Occasional Paper indicates what approaches those governments could potentially adopt in preventing further atrocities.⁵

NATIONAL MECHANISMS FOR MASS ATROCITY PREVENTION

The 2005 UN World Summit Outcome Document and the 2009 Secretary-General's report on R2P make it clear that the prevention of mass atrocity crimes begins at home. States can undertake a variety of measures in order to ameliorate the risk of these crimes being perpetrated. While some of these measures may be explicit, such as the adoption of

legislation punishing the commission of crimes against humanity or the appointment of an R2P Focal Point within the government, other measures indirectly prevent atrocities through structural reforms.

The UN Secretary-General's 2013 report on *The Responsibility to Protect: State responsibility and prevention*, provides a comprehensive, though not exhaustive, list of measures that states can undertake to prevent atrocities as well as measures for the general promotion and protection of human rights. This list includes: constitutional protection, security sector reform, strengthening national institutions and legislative bodies, increasing equity in the distribution of resources, encouraging an active and diverse civil society, permitting independent media, as well as implementing effective early warning mechanisms and human rights education.⁶

The former Permanent Representative of Côte d'Ivoire to the UN, Youssoufou Bamba, reflected upon these measures during the UN General Assembly's 2013 interactive dialogue on the Secretary-General's report, noting that for countries emerging from conflict, "it is in this manner that societies resilient to mass atrocities build their foundations, and that the horizons of stability and lasting peace will be within our reach."⁷ Bamba also emphasized the significance of advancing national reconciliation, post-crisis reconstruction, disarmament and reintegration programs.

States in West Africa have approached the prevention of mass atrocities through a variety of means. Ghana has created an overarching body responsible for mainstreaming prevention throughout government institutions, while Liberia has prioritized immediate needs over long-term structural goals.

Liberia's Decade of Reform

During Liberia's 1989-2003 civil war more than 250,000 people were killed as civilians endured atrocities committed by all sides. When the war ended, Liberia was left with deep political and social cleavages and crippling developmental challenges, including mass unemployment and debilitating poverty. Twelve years after the signing of a 2003 peace agreement, Liberia still ranks 175 out of 187 countries on the Human Development Index.⁸

In 2004 the country needed to recover from the conflict and prevent further crisis. Among the necessary reforms were the disarmament of armed groups, disassociation of politicians and political parties from armed factions, establishment of

the rule of law, accountability for atrocities committed, and reconstruction of social and economic infrastructure in order to provide opportunities for ex-combatants.⁹ Since the political and economic capacity of the country was extremely low, reforms were slow. However, with the continued engagement of the UN and ECOWAS, Liberia was able to create national institutions for addressing these challenges.

Immediately following the conflict the transitional government undertook the disarmament of ex-combatants through the newly-created National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (NCDDRR). The NCDDRR included domestic representation as well as representatives from the UN, ECOWAS and the European Union (EU). In its first year of operation, the NCDDRR disarmed more than 100,000 ex-combatants and the program was officially completed in 2007.¹⁰

Early post-conflict responses also included the creation of the Independent National Commission for Human Rights (INCHR) and the Truth and Reconciliation Commission (TRC), which helped inform the priorities of the INCHR. The TRC, which released its final report in December 2008, found that the root causes of the civil war included “poverty, greed, corruption, limited access to education, economic, social, civil and political inequalities, identity conflict, land tenure and distribution, and the lack of reliable and appropriate mechanisms for the settlement of disputes.”¹¹ Following recommendations made by the TRC, the government created institutions to address these root causes. Among these were the Palava Hut Forum, Liberian Peacebuilding Office, Land Reform Commission and Governance Commission.

The continued presence of a UN peacekeeping force (UNMIL) in Liberia also contributed to reform of the security sector. UNMIL has worked with the government to help build a professional national police force that is trained to protect civilians. The United States has also assisted UNMIL and the Liberian security forces in strengthening policing, particularly through facilitating the creation of the Emergency Response Unit, which monitors the porous border between Liberia and Côte d’Ivoire where many militias and former mercenaries still operate.¹²

As part of its ongoing preventive efforts, in 2012 the Liberian government undertook a 150-day Action Plan to address issues under five pillars that still needed development: Reconciliation, Youth Empowerment and National Visioning; Jobs, Education and Better Services; Infrastructure and Economic

Development; Governance, Rights and Transparency; and Security, Justice and the Rule of Law.¹³ Following this process, the government adopted three documents, each of which has a conflict prevention and accountability element: The National Vision 2030, the Agenda for Transformation and the Strategy Roadmap for National Healing, Peace-building and Reconciliation.

While Liberia still faces many challenges, including in implementation of the three Action Plan outcome documents, over the past decade the government has undertaken ambitious initiatives aimed at preventing a recurrence of civil war and mass atrocities. The government has also signaled its ongoing commitment by hosting an inter-ministerial forum on R2P and appointing an R2P Focal Point – a senior government official tasked with coordinating domestic mass atrocity prevention efforts.

Ghana’s National Architecture for Peace

While Ghana has been stable and peaceful over the last two decades, the northern part of the country has a history of sporadic inter-ethnic conflict.¹⁴ The most notable outbreak of violence occurred in 1994 between primarily ethnic Konkomba and Nanumba, resulting in an estimated 5,000 deaths.¹⁵ Following subsequent episodes of localized ethnic violence, the government and civil society responded with inter-communal mediation and the formation of commissions of inquiry.¹⁶ However, these efforts failed to adequately address the root causes of conflict.

In 2002 the government began exploring new approaches to mitigating conflict, eventually resulting in the formation of the National Peace Council (NPC). The NPC, which is the first major element of Ghana’s “national architecture for peace,” was created in 2006 and legally established via Parliamentary Act 818 of 2011. The primary function of the NPC is to “prevent, manage and resolve conflict and to build sustainable peace.”¹⁷ Through these efforts, the NPC has been able to institutionalize mechanisms for peacebuilding and crisis response that can prevent potential mass atrocities.

The NPC is divided into three-tiers with national, regional and district-level councils. All of the councils are composed of diverse stakeholders from across Ghanaian society. Their core functions include mediating disputes, engaging with and educating the public, facilitating trust-building and reconciliation activities, and initiating training and capacity building programs. The councils also provide guidance

to governing and security institutions regarding conflict prevention.¹⁸ Currently only the national-level mechanism, known as “the Board,” is fully operational while the institutionalization of councils at the regional and district level is part of the NPC’s current five-year plan.

When the peace infrastructure is fully operational it will have three key features that will strengthen its preventive capacity – the decentralization of national peace institutions, strong government partnerships with civil society and legally-mandated independence. The decentralization of the NPC via Regional and District Peace Councils helps develop its ability to tailor responses to local grievances. Similarly, the representation of diverse stakeholders on the various councils ensures that within each district and region various ethnicities, religions and chieftaincies do not feel marginalized from the overall peacebuilding process. The independence of the NPC helps prevent cooption by government and ensures its “watchdog” function. Furthermore, the institutionalization of these councils safeguards their continuity beyond any change of government. Tellingly, Ghana’s Peace Councils have already been replicated in other countries, such as Kenya, and are increasingly viewed as an effective mechanism for strengthening resilience to mass atrocities.¹⁹

Liberia and Ghana have both undertaken significant domestic initiatives to prevent mass atrocities. Many of their initiatives have been designed at home, but implemented with the help of outside partners. Ghana also facilitated the spread of mass atrocity prevention values internationally, and particularly among its West African neighbors, by launching the Global Network of R2P Focal Points alongside the government of Denmark in 2010 and hosting the third meeting of the network in Accra during June 2013. Since that time, four additional states from West Africa - Côte d’Ivoire, Guinea, Liberia and Sierra Leone - have signaled their deepening commitment to mass atrocity prevention through the appointment of R2P Focal Points.²⁰

As the following two sections will demonstrate, the creation of national mechanisms for prevention of atrocities in West Africa could not have been accomplished if sub-regional, regional and international actors did not also actively uphold their “Pillar II” responsibilities. The cases in West Africa demonstrate the critical role that ECOWAS, AU, UN and other international actors have played in contributing resources and assisting in the implementation of domestic mass atrocity prevention.

THE ROLE OF REGIONAL AND SUB-REGIONAL ORGANIZATIONS

African regional and sub-regional organizations, including the AU and ECOWAS, play an important role in mass atrocity prevention and crisis response. Through the AU’s constitutive documents and several ECOWAS protocols and institutions, these organizations embraced the objective of mass atrocity prevention even prior to the 2005 UN World Summit.²¹

The AU has deployed numerous peacekeeping missions to countries and regions experiencing identity-based conflicts, including Burundi, Darfur, Somalia and, most recently, Central African Republic. ECOWAS has similarly intervened to address major crises and conflicts in Liberia, Sierra Leone, Côte d’Ivoire, Guinea Bissau and Mali.²² Additionally, both have also responded to emerging conflicts with mediation, preventive diplomacy and other non-military means in order to avert escalation and have also developed early warning mechanisms.

African Union

The transformation of the Organization of African Unity into the AU in 2002 resulted in many changes to the African continent’s approach to conflict and mass atrocity prevention. The Constitutive Act of the AU contains the first notable steps towards formalizing the norm of non-indifference to mass atrocity crimes within the organization, as opposed to the previous adherence to a doctrine of “non-intervention” in the affairs of other sovereign states.

The Constitutive Act contains three elements that provide the AU and its member states with the means to respond to crises in the region. Article 4(h), which grants the organization the right to intervene in cases of war crimes, genocide and crimes against humanity, is the most widely cited, but Articles 4(j) and 9 also support the prevention of mass atrocities.²³

These principles were operationalized through the creation of the AU’s Peace and Security Council (PSC), which acts as the decision-making body of the AU on security-related matters, including initiating fact-finding missions and authorizing deployment of AU missions to respond to crises in which mass atrocities are threatened or are already occurring. The PSC contains four institutional components that help facilitate the AU’s actions: the African Standby Force, Continental Early-Warning System (CEWS), Panel of the Wise and Peace Fund.

CEWS' primary purpose is to inform the President of the AU of any emerging crises on the continent and provide early warning to the PSC so that they can develop a necessary response. CEWS also serves a role in coordinating the activities of sub-regional monitoring mechanisms so information regarding emerging threats is shared in an expeditious manner.²⁴

Though not yet fully operational, the African Standby Force and the Peace Fund are designed to respond in a timely manner to developing conflicts within member states. Whereas in recent conflicts, including in the Central African Republic, the deployment of African-led forces has been delayed by resource deficiencies, a fully-functioning Peace Fund could ensure that the organization responds to crises prior to the outbreak of mass atrocities rather than waiting for commitments from outside donors.

Economic Community of West African States

When ECOWAS was founded in 1975 its purpose was to promote economic integration in the West Africa region, but it has evolved and now addresses the promotion of human rights, peaceful settlement of conflicts and other security-related issues. ECOWAS members recognized during the 1990s crises in Sierra Leone, Liberia and Côte d'Ivoire that identity-based conflict within one West African country has the capacity to escalate into wars that may spill over borders and destabilize the region. As a result, the organization has been commended for its military and diplomatic engagements with regard to emerging conflicts.²⁵

In 1999 ECOWAS adopted the Protocol Relating to the Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security.²⁶ This Protocol is noteworthy for two reasons. First, it formalized an ongoing mechanism for conflict resolution, rather than responding ad-hoc to emerging crises. Secondly, it institutionalized the creation of the ECOWAS Early Warning and Response Network (ECOWARN), a sub-regional monitoring tool for conflict prevention. In 2008 both mechanisms were integrated into the ECOWAS Conflict Prevention Framework.

ECOWARN provides early warning information on emerging situations via 30 field monitors responsible for reporting on conditions within West African countries. In a multi-tiered system, field monitors report to Zonal Bureaus, which correspond with the Observation and Monitoring Centre within the ECOWAS Commission. Since 2004 ECOWARN has

bolstered its analytical strength through a formal relationship with the West African Network for Peacebuilding, a regional grouping of civil society organizations that provide their own monitoring analysis. This is particularly important in countries where government presence is limited outside of major urban areas. Information gathered in the field is reported to ECOWAS' Early Warning Directorate, which is responsible for submitting recommendations for action.²⁷

ECOWAS has also encouraged a sub-regional culture of conflict prevention, linking normative values with local institutions. This is best displayed through the Supplemental Protocol on Democracy and Good Governance. The Supplemental Protocol encourages states to adopt legislation and develop institutions that help ameliorate the risk of violent conflict, including revised policies for elections and security sector reform.

Fifteen years after the adoption of the Mechanism for Conflict Prevention, Management and Resolution of Conflicts, Peacekeeping and Security, many of these initiatives are still only at a developmental stage. Nevertheless, even when ECOWAS has been unable to help its member states avert conflict, it has often been at the forefront of responding to violence, mobilizing an international response to forestall escalation and prevent mass atrocities. It has also been instrumental in assisting states in maintaining international attention during the post-conflict phase.

However, ECOWAS has sometimes struggled to mobilize a timely response to mass atrocity situations when the aims of the region's largest power, Nigeria, are at odds with the views of other leading member states. The formation of a sub-regional force to respond to atrocities in Mali and Côte d'Ivoire, for example, was delayed for this reason. ECOWAS, which is headquartered in Abuja, Nigeria, also remained unusually quiet as Boko Haram escalated its attacks on populations in northern Nigeria during 2014. ECOWAS' comparative silence may be a consequence of the government and other international partners framing the conflict within the context of counter-terrorism rather than atrocities.

INTERNATIONAL PREVENTIVE CAPACITY AND SUPPORT

The UN and international donors operating in West Africa also play a critical role in the prevention of conflict and mass atrocities. Through various initiatives, undertaken in cooperation with West African governments, these actors

uphold their Pillar II responsibilities by identifying measures to prevent mass atrocities and providing technical and financial assistance necessary for implementation. Although this section focuses primarily on the various UN institutions engaged in preventive efforts in West Africa, many other international actors also play a vital role.²⁸

For example, several countries in West Africa have directly benefited from action taken by an international contact group formed in response to an emerging crisis. The International Contact Group for Guinea (ICG-G), for example, helped to mobilize donor funds and participated in mediation efforts in advance of the 2010 general election. The ICG-G met thirteen times between its formation in February 2009 and May 2010, facilitated discussions between relevant political actors within Guinea, provided the government and regional actors with support for security sector reform and governmental transition, and encouraged the government to deploy increased security to political hot-spots.²⁹

United Nations

Conflict prevention remains a core focus of the UN. Within Africa this includes maintaining peacekeeping and peacebuilding missions, assisting countries that have recently experienced conflict with reconciliation and reform efforts and the 2002 creation of the UN Ad-hoc Working Group on Conflict Prevention and Resolution in Africa. The Human Rights Council has also instituted mechanisms for technical support to many African countries and, in addition to ongoing visits by Special Procedures with thematic mandates, in West Africa there are also country-specific independent experts for Côte d'Ivoire and Mali.

In terms of operational prevention, the UN Department of Peacekeeping Operations has had an extensive presence in the West Africa region over the past two decades. Several ECOWAS and AU-led peacekeeping missions were later converted into substantial UN peacekeeping operations, including in Côte d'Ivoire, Liberia, Sierra Leone and Mali. These missions typically maintain an active presence within the country long after the formal end of a conflict in order to avoid a recurrence of violence, and often participate in security sector reform, disarmament campaigns and election observation.

While peacekeeping operations often make the most visible contribution to preventing or ending conflict, other UN agencies also assist states with structural prevention.

Peacebuilding Commission

The creation of the Peacebuilding Commission (PBC) was first announced in the 2005 World Summit Outcome Document, which called for the creation of a PBC, Peacebuilding Fund (PBF) and Peacebuilding Support Office.³⁰ The UN Security Council and General Assembly formally created the PBC in December 2005. The PBC was to lead UN efforts in “preventing conflicts, assisting parties to conflicts end hostilities and emerge towards recovery, reconstruction and development and in mobilizing sustained international attention and assistance.”³¹ The PBC and entire UN Peacebuilding architecture underwent a strategic review process during 2015.

The agenda of the PBC currently includes six country-specific configurations, four of which are in West Africa: Guinea, Guinea-Bissau, Liberia and Sierra Leone.³² Countries on the agenda include states that were referred to the PBC by the Security Council or Secretary-General as they emerged from conflict or, in exceptional cases, states that were referred by other means when they were “on the verge of lapsing or relapsing into conflict.”³³ The PBC works with each country to identify national priorities for peacebuilding. In Liberia, for example, the PBC engaged bilateral donors as well as the EU, World Bank, African Development Bank and ECOWAS in order to secure funding for the country’s reconciliation and peace consolidation efforts.³⁴

Political Missions and Peacebuilding Support Offices

The UN’s commitment to harmonizing peacebuilding and conflict prevention efforts in West Africa is illustrated through its creation of two peacebuilding-support offices in Sierra Leone and Guinea-Bissau as well as its political mission for the region, the UN Office for West Africa (UNOWA), which was established by the Security Council in 2002.

UNOWA acts as a facilitator and coordinator of UN contributions to the West Africa region. It oversees programs regarding governance, security sector reform, youth unemployment, organized crime, corruption and poverty. The office also collaborates with ECOWAS in order to enhance sub-regional approaches to human rights issues and to address cross-border threats, including the movement of refugees, arms and militias.³⁵ UNOWA has provided continuous support to ECOWAS for the implementation of the Conflict Prevention Framework, including the incorporation of conflict prevention mechanisms during electoral periods.³⁶

For example, UNOWA directly engaged with Guinea on security sector reform and the prevention of violence prior to their 2013 legislative elections. The then-Head of UNOWA and the UN Special Representative for West Africa, Said Djinnit, was instrumental in facilitating discussions between the incumbent government and opposition parties in Guinea in order to ensure that the September 2013 elections were peaceful.³⁷

UN Development Programme

Through its programs to create and promote economic development, training and improved physical infrastructure, the UN Development Programme (UNDP) makes long-term structural improvements in the livelihoods of civilians while also addressing some of the factors that contribute to conflict and potential mass atrocities. This can be seen in countries where UNDP-funded projects create jobs for youths and ex-combatants who might otherwise turn (or return) to armed violence. In Sierra Leone, for example, after the government created the National Youth Commission in 2011, UNDP provided vital assistance to the body.³⁸

Aside from its traditional role in the promotion of economic development, in West Africa UNDP has also helped develop national mechanisms for conflict and mass atrocity prevention, including Ghana's National Peace Council. Following electoral violence in 2002 UNDP facilitated crucial communication between rival parties in Ghana and still provides technical and capacity building support to regional and district peace councils.³⁹

In addition, through its role as administrator of the Multi-Partner Trust Fund Office (MPTF), UNDP facilitates distribution of donor funds, including from the Peacebuilding Fund. Since 2009 MPTF has overseen the distribution of nearly \$50 million (US\$) to Liberia to fund programs that support inter-ethnic and inter-communal reconciliation, strengthening the justice system and rule of law, developing community-based peace management, and creating the Land Commission and a Platform for Dialogue and Peace.⁴⁰ These projects have been essential to the stability of Liberia.

Sierra Leone's Reconciliation and Rehabilitation

The relationship between Sierra Leone and the international community following the country's 1990-2002 civil war provides one of West Africa's best examples of sustained international engagement in the spirit of Pillar I and Pillar II of the Responsibility to Protect.

The civil war in Sierra Leone resulted in more than 50,000 people killed in just over ten-years of fighting during which both sides committed war crimes and crimes against humanity.⁴¹ The UN Security Council established the UN Mission in Sierra Leone (UNAMSIL) via Resolution 1270 of October 1999. Within its peacekeeping capacity, UNAMSIL participated in the national reconciliation and rebuilding process. In particular, UNAMSIL conducted disarmament, demobilization and reintegration programs for combatants, assisted the new government in implementing security sector reform and provided technical assistance to create the Truth and Reconciliation Commission.⁴² UNAMSIL also supported the government in organizing and conducting elections that were largely conflict-free during 2002 and 2004.

While working to establish peace and security, the UN also helped create the Special Court for Sierra Leone in 2002 to hold accountable those bearing the greatest responsibility for violations of international law, including war crimes and crimes against humanity.⁴³ The Court's most well-known trial was of Charles Taylor, former President of Liberia, for his role in fomenting mass atrocities committed by Sierra Leone's Revolutionary United Front between November 1996 and January 2002. On 30 May 2012 Taylor was convicted for planning and aiding in the commission of crimes against humanity and war crimes.⁴⁴

In 2005 the UN Security Council replaced UNAMSIL with a political mission, UNIOSIL, which focused upon structural reforms designed to prevent future conflict, including enhancing good governance and rule of law, and strengthening the government's ability to address the causes of past conflict.⁴⁵ These measures also sought to decrease poverty and improve coordination among international development partners in order to confront high youth unemployment.

In October 2008, the Security Council replaced UNIOSIL with the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL). UNIPSIL built on the mandate of UNIOSIL, contributing to further security sector reform and the strengthening of human rights institutions. UNIPSIL's head, Michael von der Schulenberg, consolidated peace efforts by ensuring the UN's "Joint Vision for Sierra Leone" complemented the government's own "Agenda for Change."⁴⁶ Satisfied with the increasing stability of Sierra Leone, the UN transferred UNIPSIL's responsibilities to the UN Country Team as of 31 March 2014.⁴⁷

In addition to these missions, in July 2006 Sierra Leone was added to the agenda of the PBC, which assisted in the development of the Sierra Leone Peacebuilding Cooperation Framework in 2007. The Framework addressed priorities for both the government and PBC in addressing youth unemployment, security sector reform and other aspects of conflict prevention. Between 2007 and 2013 members of the PBC advocated for sustained international engagement and contributions from development partners in Sierra Leone, resulting in an above-average level of assistance for a state ten-years post-conflict, according to a 2012 PBC report.⁴⁸ The MPTF has distributed more than \$30 million (US\$) of funding for programs that include support to Sierra Leone's Human Rights Commission.⁴⁹

International efforts to aid Sierra Leone displayed two key features. First, the UN maintained a long-term presence via a gradual transition from peacekeeping to peacebuilding. This transition was a strong display of Pillar II efforts to help a country build mechanisms for prevention, early warning and conflict mediation.

Second, each successive UN mission in Sierra Leone, as well as the PBC and international donors, were careful to ensure complementarity between their programs and those designed by the government, and in many cases set benchmarks that specific actors should fulfill. This allowed the government to take ownership of the process while also maintaining the sustained external support necessary to achieve these goals.

While Sierra Leone's civil war ended more than ten years ago, it can provide valuable lessons for states that are in the initial stages of working with international partners to implement preventive measures. The longer case studies that will be discussed in the next section involve two such West African states, Côte d'Ivoire and Guinea, whose recent conflicts provided national actors and their sub-regional, regional and international partners with fresh challenges regarding the prevention of mass atrocities.

POST-CRISIS STRUCTURAL REFORM CASE STUDIES

While the crises in Côte d'Ivoire and Guinea were sparked by circumstances unique to each national context, they also have several noteworthy qualities in common. Both situations were the result of previous governments' failures to address the root causes of conflict, particularly with regard to the overlap between inter-communal disputes and formal political

grievances, and a corresponding failure to adequately deter organized violence. As a result, while observers may not have been able to predict the exact course of events, ample early warning existed in both countries that conditions were present for a potential outbreak of catastrophic conflict. Furthermore, statements and reports issued by the UN Office of the Special Advisers for the Prevention of Genocide and the Responsibility to Protect formally framed each of these emerging situations within the context of R2P.

The two cases also show the integral role of ECOWAS in confronting these crises before the AU or UN were prepared to. In contrast to areas where regional or sub-regional actors have been reluctant to act, ECOWAS led the international response to both Côte d'Ivoire and Guinea. In addition, while the governments of both countries have promised wide-ranging reforms to ensure that their country does not relapse into violence, risks remain as they both approach October 2015 presidential elections.⁵⁰

CÔTE D'IVOIRE

Côte d'Ivoire's recent history of ethnically-motivated violence started in 1993, following the death of President Felix Houphet-Boigny, who had ruled for more than thirty years. Politicians in the late 1990s began using ethnicity to mobilize political constituencies, particularly by accentuating divisions between groups viewed as indigenous and those classified as "Burkinabe" migrants.

These deepening ethnic and political fissures contributed to the outbreak of civil war in September 2002, which continued with sporadic fighting throughout 2003. During the war, state security forces and "patriotic youth" militias loyal to then-President Laurent Gbagbo and his Front Populaire Ivoirien (FPI) party or to the opposition rebel group, the Forces Nouvelles (FN), committed mass atrocities against the population. This included summary executions, kidnappings, disappearances, arbitrary detention and torture.⁵¹

During a French-led mediation that resulted in the formation of the Government of National Reconciliation, competing parties developed a nine-point plan designed to address "disarmament, security sector reform, human rights violations and media incitement to xenophobia and violence, the organization and supervision of elections, and measures to end divisive policies on national identification, citizenship, foreign nationals, land tenure and eligibility for the presidency."⁵²

Despite agreements negotiated at the end of the civil war, a tense situation remained as the agreed election timeline, with Presidential elections to be held in 2005, was not met and the FN refused to disarm until elections were held. Sporadic clashes continued until a new accord, the Ouagadougou Peace Agreement, was reached between the government and the FN in 2007. The agreement established new mechanisms for electoral registration and identification, benchmarks for security sector reform, new monitoring guidelines that separated FN-controlled areas from government-controlled areas, and an inclusive government with the head of the FN serving as Prime Minister.⁵³ Upholding the Ouagadougou Peace Agreement was viewed by international observers as giving Côte d'Ivoire its best prospect for emerging from interminable conflict.

However, the country remained divided between armed forces supporting President Gbagbo in the south and the FN controlling areas in the north. In addition, continued divisions in western Côte d'Ivoire resulted in ongoing competition between the security forces, FN combatants and other armed groups with widespread violence and abuses against the civilian population going unpunished. Human Rights Watch noted in October 2010 that while levels of violence had gradually declined elsewhere in the country, conflict in the west continued as a result of “failed or non-existent state structures to protect and ensure justice for abuses, widespread proliferation of arms, and lack of political will to improve rule of law on both sides of the politico-military divide.”⁵⁴ Targeted attacks on civilians in a region where ethnic and land-ownership conflicts were particularly acute put these populations at ongoing risk of mass atrocities.

The situation reached a deadly climax when, after the postponement of national elections for more than five years, Côte d'Ivoire concluded presidential elections on 28 November 2010 with a run-off between incumbent President Laurent Gbagbo and Alassane Ouattara of the FN-affiliated *Rassemblement des Républicains* party. While voting was relatively peaceful, a political crisis was sparked when the Constitutional Council overturned the Independent Election Commission's (CEI) declaration that Ouattara won the election. International observers, including the UN peacekeeping mission in Côte d'Ivoire (UNOCI), confirmed that Ouattara had won and urged Gbagbo to “respect the will of the people” by stepping down. Gbagbo refused to accept defeat, however, and the two men formed parallel governments while their supporters throughout the country, including the official armed forces and FN rebels, began attacking

communities based upon ethnic identity and corresponding perceived political support.

ECOWAS responded rapidly to the mounting crisis, urging the CEI to formally release the electoral results, and announcing its acceptance of a Ouattara victory, a point which was acknowledged by the UN Security Council in their own statement on the situation. As the crisis continued, the AU and ECOWAS suspended Côte d'Ivoire's membership from their organizations. Meanwhile, ECOWAS' regional bank, as well as the United States and EU, imposed targeted asset freezes and other economic sanctions against prominent members of Gbagbo's government.

ECOWAS and the AU sent mediation teams to Côte d'Ivoire seven times between December and February, but each team failed to bring the contending candidates together or end armed clashes. After a failed mediation attempt on 2 January 2011, ECOWAS began planning for a potential regional intervention force to remove Gbagbo. On 19 January ECOWAS held an emergency summit to discuss a 6,500-strong standby force.

On 28 January Uganda and Angola openly challenged the UN's declaration that Ouattara had won the election. Similarly, it was reported on 8 February that unity among African states regarding Gbagbo's removal was dissolving, putting into question whether ECOWAS could garner enough regional support for an intervention. Also on 28 January, the AU formed a High-Level Panel for the Resolution of the Crisis in Côte d'Ivoire tasked with developing strategies for regional actors and submitting their findings to the AU.

During March the conflict escalated in the western regions of the country and in Abidjan, the economic capital, with Gbagbo supporters and security forces targeting political opponents, members of ethnic groups associated with Ouattara, including the Dioula, and nationals from other West African countries. Armed Ouattara supporters were also increasing their assaults on Gbagbo supporters. Between 26 and 28 March security forces and militias supporting both Gbagbo and Ouattara killed over 1,000 civilians in massacres near Duékoué in western Côte d'Ivoire.⁵⁵

On 30 March the Security Council passed Resolution 1975 authorizing UNOCI to use “all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence... including to prevent the use of heavy weapons against the civilian population.” After a five-day operation conducted

with support of French forces, UNOCI announced that Gbagbo had surrendered and was in UN custody. Resolution 1975, which reaffirmed the “primary responsibility of each state to protect,” was widely seen as the Security Council’s second application of coercive measures under Pillar III of R2P in order to halt atrocities in a sovereign state.⁵⁶

From the November run-off election until the violence ended in June 2011, clashes between security forces and rival supporters of Gbagbo and Ouattara left more than 3,000 Ivoirians dead, forced 100,000 to take refuge in neighboring countries and resulted in nearly 1 million internally displaced. During that time the Responsibility to Protect was invoked in statements by the High Commissioner for Human Rights, the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect and many other UN and member state officials. In the three years since the post-election crisis, sporadic violence has recurred, albeit with decreasing frequency, in Abidjan and western Côte d’Ivoire amongst members of the same ethnic groups that previously supported Ouattara and Gbagbo, indicating that the roots of the crisis reach deeper than Gbagbo’s refusal to cede the presidential office.⁵⁷

However, both the AU and ECOWAS remain engaged in Côte d’Ivoire’s recovery and rebuilding process. During November 2011 the AU dispatched a mission to assess the post-conflict reconstruction and development needs of Côte d’Ivoire.⁵⁸ Since 2011 UNOCI has also actively engaged in supporting the government’s reconciliation and rehabilitation efforts.

Post-Crisis Response

Following the crisis, President Ouattara and the new government undertook several initiatives to promote reconciliation and accountability and to prevent a recurrence of violence. This included the creation of a National Commission of Inquiry. Structural reforms, including domestic promotion of human rights and reforms aimed at the underlying causes of the conflict, such as the adoption of new land tenure laws, were delayed until the country stabilized, but have recently started to be implemented.

Within the judiciary the Ivoirian government created three institutions for ensuring reconciliation and accountability: the Special Investigative Cell, the National Commission of Inquiry (CNE) and the Commission on Dialogue, Truth and Reconciliation (CDVR).

The Special Investigative Cell was created in June 2011 to perform judicial investigations into mass atrocities and other crimes committed during the post-election crisis. The goal of the Cell is to end the impunity that has plagued Côte d’Ivoire following previous conflicts.⁵⁹ Within its first three months of operation the cell consulted more than 2,400 “knowledgeable parties” and victims of the crisis.⁶⁰ The Cell was later criticized, however, for seeking a largely one-sided “victor’s justice.”⁶¹ During December 2013 President Ouattara responded to some of these concerns by strengthening the Cell’s mandate, which has been credited with improving the independence and legitimacy of its investigations.⁶²

The CNE was created in July 2011 following a report delivered by the International Commission of Inquiry to the UN Human Rights Council. The CNE interviewed victims throughout the country, releasing its final report in August 2012. Although the CNE had been accused of bias, largely as a result of Gbagbo’s party refusing to take seats on the Commission, and was criticized for being under-resourced, the final report found that pro-Ouattara forces had been responsible for more than 700 deaths while pro-Gbagbo forces committed 1,400 killings. The CNE documented mass atrocity crimes committed by more than 545 Ouattara supporters and 1,009 Gbagbo supporters during the crisis. The CNE outlined policy recommendations for ensuring accountability and reforming government institutions to address the causes of the 2011 crisis.⁶³

The CDVR was created in July 2011 to investigate the causes of violent conflict in Côte d’Ivoire. Unlike the CNE and the Special Investigative Cell, the CDVR’s mandate was not limited to the violence following the December 2010 elections, but examined historical cleavages within society and government. With a two-year mandate, the CDVR was expected to perform a national consultation to understand the causes of conflict, promote understanding and reconciliation, improve human rights education and develop tools for monitoring and preventing any recurrence of violence. In November 2013 the CDVR submitted a report to the President based upon more than 40,000 consultations. The report documented human rights violations and violence from 1999 until 2013.⁶⁴

While the CDVR awaited a renewal of its mandate in 2014, many called for a restructuring of the institution, arguing that it had not accomplished enough.⁶⁵ In particular, the Commission had not yet held public hearings or planned reparations for violations of human rights, although it claimed to have helped initiate dialogue between Ouattara’s and Gbagbo’s political parties.⁶⁶ In addition, civil society in Côte d’Ivoire complained

that the CDVR focused too much on dissecting the causes of the violence and not enough on supporting victims in seeking justice.⁶⁷ The CDVR submitted its final report to the President in December 2014, though its contents and recommendations have not yet been made public.

During March 2015 President Ouattara appointed a Catholic archbishop who formerly served on the CDVR to head the National Commission for Reconciliation and Compensation of Victims (CONARIV), a new reconciliation institution which will reportedly replace and finish the work of the CDVR and initiate a reparations program.⁶⁸ CONARIV's National Programme for Social Cohesion announced that some of the 74,000 registered victims of the conflict were eligible to start receiving reparations payouts beginning in July 2015.

In addition to judicial institutions, the Authority for Disarmament, Demobilization and Reintegration (ADDR) of ex-combatants, was created by Presidential decree on 8 August 2012.⁶⁹ According to the International Commission of Inquiry and the UN Group of Experts on Côte d'Ivoire, following the crisis there were approximately 65,000 combatants dispersed throughout the country. The ADDR serves under the national security council of the President and is responsible for not only convincing individuals to lay down their arms, but also for establishing cohesion and trust within and between communities as ex-combatants reintegrate into society. The ADDR is also expected to help ex-combatants secure employment. By emphasizing economic reintegration, the ADDR aims to ensure that ex-combatants do not have a material incentive to return to violence should another crisis arise.

As of May 2015 more than 50,000 fighters had been disarmed, with the aim of disarming the final 15,000 by the end of June.⁷⁰ Several thousand demobilized fighters continue to wait for reintegration assistance. Additional challenges include the ongoing flow of arms into northern Côte d'Ivoire as a result of its porous borders with Guinea and Mali, as well as mercenaries and ex-combatants who fled to Liberia and continue to pose an intermittent threat to communities along the border region.⁷¹

Another institution, the National Human Rights Commission (CNDHCI), was created in December 2012. The CNDHCI is charged with ensuring that the government ratifies and implements international human rights instruments, and investigates violations of human rights under national and international law, particularly when such violations

are committed by government authorities.⁷² As such, the CNDHCI is advising legislators on how to harmonize national law with international standards, and publicly promoting information about fundamental rights. To strengthen the institution's capacity, the CNDHCI's leadership received training from UNOCI on international mechanisms for human rights protection and techniques for monitoring, investigation and reporting.⁷³ Together with the Office of the UN High Commissioner for Human Rights (OHCHR) and UNOCI, in October 2014 the CNDHCI launched a monthly forum for the promotion and protection of human rights in the country, including government ministries and more than thirty civil society organizations.⁷⁴

Another important measure the government needed to undertake following the 2010-2011 crisis was to reform the electoral process. In particular, the CEI needed to be overhauled.⁷⁵ Although "independent" in name, the commission was politically-driven with representation from the major political parties rather than neutral government civil servants or civil society representatives.⁷⁶ The government finally began reforming the CEI in 2014, including by expanding the office from six to nine officials. The reformed CEI has taken critical steps towards preparing for peaceful 2015 elections. The National Assembly has adopted more than a dozen amendments to the electoral framework based upon recommendations from the new CEI, while the UN and CEI jointly launched a platform to facilitate inclusive, transparent elections.⁷⁷

On 26 August 2013 Côte d'Ivoire's legislature also adopted laws addressing land tenure and nationality, two issues that have contributed to the country's long-standing divisions. Under the previous land-tenure system, property ownership was enforced via customary laws and individuals needed to establish citizenship in order to be land owners.⁷⁸ The new law on nationality allows all foreign nationals who migrated to Côte d'Ivoire prior to independence or were born in the country between 1961 and 1973, as well as their descendants, to claim Ivoirian citizenship. This means that individuals who were previously considered immigrants, despite having families that had lived in the country for generations, can now formally claim ownership over the land that they live on.⁷⁹ By implementing these laws the government can ease the tensions that individuals in many western and northern localities have previously used to justify the mistreatment and marginalization of groups they consider to be ethnic outsiders.

International Support

UNOCI continues to assist with ongoing reforms in Côte d'Ivoire, particularly regarding the security sector and human rights training. During 2012 and 2013 UNOCI supported the government's National Security Council in the drafting of a police action plan and supported projects designed to restore civilian confidence in the security sector. UNOCI facilitated training of more than 6,900 law enforcement personnel with regard to ethics, human rights, child protection and sexual and gender-based violence. In addition, they trained 500 members of the national security forces in the protection of civilians and have organized workshops on the professionalization of the army.⁸⁰

UNOCI also provides the government with support in the area of human rights monitoring and defense. UNOCI trained members of the CNDHCI and other government officials on international and regional human rights standards, focusing on monitoring, investigation and reporting techniques. Since the government's own capacity remains weak, UNOCI also continued to monitor violations of human rights, including those committed by the security forces.⁸¹ The mission is mandated to help facilitate the country's October 2015 elections and has coordinated with the government on an electoral security plan.⁸² The Human Rights and Public Information division of UNOCI has also worked with local leaders and civil society to host various public fora on national reconciliation, social cohesion and promotion of peaceful elections.⁸³

Côte d'Ivoire has also benefited from UNOCI's relationship with UNMIL in neighboring Liberia. In 2010 the UN Security Council authorized a brief redeployment of UNMIL troops and helicopters to support UNOCI during the election period. In addition to information sharing and border monitoring, UNOCI and UNMIL have also participated in the development of joint security operations between Liberia and Côte d'Ivoire. The two missions, together with the governments of Liberia and Côte d'Ivoire, regularly meet as a formal "Quadripartite" group to discuss ongoing issues of border security.

The International Criminal Court (ICC) has also contributed to accountability for crimes committed during the post-electoral crisis. Although Côte d'Ivoire did not become a party to the Rome Statute until 15 February 2013, on 14 December 2010, President-elect Ouattara sent a letter to the ICC reaffirming the jurisdiction of the court to investigate crimes committed in Côte d'Ivoire since 2004. Following Gbagbo's removal,

President Ouattara issued another letter on 3 May 2011, requesting the court's assistance in ensuring accountability for the most serious crimes perpetrated during the post-election violence. On 30 November 2011 a warrant for the arrest of Gbagbo was formally unsealed and he was transferred to The Hague later that day. Gbagbo's trial on four counts of crimes against humanity committed between December 2010 and April 2011 will begin in November 2015.

The ICC also issued arrest warrants for former first lady Simone Gbagbo and Charles Blé Goudé, former leader of the Youth Patriots militia and Gbagbo's Youth Minister.⁸⁴ Blé Goudé was arrested in Ghana in January 2013 and immediately transferred to Abidjan. In March 2014 Côte d'Ivoire surrendered him to the ICC, where a Pre-Trial Chamber confirmed four charges of crimes against humanity against him. Although the ICC and Côte d'Ivoire disputed jurisdiction over Simone Gbagbo's trial, a court within the country tried her case, together with 82 other Gbagbo supporters, and on 10 March 2015 sentenced her to 20-years in prison for undermining state authority during the conflict.⁸⁵

Challenges Ahead

Following a visit to Abidjan, the UN Special Adviser on the Prevention of Genocide and the UN Special Representative for Côte d'Ivoire issued a joint statement in October 2013, calling upon the government to continue implementing reconciliation measures and for sustained efforts from all political and civil society leaders, as well as from the media, in support of a peaceful election.⁸⁶

While reforming land tenure and citizenship laws were positive steps towards addressing the root causes of conflict in Côte d'Ivoire, the government must also provide assistance to those who have lost property during previous conflicts. For example, following the 2002-2003 civil war and the 2011 crisis, populations who were forcibly displaced by armed groups and military forces in western Côte d'Ivoire were prevented from reclaiming their property and continue to struggle to reestablish a presence on previously-held land.⁸⁷ The Ouattara government needs to legally establish village and individual boundary lines and must do more to meet its obligations in this regard.

Similarly, the institutions created by the government following the post-election crisis, including the ADDR, CNDHCI and judicial mechanisms, are credible and important steps towards addressing the underlying causes of conflict, but need to be

equipped with greater authority and organizational capacity. These bodies have operated on renewable mandates rather than being institutionalized as part of a long-term government strategy. As a result, each mechanism has faced uncertainty regarding how far into the future to plan its programs. This was particularly problematic in the case of the CDVR, whose members executed their roles following the end of their mandate in September 2013 despite not knowing until February 2014 whether the government would renew its commitment to the institution, which subsequently had its mandate extended until December 2014.

Insecurity and sporadic attacks by armed groups continue to plague western Côte d'Ivoire, particularly in the Cavally and Guémon regions. Tensions related to land, property and political disputes continue. Dozos, armed traditional hunters who aligned themselves with groups supporting President Ouattara during the conflict, have been accused of grave human rights violations, including an attack in July 2012 that destroyed the Nahibly displacement camp.⁸⁸ The Human Rights Division of UNOCI documented at least 228 people killed and 164 injured in attacks by Dozos between March 2009 and May 2013.⁸⁹

Insecure borders with Liberia also contribute to the ongoing threat to populations in western Côte d'Ivoire. Liberian mercenaries and exiled militias affiliated with pro-Gbagbo groups have perpetrated deadly cross-border attacks on villages inside Côte d'Ivoire. Such attacks were particularly prevalent between July 2011 and June 2012. In addition to the quadripartite meetings, the government of Côte d'Ivoire has signed agreements on border security with the governments of Liberia and Ghana and in October 2013 adopted a cross-border strategy with the other members of the Mano River Union – Guinea, Liberia and Sierra Leone.⁹⁰ Despite these initiatives, the risk of renewed violence remains, particularly if these groups are able to mobilize in advance of the 2015 election.

Finally, accountability for crimes committed during the 2011 crisis remains the most critical outstanding issue in Côte d'Ivoire. This is particularly evident given the country's history of impunity as well as ongoing accusations of "victor's justice."⁹¹

On 8 July 2015 twenty people were charged with war crimes committed during the post-election violence, including several Ouattara supporters holding senior positions in the military – but these are among a small number of people who have faced justice. Since 2011, less than 300 Gbagbo supporters have been

charged while very few Ouattara supporters have been detained or indicted.⁹² The failure to ensure accountability and justice perpetuates the culture of impunity that has historically fueled recurring violence in Côte d'Ivoire.

The lack of equitable justice contributes to ongoing political divisions that could hinder sustainable peace, particularly as the country prepares for elections in October 2015.

GUINEA

On 28 September 2009 groups of opposition supporters organized a demonstration in a stadium in Conakry, Guinea, to contest junta leader Captain Dadis Camara's reported intention to break his promise to cede power to civilian rule in the January 2010 elections. During the peaceful protests, security forces opened fire on the crowd, resulting in over 150 deaths and 1,200 injuries, while security forces also committed widespread rape and sexual violence. Reports from an international commission of inquiry following the massacre indicated that members of Camara's National Council for Democracy and Development (CNDD) had prior knowledge of the planned demonstration and had incited the armed forces to commit violence against civilians.⁹³

Following months of mediation facilitated by ECOWAS, with Burkina Faso's President Blaise Compaore serving as chair of the negotiations, various Guinean stakeholders signed the Joint Declaration of Ouagadougou on 15 January 2010, agreeing to the formation of a National Unity Government and the holding of elections within six months.

While the first round of the election was held peacefully on 27 June 2010, tensions in Guinea rose, resulting in postponement of run-off elections more than four times. The two leading Presidential candidates were Alpha Condé of the *Rassemblement du Peuple Guinéen* and Cellou Diallo of the *Union des Forces Démocratiques de Guinée*. Condé primarily drew his support from the Malinke ethnic group while Diallo's supporters were primarily Peuhl. In the weeks leading up to the run-off election in November 2010 individuals, homes and businesses were targets of violence by Peuhls and Malinkes on the basis of ethnicity and perceived political support. Security forces were also accused of disproportionate force against demonstrations organized by Diallo supporters.⁹⁴

In response, regional and international actors took many proximate preventive measures. In addition to the continued presence of President Compaore on behalf of ECOWAS, the

AU and UN sent special envoys to meet with the government and opposition candidates to encourage restraint. The ICG-G (which included representatives from the AU, the Mano River Union, the Organization for the Islamic Conference, the EU and the permanent members of the UN Security Council) sent joint missions in support of security sector reform and encouraged concerned states and organizations to take all necessary steps to “pursue their electoral assistance efforts.”⁹⁵

The UN Security Council, ECOWAS, ICG-G and the Organization for the Francophonie issued numerous statements during September and October urging supporters of the two candidates to refrain from provocation and violence. On 3 November UN Secretary-General Ban Ki-moon warned against exploiting ethnic or religious differences during the election and reminded Guineans that “the Transitional Government of Guinea has a responsibility to protect and ensure the safety of all Guineans, regardless of their ethnicity, religion or political affiliation.”⁹⁶

Following a 7 November run-off election, the electoral commission announced on 15 November that preliminary results indicated that Condé had won. Violent protests resulted in several civilian deaths while supporters impatiently awaited the final results. Additional violence broke out between supporters of both candidates as Diallo attempted to claim victory. More than 10 people were killed and 300 injured when security forces fired into the crowds to break up demonstrations. After these incidents, the interim government of Guinea declared a ten-day state of emergency while the UN Security Council met to discuss a possible response. Although there were isolated incidents following these steps, Diallo eventually accepted defeat and Condé was sworn in as President on 21 December.

The government planned to hold legislative elections in 2011, but these were postponed several times before they were eventually held on 28 September 2013, the anniversary of the 2009 stadium massacre. During political protests in Conakry demonstrators and security forces again engaged in violent clashes, resulting in more than 50 deaths between March and September 2013. Security forces were again widely accused of using excessive force. The violence also deepened hostility between ethnic Malinke and Peuhl populations, resulting in widespread fear that renewed fighting would occur during the elections. Despite these fears and allegations of voting irregularities, the elections were relatively peaceful.

International Response

ECOWAS was noticeably active following the September 2009 stadium massacre. The organization immediately condemned the violence of the security forces and called for the establishment of an international commission of inquiry. ECOWAS also imposed an arms embargo on Guinea and used its position as co-Chair of the ICG-G to coordinate the approach of group members.

By contrast, the AU was slower to respond, only implementing targeted sanctions, freezing assets and issuing travel bans against individual members of the junta nearly a month after the September violence. The UN Security Council made clear the distinction between the ECOWAS and AU response in its 28 October Presidential Statement which welcomed five measures undertaken by ECOWAS in the preceding month and only acknowledged two actions belatedly undertaken by the AU.⁹⁷

Other international actors adopted ECOWAS’s various recommendations. The United States, for example, implemented targeted travel bans and suspended aid to Guinea while endorsing the ECOWAS arms embargo. UN Secretary-General Ban Ki-moon announced on 16 October that he would use his Charter powers to establish an international commission into the stadium massacre.⁹⁸ With the support of the Security Council, the Commission of Inquiry was sent to investigate during November 2009. The UN also sent the Special Adviser on the Prevention of Genocide to Guinea during March 2010. The Special Adviser recommended international actions to mitigate the risk of renewed violence, including the UN mobilizing support for credible elections, conflict prevention and peacebuilding mechanisms.⁹⁹

Post-2010 Reforms and Prevention

In early 2010 the government appointed a panel of judges to investigate the September 2009 massacre. Between 2011 and 2013 the panel heard testimony from 300 victims of the violence, indicted three key officials and imprisoned several gendarmes.¹⁰⁰ In addition to holding these perpetrators accountable, the government affirmed the necessity for far-reaching security sector reform following the Ouagadougou Declaration. In June 2010, following a joint assessment mission, ECOWAS, the AU and the UN issued a report on Guinea’s security sector, proposing a series of reforms.¹⁰¹ Although the government accepted the report, it was slow to respond to its recommendations.

Following the 2010 elections and the establishment of a new government under President Condé, Guinea sought to enact a series of structural reforms in order to prevent future conflict and ensure accountability for past atrocities. However, weak national institutions and delays in establishing an elected legislature inhibited Guinea's ability to implement these measures.

Although the 2010 constitution mandates the creation of an independent human rights institution, the body can only be established via a law approved by the national legislature, which was not fully operational until 2013. President Condé established a National Human Rights Commission in March 2011 and a provisional Commission of Reflection on the National Reconciliation via presidential decree in June 2011, but concerns over a lack of transparency and independence left many within civil society questioning the legitimacy of these institutions.¹⁰² The President formally introduced plans for the establishment of a National Human Rights Institution in January 2015, although, again, many questioned its legitimacy and independence in the absence of consultations with the National Assembly.¹⁰³ As a result, the Reconciliation Commission has been limited to mostly holding public days of prayer for peace in various localities throughout Guinea.

During 2012 the President also established the Ministry of Human Rights and Public Freedom, charged with promotion of national unity, social peace and reconciliation. The ministry is under-resourced and has not been able to institutionalize a strong relationship with UN human rights treaty bodies and Human Rights Council special procedures.¹⁰⁴ However, the head of the ministry, H.E. Mr. Diaby Gassama Kalifa, has vocally advocated for strengthening judicial institutions and accountability mechanisms, and met with the then-UN High Commissioner for Human Rights, Navi Pillay, during March 2014 regarding strategies to improve respect for human rights in Guinea.¹⁰⁵ Unfortunately, the ministry's capacity was further undermined as the government urgently shifted resources and priorities following the 2014 outbreak of Ebola.

The government promoted political reconciliation through a national dialogue on elections and reform of the National Electoral Commission (CENI).¹⁰⁶ During the dialogue members of the government and the opposition discussed the electoral code, amending the structure of the CENI, affirming the need for equal access to public media and free exercise of political activity.¹⁰⁷ In September 2012 the National Transition Council adopted a reconfiguration of the CENI

intended to divide positions evenly between government and opposition representatives.¹⁰⁸

With the assistance of the UN Special Representative for West Africa, Said Djinnit, the government and opposition held several dialogues between 2012 and 2013 to reach a compromise on the legislative elections and also signed an anti-violence declaration to reduce tensions between their supporters.¹⁰⁹ Notably, following negotiations facilitated by Djinnit, on 3 July 2013 the parties also signed an agreement that set an election timeline. The Special Representative also sent an early warning mission to Guinea in 2012 to assess the risks associated with holding the legislative elections. ECOWAS, meanwhile, sent observers in advance of the election and called upon all political forces to ensure the voting was conducted in a peaceful manner.¹¹⁰

Additional International Partnerships

Recognizing its limited capacity to meet its commitment to reform, the government of Guinea requested to be put on the agenda of the UN Peacebuilding Commission in 2010. In its formal request letter, the government put forward three priority areas for assistance: promotion of national reconciliation and unity, reform of the security and defense services, and youth and women's employment.¹¹¹ Following Condé's election to the presidency, the government issued a second request to the PBC and was formally placed on its agenda on 23 February 2011. These laudable actions stand in stark contrast to other states that eschew involvement with international institutions that may draw global attention to their domestic problems.

Guinea is unique in comparison to other countries on the PBC agenda. First, it is the only country thus far to request to be added to the PBC agenda without a pre-existing UN Security Council referral. In addition, Guinea has neither a UN political nor peacekeeping mission in the country.¹¹² As a result, the PBC Chair has a disproportionately important role to play in maintaining the focus of UN institutions on Guinea.

Following the signing of the statement of mutual commitment between the PBC and government, the PBC worked to establish a relationship between Guinea and the World Bank, International Monetary Fund and African Development Bank. The PBC also helped to mobilize funds from bilateral donors and through the Peacebuilding Fund.

Over the past four years the PBF has assisted the government of Guinea in implementing structural reform and reconciliation

goals. Prior to the September 2013 elections the PBF mobilized funds for proximate prevention, implementing projects that provided emergency support to the security forces during the legislative elections, trained more than 60,000 polling station agents and created a system for human rights monitoring during the election. This was accomplished with the support of the OHCHR and UNDP.¹¹³

The PBF has funded programs that support consultations between the National Reconciliation Commission and civil society, strengthening trust between political parties and between security forces and the population, reintegrating youth formerly associated with armed groups and supporting the promotion of inclusive dialogue. Crucially, the PBF has also mobilized funds for paying military pensions in order to encourage the retirement of more than 4,000 soldiers and establishing an advisory team to plan and implement the security sector reform strategy. Additionally, the PBF has supported youth and women's economic integration through projects for employment in agricultural, mining and sanitation sectors.¹¹⁴ By addressing these areas, the PBF and the government of Guinea are implementing critical reforms that will help prevent further conflict.

OHCHR has also contributed to strengthening reform for human rights protection. During 2013 and 2014 the OHCHR office in Guinea provided technical support to the Ministry of Human Rights and Public Freedoms. Regional OHCHR offices also facilitated human rights education, human rights media messaging and campaigns against sexual violence in areas at high risk of mass atrocities. These offices have also institutionalized cooperation with local civil society organizations, including regular consultations and capacity building for human rights defenders.¹¹⁵

Following the signing of a Joint Communiqué between the government and UN in November 2011, the UN Office of the Special Representative on Sexual Violence in Conflict has provided technical support to a Guinean Panel of Judges charged with investigating and prosecuting crimes committed in September 2009. On 9 July 2015 the judges indicted former military leader Dadis Camara for his role in the stadium massacre.¹¹⁶

Challenges Ahead

While the relatively peaceful 2013 elections in Guinea are a positive sign, the country must still address many outstanding issues. First, the government must do more to ensure that

all political actors respect human rights and promote reconciliation between diverse ethnic groups. Although targeted attacks between the Malinke and Peuhl were not widespread during the September election, in July 2013 ethnic violence broke out between groups of Guerze and Konianke in Nzérékoré, resulting in more than 200 people killed and 30,000 displaced.¹¹⁷ Although the government deployed troops to restore order, the incident demonstrates the ongoing need for peacebuilding efforts as well as improved police response capacity.

Security sector reform remains one of the greatest challenges, particularly as Guinea approaches its presidential elections in October. The behavior of personnel during election-related demonstrations in Conakry during 2013 as well as recent protests in May 2015 is consistent with abuses committed by troops and police during previous crises. The government has recently undertaken, with technical support from UNDP and the EU, new initiatives for reforming the security sector, including the adoption of a national defense and security policy to guide the reform process.¹¹⁸ As part of this process, the government needs to prioritize training regarding human rights and the protection of civilians. Furthermore, given the security forces' history, the government will need to continue efforts aimed at increasing public trust. In order for these reforms to be effective, populations need to believe that the security forces will not perpetrate mass atrocities against those they are supposed to protect.

Guinea and its partners will also need to find ways to maintain momentum around mass atrocity prevention. Unfortunately, but understandably, economic and structural capacity deficits caused by the Ebola crisis in 2014-2015 caused a cessation of the broader reform project. While the PBC and PBF have been credited with providing financial support to Guinea and Sierra Leone during the Ebola crisis, Guinea's other international partners must look towards strategies that renew the focus on conflict prevention.

LESSONS LEARNED IN WEST AFRICA

The various countries discussed in this paper highlight the potential benefits of mass atrocity prevention in West Africa.

National Reconciliation and Root Cause Prevention

In several West African cases governments and international actors have willingly undertaken critical structural reforms,

adopting measures to improve government accountability and openness, broaden security sector reform and promote economic stability. What is sometimes overlooked when adopting and implementing these reforms are the underlying causes of conflict.

Following conflicts in both Côte d'Ivoire and Guinea international and national commissions were established to investigate crimes committed. While conducting investigations is an important first step towards understanding conflict-related violence, commissions may be rendered hollow and purely symbolic bodies if substantive action is not taken in response to their observations. Recommendations from these commissions should be systematically implemented in consultation with representatives of all ethnic, religious and political groups within the country.

In some cases decentralized reconciliation, as observed through Ghana's district peace councils, can assist in ensuring localized conflicts are prevented. By contrast, Côte d'Ivoire and Guinea's reconciliation processes have largely been driven at the national level. While this has significant symbolic merits for post-crisis recovery, long term stability will necessitate a process that emphasizes inclusivity among diverse groups living in a particular area. Localized conflict, such as that seen in western Côte d'Ivoire and in Nzérékoré in Guinea over the past two years, continues to recur because localized disputes have not yet been adequately addressed.

Ending impunity for mass atrocity crimes remains an outstanding issue for several countries in West Africa. Sierra Leone's accountability process took more than a decade while the country was recovering from civil war, but victims in Côte d'Ivoire cannot afford to wait that long for justice. Most individuals who perpetrated crimes in the 2002-2004 civil war and between 2004 and the 2010-2011 electoral crisis have not been held accountable, and are consequently free to potentially commit further crimes. The lack of unbiased justice mechanisms has allowed some political and ethnic divisions to fester. In addition, accountability for crimes committed by security forces is important in both Guinea and Côte d'Ivoire in order to restore public faith in those formally mandated to protect them.

Civil Society Engagement

A critical part of post-conflict reconciliation is community-level engagement and the development of stronger linkages between civil society and government. Civil society can

play a crucial role in building trust between communities and reinforcing efforts undertaken by the government to mainstream human rights education. Developing a stronger relationship between government and civil society can help build government transparency and ensure that previously marginalized populations are integrated into the political process. All too often in the past, exclusion has resulted in ethnic mobilization and violence.

Civil society can also help facilitate the decentralization of reconciliation and prevention efforts.¹¹⁹ An empowered civil society can play a vital role in early warning and raising community awareness to ameliorate the risk of conflict recurrence.

Political Solutions vs. Prioritizing Protection

While the response from the regional and sub-regional organizations to the crises in Guinea and Côte d'Ivoire was timely, efforts were typically directed towards finding a negotiated political solution without devoting sufficient attention to protecting civilians. This was particularly true of the AU in the case of Côte d'Ivoire. As Stensland, Lotze and Ng note, the AU "continued to advocate for more time to be given to finding a political solution for Côte d'Ivoire" even after ECOWAS and the UN shifted their attention towards stopping Gbagbo's forces from killing people on the streets of Abidjan.¹²⁰

External intervention forces that succeed in halting a conflict often fall short when addressing the long-term problems of the country's own security forces and root-causes of conflict, leaving the country vulnerable to further destabilization and a resumption of violence when external forces leave. While the case of Sierra Leone provides a positive example of regional and international actors gradually adapting their presence and mandate in order to reflect the shifting needs of the country, this is not typically the case. Solutions are often short-term, focused on a political impasse or preventing election-related violence, but do not usually extend to addressing the deeper divisions that contributed to the conflict in the first place.

Sub-regional and Regional Capacity

Although critiques of prevention and crisis response often focus on the capacity deficits of the state, regional and sub-regional organizations also often have the will, but lack the ability to adequately respond. For example, actions undertaken by the AU Commission and PSC thus far have largely been in response to

crises rather than for the prevention of them. The AU's ability to respond to early warning remains under-developed.¹²¹

While ECOWARN has made incredible progress in improving regional information gathering on emerging crisis situations, logistical limitations and a lack of political will have sometimes prevented ECOWAS from translating early warning into timely action prior to the commission of mass atrocities. Notably, despite ECOWAS being headquartered in Abuja, Nigeria, the organization has not had a significant impact on the public debate around Boko Haram's insurgency and the best means of both protecting civilian populations from their attacks and addressing the underlying causes of conflict.

Similarly, delays caused by the AU's reliance upon external resources have resulted in populations falling victim to mass atrocity crimes while waiting for the international community to devise an adequate financial package to fund an agreed response. This was demonstrated recently in both Mali and the Central African Republic, where the AU agreed to send troops, but slow deployment allowed crimes to continue to be perpetrated many months after a political decision to intervene had been taken.

CONCLUSION

The steps undertaken by various actors in West Africa provide a representative overview of the types of measures being implemented around the world to prevent mass atrocities. While the direct effects of preventive measures are sometimes hard to measure, it is important to acknowledge that states are constantly adopting and adapting various preventive tools. As one minister noted at the 2013 Ministerial Meeting on R2P on the margins of the UN General Assembly, "R2P is happening everywhere all the time, but we don't always notice – any crisis that doesn't happen is because Pillar I works."¹²²

As the West African cases demonstrate, states in the developing world often have the will and desire to implement much needed reforms (Pillar I), but lack the capacity to institute ambitious reforms without sustained external support (Pillar II). When states actively pursue Pillar I and Pillar II simultaneously, countries benefit from deeper reforms and sustained relationships with international partners while maintaining sovereignty and control over the reform process. We can observe this in all of the West African cases presented here, including UNDP's financial assistance to Ghana's NPC and in the PBC's role in assisting Guinea and Sierra Leone.

Moreover, preventive capacities are strengthened even when these institutions do not explicitly have mass atrocity prevention and the protection of civilians as a stated aim. For example, steps undertaken by states and their international partners to strengthen rule of law, attract investment and build physical infrastructure indirectly contribute to building societies resilient to mass atrocities. While we still have much to learn, governments in West Africa show us that just as prevention is at the heart of the Responsibility to Protect, West Africa is central to developing our understanding of how governments can overcome past deficiencies and prevent mass atrocity crimes once and for all.

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Glossary of Abbreviations

AU	African Union	MPTF	Multi-Partner Trust Fund Office
ADDR	Authority for Disarmament, Demobilization and Reintegration (Côte d'Ivoire)	NCDDRR	National Commission on Disarmament, Demobilization, Rehabilitation and Reintegration (Liberia)
CDVR	Commission on Dialogue, Truth and Reconciliation (Côte d'Ivoire)	NPC	National Peace Council (Ghana)
CEI	Independent Elections Commission (Côte d'Ivoire)	OCHA	UN Office for the Coordination of Humanitarian Affairs
CENI	National Electoral Commission (Guinea)	OHCHR	UN Office of the High Commissioner for Human Rights
CNEWS	AU Continental Early Warning System	PBC	UN Peacebuilding Commission
CNDD	National Council for Democracy and Development (Guinea)	PBF	UN Peacebuilding Fund
CNDHCI	National Human Rights Commission (Côte d'Ivoire)	PSC	AU Peace and Security Council
CNE	National Commission of Inquiry (Cote d'Ivoire)	R2P	Responsibility to Protect
CONARIV	National Commission for Reconciliation and Compensation of Victims (Côte d'Ivoire)	TRC	Truth and Reconciliation Commission (Liberia)
ECOWARN	ECOWAS Early Warning Response Network	UN	United Nations
ECOWAS	Economic Community of West African States	UNAMSIL	UN Mission in Sierra Leone
EU	European Union	UNDP	UN Development Programme
FN	Forces Nouvelles (Côte d'Ivoire)	UNIOSIL	UN Integrated Office in Sierra Leone
FPI	Front Populaire Ivoirien (Côte d'Ivoire)	UNIPSIL	UN Integrated Peacebuilding Office in Sierra Leone
ICC	International Criminal Court	UNMIL	UN Mission in Liberia
ICG-G	International Contact Group for Guinea	UNOCI	UN Operation in Côte d'Ivoire
INCHR	Independent National Commission for Human Rights (Liberia)	UNOWA	UN Office in West Africa

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