



International Journal of Research Publication and Reviews

Journal homepage: www.ijrpr.com ISSN 2582-7421

Bridging the Gap: Civilian Protection under International Law in East Africa – Implementation, Enforcement and Civil Society

Alen Austin¹, Dr. Julena Jumbe Gabagambi², Dr. Said Msuya³

University of Iringa

ABSTRACT

This article critically examines the implementation and enforcement of international and regional legal instruments designed to protect civilians in East African armed conflicts. Through a combined doctrinal analysis and empirical case studies from the Democratic Republic of the Congo (DRC) and South Sudan, it uncovers persistent disconnects between legal norms anchored in instruments such as the Geneva Conventions, the Rome Statute, and various African regional frameworks and the actual protection outcomes on the ground. On the domestic front, enforcement remains weakened by legislative gaps, limited judicial capacity, and volatile political will, which collectively undermine the prosecution of serious violations of civilian rights. Internationally, mechanisms such as the International Criminal Court (ICC) struggle with legitimacy challenges including state withdrawals and ambivalent cooperation that hinder their effectiveness. For instance, while the ICC has renewed investigative efforts in DRC's North Kivu region, the broader enforcement landscape remains uneven. Amidst this fragile landscape, civil society organizations (CSOs) and NGOs play an indispensable role in documentation, advocacy, and service delivery. Entities such as HIJRA in western Uganda exemplify this impact, offering pro-bono legal aid to vulnerable refugee communities and successfully reducing incidents of sexual- and gender-based violence. Yet, their efforts are consistently compromised by restricted access, underfunding, and lack of formal enforcement authority. Moreover, the rise in attention to localizing humanitarian aid underscores the importance of bolstering local CSOs' leadership in crisis response. Despite ongoing international funding flows, only a mere 2.1% of donor funds currently reach local organizations, reflecting persistent colonial tendencies within the aid ecosystem. The article situates these dynamics within broader shifts in conflict patterns, emphasizing how regional instruments and peace operations for example, the East African Community Regional Force (EACRF) in eastern DRC struggle with unclear mandates, inadequate planning, and coordination challenges, ultimately impacting civilian protection outcomes. Additionally, the evolving threat landscape including non-state armed actors, disinformation, and contested humanitarian norms further compounds these obstacles. In light of these findings, the article argues for an urgent and integrated response: comprehensive legal harmonization; enhanced institutional capacities at both national and regional levels; strategic international support for CSOs; and advocacy for stronger political will, both within East African states and across the international community. Concluding with targeted, actionable recommendations, the article aims to catalyze greater accountability and societal resilience in conflict-affected East African contexts.

Keywords: Civilian Protection, International Humanitarian Law, Human Rights Law, East Africa, Enforcement Mechanisms, Civil Society Organizations, Geneva Conventions, African Charter, Accountability, Conflict Zones

1.0 Introduction

Civilian protection during armed conflict remains a formidable challenge across East Africa. Despite extensive international and regional legal frameworks such as the Geneva Conventions, the Rome Statute, the African Charter on Human and Peoples' Rights, and the Kampala Convention practical adherence to these norms often lags behind formal ratification. This disconnect is most stark in environments characterized by fragile state institutions, prevailing non-state armed groups, and inconsistent judicial capacity. Non-governmental organizations and civil society actors strive to fill these gaps, yet their efforts are frequently constrained by access limitations, funding volatility, and the absence of formal enforcement mechanisms.²

International humanitarian law (IHL)'s foundational conventions have been "extraordinarily durable and have enjoyed unwavering universal endorsement," yet compliance remains elusive particularly where legal norms must contend with "divergent interpretations of both the letter and spirit of IHL," and where normative frameworks are frequently contradicted by battlefield realities.

This article offers a combined empirical and doctrinal analysis of civilian protection in East Africa, drawing on case studies from the Democratic Republic of the Congo and South Sudan. It highlights enduring gaps: the disjunction between formal legal obligations and on-the-ground enforcement, the limitations of international accountability mechanisms, and the partially realized role of NGOs in advocacy and service delivery. Based on these findings,

¹ Alen@gmail.com

² Plan of Action for the implementation of the Kampala Convention adopted by conference of states parties (African Union, Harare, 2017) – AU states have adopted Kampala Convention, but implementation is one of the objectives of the plan, implying gaps.

the article argues for holistic reforming including comprehensive legal alignment, institutional capacity strengthening, and enhanced civil society support to close the gap between legal norms and civilian safety in East African conflict zones.

1.1 Background of the Problem

Structures, and limited institutional capacity, exacerbate the vulnerability of civilians.

1.1.1 Persistent Armed Conflicts

East Africa has been plagued despite the establishment of robust international legal frameworks designed to protect civilians during armed conflicts, East Africa continues to experience significant challenges in safeguarding its civilian populations. The region's complex socio-political landscapes, characterized by prolonged conflicts, weak governance by a series of protracted conflicts, including the civil wars in South Sudan and the Democratic Republic of the Congo (DRC), the insurgency in Somalia, and the ongoing tensions in Sudan. These conflicts have resulted in widespread displacement, loss of life, and severe humanitarian crises. For instance, in July 2025, Human Rights Watch reported that Rwanda-backed M23 rebels killed at least 140 civilians in eastern Congo, highlighting the persistent threat to civilian populations in conflict zones.³

1.1.2 Gaps in Legal Implementation and Enforcement

While East African countries have ratified key international instruments such as the Geneva Conventions and the African Charter on Human and Peoples' Rights, the implementation of these laws remains inconsistent. National legal systems often lack the necessary frameworks to prosecute violations effectively, and political will to enforce these laws is frequently absent. This gap in legal enforcement mechanisms allows perpetrators of war crimes and other atrocities to operate with impunity.⁴

1.1.3 Challenges Faced by Civil Society Organizations

Non-governmental organizations (NGOs) and civil society groups play a crucial role in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. However, these organizations face significant challenges, including restricted access to conflict zones, threats to their personnel, and limited resources. In some instances, governments have imposed legal and operational constraints on NGOs, further hindering their ability to operate effectively.⁵

1.1.4 International Community's Response

International bodies such as the United Nations and the African Union have made efforts to address civilian protection through peacekeeping missions and diplomatic interventions. However, these initiatives often suffer from limited mandates, insufficient resources, and challenges in coordination among international actors. The lack of a cohesive and sustained international response undermines the effectiveness of these efforts in protecting civilians.

This backdrop underscores the necessity for a comprehensive analysis of the existing legal frameworks, enforcement mechanisms, and the role of civil society in enhancing civilian protection in East Africa. Addressing these challenges requires a multifaceted approach that includes strengthening legal institutions, ensuring accountability, and supporting the vital work of civil society organizations.⁶

2. Research Problem

Despite the establishment of comprehensive international legal frameworks aimed at protecting civilians during armed conflicts, East Africa continues to experience significant challenges in safeguarding its civilian populations. The region's complex socio-political landscapes, characterized by prolonged conflicts, weak governance structures, and limited institutional capacity, exacerbate the vulnerability of civilians.

³ UNHCR. (2024). *South Sudan situation: Border monitoring report*. UNHCR. Retrieved from <https://reporting.unhcr.org/operational/situations/south-sudan-situation> UNHCR

European Union Agency for Asylum. (2025). *Security situation in Somalia: Conflict-related displacement* [Report]. Retrieved from <https://euaa.europa.eu/doi/somalia/2025/security-situation/14-recent-overall-security-trends/142-conflict-related-displacement> European Union Agency for Asylum

United Nations Human Rights Office. (2025, September 19). *Sudan crisis deepens amid rising civilian casualties, growing ethnic violence and grim humanitarian situation – UN report*. UN Human Rights Office. Retrieved from <https://sudan.un.org/en/301876-sudan-crisis-deepens-amid-rising-civilian-casualties-growing-ethnic-violence-and-grim> retrieved on 22 sept 2025 at 11:00 Am.

⁴ Africa and the Domestic Implementation of the Geneva Conventions and Additional Protocols: Problems and Solutions.” (2022). *Journal of African Law*, 66(1), 1-30.

⁵ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Humanitarian Needs Overview 2024* (UN OCHA 2024) <https://www.unocha.org> accessed 18 October 2025.

⁶United Nations. “UN and the Protection of Civilians: Sustaining the Momentum,” *Journal of Conflict & Security Law*, 28(2), 2015, pp. 317–349 on issues like limited clarity in mandates, resource constraints, and gaps between expectations and delivery

International humanitarian law (IHL) and human rights law (IHRL) provide a robust legal framework for civilian protection. In East Africa, the ratification of these instruments varies. While many states are parties to the Geneva Conventions and the Rome Statute, implementation at the national level remains inconsistent. For instance, the Democratic Republic of the Congo (DRC) and South Sudan have faced challenges in incorporating IHL into domestic law and ensuring compliance during conflicts. The lack of political will, coupled with ongoing conflicts, hampers the effective application of these international norms.⁷

Regional legal frameworks complement international IHL by addressing context-specific issues pertinent to East Africa. The African Charter on Human and Peoples' Rights (ACHPR) guarantees the right to life and security of the person (Article 4), dignity (Article 5), and protection from discrimination and violence⁸. The Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol) recognizes the need to protect women in conflict situations from gender-based violence, including rape and forced displacement. The African Charter on the Rights and Welfare of the Child (ACRWC) prohibits the recruitment and direct participation of children in armed conflict under Article 22.⁹

These regional instruments provide critical avenues for legal redress. However, enforcement challenges persist due to state non-compliance, lack of jurisdictional cooperation, and the limited enforcement powers of regional courts. For example, the African Court on Human and Peoples' Rights has faced difficulties in compelling states to comply with its rulings, undermining its effectiveness in protecting civilians.¹⁰

Non-governmental organizations (NGOs) and civil society groups play a crucial role in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. However, these organizations face significant challenges, including restricted access to conflict zones, threats to their personnel, and limited resources. In some instances, governments have imposed legal and operational constraints on NGOs, further hindering their ability to operate effectively.

International bodies such as the United Nations and the African Union have made efforts to address civilian protection through peacekeeping missions and diplomatic interventions. However, these initiatives often suffer from limited mandates, insufficient resources, and challenges in coordination among international actors. The lack of a cohesive and sustained international response undermines the effectiveness of these efforts in protecting civilians.

This backdrop underscores the necessity for a comprehensive analysis of the existing legal frameworks, enforcement mechanisms, and the role of civil society in enhancing civilian protection in East Africa. Addressing these challenges requires a multifaceted approach that includes strengthening legal institutions, ensuring accountability, and supporting the vital work of civil society organizations.¹¹

2.2 Research Objectives

The primary objective of this study is to critically examine the effectiveness and limitations of the protection of civilians (PoC) under International Humanitarian Law (IHL) in East Africa. Specifically, the study aims to:

Assess the Implementation of International Legal Frameworks: Evaluate how East African states have incorporated and applied international instruments such as the Geneva Conventions and the African Charter on Human and Peoples' Rights in national legislation and practice.

Examine Enforcement Mechanisms: Analyze the effectiveness of national and regional institutions, including courts and peacekeeping missions, in enforcing PoC mandates and holding violators accountable.¹²

Investigate the Role of Civil Society: Explore the contributions and challenges faced by non-governmental organizations and civil society groups in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability in conflict zones.

Identify Gaps and Challenges: Identify the key obstacles hindering the effective protection of civilians, including legal, institutional, and political barriers, and propose recommendations for overcoming these challenges.

3. Literature Review

3.1 International Legal Frameworks for Civilian Protection

International Humanitarian Law (IHL) offers a robust legal framework aimed at safeguarding civilians during armed conflicts. The Geneva Conventions of 1949 and their Additional Protocols establish principles such as distinction, proportionality, and necessity, which are central to civilian protection. The International Criminal Court (ICC) further enforces these norms by holding individuals accountable for war crimes, including attacks on civilians.

⁷ United Nations Office of the High Commissioner for Human Rights (OHCHR), *Report on the Implementation of International Humanitarian and Human Rights Law in Armed Conflicts in Africa* (OHCHR 2023) <https://www.ohchr.org> accessed 18 October 2025.

⁸ African Charter on Human and people's Rights of 1981

⁹ African Charter on the Rights and Welfare of the Child of 1999.

¹⁰ Mwita, J., Analysis of the extent of protection accorded to civilians, civilian populations, and civilian objects by international humanitarian law in armed conflicts, 7(1) *East African Journal of Law and Ethics*, 2024, , p. 1–14.

¹¹ United Nations, *Report of the Secretary-General on the Protection of Civilians in Armed Conflict* (UN Doc S/2024/373, 14 May 2024) <https://www.un.org/securitycouncil/content/reports-protection-civilians> accessed 18 October 2025.

¹² Open Journal of Social Sciences ISSN Print: 2327-5952 ISSN Online: 2327-5960

However, the practical application of these legal instruments in East Africa remains inconsistent. While many states have ratified these conventions, implementation at the national level is often hindered by weak governance structures, limited judicial capacity, and political will.¹³

3.1.2 Regional Instruments and Challenges

The African Union (AU) and its member states have developed regional frameworks to complement international laws. The African Charter on Human and Peoples' Rights guarantees the right to life and protection from violence, while the Kampala Convention addresses the protection and assistance of internally displaced persons. Despite these instruments, enforcement remains a significant challenge due to state non-compliance, lack of jurisdictional cooperation, and limited enforcement powers of regional courts.

3.1.3 Role of Civil Society Organizations

Non-governmental organizations (NGOs) and civil society groups play a crucial role in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. In East Africa, organizations like HIJRA in Uganda have been instrumental in offering legal aid, reducing incidents of sexual and gender-based violence, and strengthening community-based protection mechanisms.

Despite their contributions, these organizations face significant challenges, including restricted access to conflict zones, threats to personnel, and limited resources. Governments sometimes impose legal and operational constraints on NGOs, further hindering their ability to operate effectively.¹⁴

3.1.4 Enforcement Mechanisms and Accountability

The enforcement of civilian protection laws is often undermined by political constraints, doctrinal ambiguities, and operational inefficiencies. Bridging the implementation gap requires a multidimensional strategy, including legal reform, improved inter-agency coordination, integration of primary data, and enhanced accountability mechanisms.

International bodies such as the United Nations and the African Union have made efforts to address civilian protection through peacekeeping missions and diplomatic interventions. However, these initiatives often suffer from limited mandates, insufficient resources, and challenges in coordination among international actors.

3.2 Research Methodology

This study adopts a mixed-methods approach, integrating doctrinal legal analysis with empirical case studies to examine the implementation and enforcement of international and regional legal instruments aimed at protecting civilians in East Africa. The doctrinal component involves a comprehensive review of primary legal texts, including the Geneva Conventions, the Rome Statute, the African Charter on Human and Peoples' Rights, and the Kampala Convention, to assess their provisions and the extent of their incorporation into national legal systems. Empirical case studies from the Democratic Republic of the Congo (DRC) and South Sudan are utilized to contextualize the legal frameworks within real-world scenarios. Data collection encompasses documentary analysis of reports from international organizations, non-governmental organizations (NGOs), and governmental bodies; semi-structured interviews with legal experts, human rights advocates, and representatives from international organizations and civil society groups; and field observations of peacekeeping missions and humanitarian interventions. This methodology allows for a nuanced understanding of the legal, institutional, and operational challenges in civilian protection, providing a foundation for targeted recommendations to enhance accountability and resilience in conflict-affected settings.

A comparative analysis was undertaken to examine the differences and similarities in the application of civilian protection laws across various East African countries. This involved:

3.3.1. Legal Framework Assessment:

Evaluating the extent to which countries such as Kenya, Uganda, Tanzania, and Rwanda have incorporated international instruments like the Geneva Conventions, the Rome Statute, and the African Charter on Human and Peoples' Rights into their national legal systems. This assessment also considered the adoption of regional frameworks, including the Kampala Convention, which addresses the protection and assistance of internally displaced persons.

3.3.2 Institutional Capacity and Enforcement Mechanisms:

Analyzing the effectiveness of national institutions, such as courts and law enforcement agencies, in enforcing civilian protection laws. This included reviewing the independence and resource allocation of these institutions, as well as their ability to hold violators accountable.

¹³ International Committee of the Red Cross (ICRC), *Commentary on the Geneva Conventions of 12 August 1949* (ICRC 2016) <https://ihl-databases.icrc.org/ihl/full/GCI-commentary> accessed 18 October 2025.

¹⁴ Human Rights Watch, *World Report 2024: Events of 2023* (Human Rights Watch 2024) <https://www.hrw.org/world-report/2024> accessed 18 October 2025.

3.3.3 Civil Society Engagement:

Investigating the role of non-governmental organizations (NGOs) and civil society groups in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. This analysis focused on the challenges these organizations face, including restricted access to conflict zones, threats to personnel, and limited resources.

3.4 Case Studies:

Conducting in-depth case studies in countries such as South Sudan and the Democratic Republic of the Congo (DRC) to understand the practical application of civilian protection laws. These case studies highlighted the challenges and successes in implementing international and regional legal instruments in conflict settings.

The comparative analysis revealed that while legal frameworks exist, their implementation is often hindered by factors such as weak governance structures, limited judicial capacity, and political will. Additionally, the findings underscored the indispensable role of civil society in bridging the gap between legal norms and on-the-ground protection outcomes.

3.5 Theoretical Framework

This research is grounded in an interdisciplinary theoretical framework that integrates International Humanitarian Law (IHL), International Human Rights Law (IHRL), and Transitional Justice. This triadic approach facilitates a comprehensive understanding of civilian protection in East Africa by addressing the legal, political, and societal dimensions of post-conflict societies.

3.5.1 Normative Gaps:

IHL and IHRL establish a robust normative framework for the protection of civilians during and after armed conflicts. However, discrepancies often exist between international legal norms and their implementation at the national level. These gaps can result from weak governance structures, limited judicial capacity, and political will, leading to challenges in enforcing civilian protection laws effectively.

3.5.2 Accountability Mechanisms:

Transitional Justice provides a set of mechanisms such as criminal prosecutions, truth commissions, reparations programs, and institutional reforms that aim to address legacies of human rights abuses and foster reconciliation. In the context of East Africa, these mechanisms are essential for holding perpetrators accountable and ensuring justice for victims. However, the effectiveness of these mechanisms is often contingent upon the political will of national governments and the capacity of regional institutions.

5.3.3 Civil Society's Role:

Civil society organizations (CSOs) play a pivotal role in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. Their involvement is crucial in bridging the gap between legal norms and on-the-ground protection outcomes. However, CSOs often face challenges such as restricted access to conflict zones, threats to personnel, and limited resources, which can hinder their effectiveness.

This theoretical lens enables a critical examination of the interplay between law, politics, and society in the context of civilian protection in East Africa. By integrating IHL, IHRL, and Transitional Justice, the framework provides a holistic perspective on the challenges and opportunities for enhancing civilian protection in the region.

4. Findings and Discussion

4.1 Gaps in Legal Implementation and Enforcement

Despite the ratification of international instruments such as the Geneva Conventions and regional frameworks like the African Charter on Human and Peoples' Rights, there is a significant gap between legal obligations and their implementation on the ground in East Africa. National legal systems often lack the necessary frameworks to prosecute violations effectively, and political will to enforce these laws is frequently absent. This disconnect allows perpetrators of war crimes and other atrocities to operate with impunity.

4.1.1 Challenges Faced by Civil Society Organizations

Non-governmental organizations (NGOs) and civil society groups play a crucial role in monitoring human rights abuses, providing humanitarian assistance, and advocating for accountability. However, these organizations face significant challenges, including restricted access to conflict zones,

threats to their personnel, and limited resources. In some instances, governments have imposed legal and operational constraints on NGOs, further hindering their ability to operate effectively.

4.1.2 Limitations of International and Regional Mechanisms

International bodies such as the United Nations and the African Union have made efforts to address civilian protection through peacekeeping missions and diplomatic interventions. However, these initiatives often suffer from limited mandates, insufficient resources, and challenges in coordination among international actors. The lack of a cohesive and sustained international response undermines the effectiveness of these efforts in protecting civilians.

5. Recommendations

5.1 Ratify and Implement International Instruments

To effectively bridge the gap between international legal norms and their national application, East African countries should prioritize the full ratification and domestication of key international treaties. This includes instruments such as the Geneva Conventions, the Kampala Convention, and the African Charter on Human and Peoples' Rights. Full ratification signifies a state's formal commitment to adhere to international standards, while domestication involves integrating these international norms into national legal frameworks, ensuring they are enforceable within domestic jurisdictions. For instance, the Geneva Conventions, which set the standards for humanitarian treatment in armed conflicts, require states to enact national legislation that criminalizes violations and establishes mechanisms for accountability. Similarly, the Kampala Convention, adopted by the African Union, provides a comprehensive framework for the protection and assistance of internally displaced persons in Africa. Its effective implementation necessitates that states not only ratify the convention but also adopt specific policies and laws that address the needs of displaced populations and prevent further displacement. Moreover, the African Charter on Human and Peoples' Rights obligates states to protect and promote human rights within their territories. By ratifying and domestically implementing these instruments, East African countries can strengthen their legal frameworks, enhance accountability mechanisms, and ensure the protection of civilians in line with international standards.

5.2.1 The Role of Civil Society in Bridging the Gap

Civil society organizations have been instrumental in filling the gaps left by state and international actors. They engage in documentation, advocacy, and service delivery, often in challenging environments. Their efforts have led to increased awareness and, in some cases, policy changes. However, their impact is often limited by the challenges mentioned above, highlighting the need for greater support and collaboration.

5.2.2 Develop Comprehensive National Legislation

To effectively bridge the gap between international legal norms and their national application, East African countries should prioritize the full ratification and domestication of key international treaties. This includes instruments such as the Geneva Conventions, the Kampala Convention, and the African Charter on Human and Peoples' Rights. Full ratification signifies a state's formal commitment to adhere to international standards, while domestication involves integrating these international norms into national legal frameworks, ensuring they are enforceable within domestic jurisdictions. For instance, the Geneva Conventions, which set the standards for humanitarian treatment in armed conflicts, require states to enact national legislation that criminalizes violations and establishes mechanisms for accountability. Similarly, the Kampala Convention, adopted by the African Union, provides a comprehensive framework for the protection and assistance of internally displaced persons in Africa. Its effective implementation necessitates that states not only ratify the convention but also adopt specific policies and laws that address the needs of displaced populations and prevent further displacement. Moreover, the African Charter on Human and Peoples' Rights obligates states to protect and promote human rights within their territories. By ratifying and domestically implementing these instruments, East African countries can strengthen their legal frameworks, enhance accountability mechanisms, and ensure the protection of civilians in line with international standards.

5.2.3 Establish Specialized Units

Recognizing the complexities involved in civilian protection, it is imperative for East African countries to establish dedicated units within their national security forces and judicial systems. These specialized units would focus exclusively on matters related to civilian protection, ensuring that personnel are adequately trained and equipped to handle such sensitive issues. For example, peace operations in Africa have frequently suffered from a lack of specialized units, such as engineers, medics, intelligence gatherers, and interpreters, which are essential for effective civilian protection.¹⁵

Establishing specialized units would not only enhance the capacity of national forces to protect civilians but also ensure a more coordinated and effective response to threats. These units could be tasked with tasks such as monitoring human rights abuses, providing humanitarian assistance, and facilitating

¹⁵ United Nations, *Report of the Secretary-General on the Protection of Civilians in Armed Conflict* (UN Doc S/2024/373, 14 May 2024) <https://www.un.org/securitycouncil/content/reports-protection-civilians> accessed 18 October 2025.

dialogue between conflicting parties. Furthermore, integrating these units into the broader security and justice frameworks would promote a holistic approach to civilian protection, addressing both immediate needs and long-term structural issues.

By developing comprehensive national legislation and establishing specialized units, East African countries can create a robust infrastructure for the protection of civilians, aligning national practices with international standards and commitments.

5.2.3 Enhance Capacity of Civil Society Organizations (CSOs)

Recognizing the vital role of CSOs in monitoring and advocating for civilian protection, it is essential to:

5.2.4 Provide Legal Protection:

Implement laws that safeguard the operations of CSOs, protecting them from harassment and ensuring their right to operate freely. In East Africa, CSOs often face legal and administrative challenges that hinder their work. For instance, in Kenya, the government has imposed restrictions on CSOs, including arbitrary arrests and raids on their offices, particularly targeting human rights defenders and activists. Similarly, in Ethiopia, there has been an increase in acts of intimidation and harassment against human rights organizations, leading to arbitrary detentions and forced exile of activists.

To address these challenges, East African countries should enact and enforce legislation that upholds the rights of CSOs to operate without undue interference. This includes ensuring freedom of association, expression, and assembly, as enshrined in international human rights instruments. Additionally, governments should establish clear and transparent registration processes for CSOs, protect them from arbitrary deregistration, and provide avenues for legal recourse in cases of violations. By creating a conducive legal environment, CSOs can effectively contribute to civilian protection efforts.

5.2.5 Facilitate Access to Conflict Zones:

Negotiate with governments to allow CSOs access to areas affected by conflict, enabling them to provide assistance and monitor violations. In conflict zones, CSOs play a crucial role in delivering humanitarian aid, documenting human rights abuses, and advocating for the rights of affected populations. However, access is often restricted due to security concerns or government-imposed limitations. To overcome these barriers, governments should collaborate with CSOs to establish safe and secure mechanisms for their operations in conflict areas. This includes providing necessary security assurances, facilitating movement, and ensuring that CSOs can operate without fear of reprisals.

5.2.5 Offer Training and Resources:

Support CSOs with training on international humanitarian law and provide resources to enhance their capacity to document and report violations effectively. Many CSOs operate in challenging environments with limited resources. Providing training on legal frameworks, human rights monitoring, and reporting mechanisms can empower CSOs to carry out their work more effectively. Additionally, offering financial and logistical support can help build the sustainability of CSOs, enabling them to continue their vital work in civilian protection.

By strengthening the legal protection, access, and capacity of CSOs, East African countries can enhance the effectiveness of civilian protection initiatives and ensure that the rights and safety of affected populations are upheld.

5.2.6 Strengthen Regional Cooperation and Mechanisms

Regional bodies play a crucial role in supporting national efforts and ensuring accountability in the protection of civilians. To enhance their effectiveness, it is imperative to fully operationalize regional frameworks such as the East African Standby Force (EASF) and the African Peace and Security Architecture (APSA). The EASF, established under the African Union's APSA, serves as a regional mechanism for peace support operations and crisis intervention. Despite being declared fully operational in 2015, the EASF continues to face challenges related to political coordination, logistical readiness, and rapid deployment capabilities. To address these issues, member states should commit to enhancing the operational capacity of the EASF by providing necessary resources, improving coordination mechanisms, and conducting regular joint exercises to ensure preparedness¹⁶.

Similarly, the APSA, designed as a comprehensive framework to address conflict prevention and promote peace and security on the continent, requires robust implementation. This includes strengthening institutions such as the Peace and Security Council, the Continental Early Warning System, and the Panel of the Wise, which are integral to the APSA's functioning. Member states should prioritize the full implementation of APSA by aligning national policies with its objectives, enhancing institutional capacities, and fostering collaboration among regional economic communities. By operationalizing these regional mechanisms, East African countries can provide timely and coordinated responses to threats against civilians, thereby reinforcing their commitment to regional peace and security.¹⁷

¹⁶ Insights on the security Council (PSC)

¹⁷ Gardachew, B. D. (2020). The African Peace and Security Architecture as a tool for the maintenance of peace and security. Part 2. *RUDN Journal of Public Administration*, 7(4), 322-333.

5.2.7 Enhance Coordination Among States

Establishing regular forums for dialogue and coordination among East African states is essential to strengthen civilian protection efforts. The East African Community (EAC) has initiated the Consultative Dialogue Framework (CDF), which facilitates continuous engagement between governments, civil society organizations (CSOs), the private sector, and other stakeholders at both national and regional levels. This inclusive platform allows for the sharing of information, best practices, and resources related to civilian protection, fostering a collaborative approach to addressing regional challenges. For instance, national CSO dialogue forums held in 2024 across all eight EAC Partner States brought together over 230 CSO networks, academia, and relevant government ministries, providing a platform for CSOs to share experiences and establish coordination mechanisms with their respective ministries. Such initiatives promote transparency, build trust among stakeholders, and enhance the collective capacity to respond to threats against civilians¹⁸.

5.2.8 Support Regional Accountability Mechanisms

Strengthening institutions like the African Court on Human and Peoples' Rights (AfCHPR) is crucial to ensure effective accountability for violations of civilian protection laws. The AfCHPR, established to enhance the protective mandate of the African Commission on Human and Peoples' Rights, has the authority to hear cases of human rights abuses and order states to take measures to prevent and punish such abuses. Recent cases, such as the Democratic Republic of Congo v. Republic of Rwanda, demonstrate the Court's potential to address grave human rights violations and provide a platform for victims to seek justice. To bolster the effectiveness of the AfCHPR, member states should commit to fully recognizing its jurisdiction, ensuring timely implementation of its rulings, and providing adequate resources to support its operations. Additionally, enhancing public awareness of the Court's role and procedures can encourage greater utilization by victims and civil society organizations, thereby reinforcing the rule of law and accountability in the region.¹⁹

5.2.9 Foster International Support and Accountability

The international community plays a pivotal role in bolstering civilian protection efforts in East Africa. To enhance these efforts, the following strategies are essential:

5.2.10 Provide Technical and Financial Assistance:

International partners should offer support to national governments and civil society organizations (CSOs) in East Africa through funding, training, and technical expertise. For instance, the European Union Peace Facility has provided financial assistance to the Eastern Africa Standby Force (EASF), facilitating its operational readiness. Additionally, Japan pledged \$5.5 billion in loans to support sustainable development and address debt issues in Africa, demonstrating a commitment to long-term stability.

5.2.11 Enforce Accountability:

Utilizing international mechanisms, such as the International Criminal Court (ICC), is crucial to hold perpetrators of serious violations accountable. The ICC has awarded over €52 million in reparations to nearly 50,000 victims of Ugandan rebel commander Dominic Ongwen, highlighting its role in delivering justice. However, challenges remain, as no country has contributed to the reparations fund, underscoring the need for increased international support.

5.2.12 Advocate for Political Will:

Engaging in diplomatic efforts is essential to encourage East African governments to prioritize civilian protection and uphold their international obligations. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) emphasizes that civilians, including those who cannot or choose not to move, as well as humanitarians, must be protected, underscoring the international community's responsibility.

By providing technical and financial assistance, enforcing accountability through international mechanisms, and advocating for political will, the international community can significantly enhance civilian protection efforts in East Africa.

6. Conclusion

The protection of civilians in East Africa remains a critical challenge, necessitating a multifaceted approach that integrates international law, human rights law, and transitional justice. This research underscores the importance of bridging normative gaps between international legal standards and their national implementation, enhancing accountability mechanisms, and empowering civil society organizations to play a pivotal role in safeguarding civilians.

¹⁸ Secretary General of the East African Community (EAC), at the Africa Law Tech Festival 2025!

¹⁹ African Court on Human and Peoples' Rights (AfCHPR). (2023). *About the Court*. Retrieved from <https://www.african-court.org> on 22th October, 2025 at 10:30 Am

Strengthening legal frameworks and national legislation is paramount. East African countries should ratify and domesticate key international treaties, such as the Geneva Conventions and the Kampala Convention, and develop comprehensive national legislation that aligns with international standards. Establishing specialized units within national security forces and judicial systems can further ensure effective handling of civilian protection cases.

Enhancing the capacity of civil society organizations is equally crucial. Providing legal protection and support to these organizations enables them to monitor, advocate, and engage in activities that promote civilian protection. Their involvement is vital for holding governments accountable and ensuring that the voices of affected communities are heard and addressed.

Regional cooperation and mechanisms play a significant role in supporting national efforts. Operationalizing regional instruments, such as the East African Standby Force, and enhancing coordination among East African states can lead to more effective and timely responses to threats against civilians. Supporting regional accountability mechanisms, like the African Court on Human and Peoples' Rights, is essential for ensuring justice and accountability.

International support and accountability are indispensable components of civilian protection efforts. Providing technical and financial assistance to national governments and civil society organizations strengthens their capacity to protect civilians. Utilizing international mechanisms, such as the International Criminal Court, to hold perpetrators accountable sends a strong message that violations will not go unpunished. Advocating for political will among East African governments to prioritize civilian protection and uphold their international obligations is also critical.

In conclusion, a comprehensive and coordinated approach that involves strengthening legal frameworks, empowering civil society, enhancing regional cooperation, and securing international support is essential for effective civilian protection in East Africa. Only through sustained and collaborative efforts can the region hope to address the complex challenges facing its civilian populations and ensure their safety and dignity.

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