

**Update Note for the Secretary-General
Friday, 17 May 2013**



1. DRC

USG Ladsous writes¹ to MONUSCO that in light of resolution 2098 (2013) and the mandate it confers on MONUSCO to neutralize and disarm armed groups, the handling of members of armed groups who are captured by MONUSCO will be one of the key challenges prior to or in the immediate aftermath of operations.

DPKO is particularly concerned about the serious lack of capacity (and willingness) of the DRC Government to hold internees in safe and secure locations, should the Intervention Brigade capture large numbers of armed elements, and, as per the SOP, look to hand them over to the Government. While the detention of internees will remain the sovereign responsibility of the DRC Government, MONUSCO may find itself obliged to intern many combatants of armed groups for a significant period of time, if the Government remains unwilling to receive them or does not have the capacity to intern them itself. MONUSCO would have the right to continue to intern members of armed groups, but this would have serious logistical and operational implications for the Mission, tying up potentially significant numbers of military and civilian personnel and demanding a substantial logistic effort. It would also carry with it certain legal and reputational risks for the Mission and the Organization.

One of the options that could be revisited, Ladsous writes, is the Mission's plan developed a few months ago for an internment centre away from the combat zone in the Kivus. The Mission had intended to construct an internment centre in Kisangani, Orientale Province, which could hold approximately 200 internees, and subsequently hand it over to the Congolese authorities to manage and run. In addition, DPKO understands that the ICRC had agreed to provide food, water and medical assistance to the internees, and the Mission's human rights component would have conducted regular visits to the centre. While the plan did not materialize due to apparent delays and reluctance on the part of the DRC Government, DPKO believes that the arrival of the Intervention Brigade presents a renewed opportunity to revisit this plan, or develop others, and advocate it with the Government.

DPKO emphasizes that the handover of any MONUSCO internment facility and of any internees in MONUSCO custody to the DRC authorities cannot be effected without ensuring beforehand that all the safeguards required under international law are met.

¹ (#1006 of 16/5/13)
13-04521

704/05/1002



2. Nigeria

According to most analysts (inside UN and outside) , the Nigerian Government's stabilization campaign to deal with the growing threat of a more sophisticated and better equipped Boko Haram in the North carries with it considerable risk of violence. It is also unlikely to yield a sustainable solution to the problem, and offers limited scope for the UN to play a meaningful role at the moment.

Wednesday's massive military deployment in Borno, Adamawa and Yobe states included fighter jets and some 8,000 troops granted sweeping powers. It will inevitably lead to significant loss of lives and suffering, with the civilian population being highly vulnerable to the risk of excessive use of force by the Nigerian military, including through reprisals and persecution of people suspected of being linked to the militia. Depending on the intensity of the fighting, displacement is a possibility; most likely starting with internal movement to seek shelter with relatives/friends (e.g. Christians moving towards the South) but possibly also into Cameroon, Niger and Chad, as ethnic groups stretch across borders. Tensions within the communities continue to increase as long as the state of emergency is in place; curfews and cuts in the mobile network are already being reported.

Analysts are cautioning that the military campaign will not be successful; Boko Haram benefits from a vast network of criminal organizations and militants across the Sahel and can easily find hiding places to regroup. Moreover, besides religion, the militancy is as much driven by poor socioeconomic conditions and the wider sense of marginalization in the North. The President, a southerner himself, has so far leaned more towards appeasing his southern support base than pursuing efforts to improve governance, boost development and address social grievances in the North, thus leaving the root causes of the crisis unresolved. Until such a time as violence spreads to the capital and economic centers, which at present have been mainly spared, few believe he will change this approach.

UN involvement is constrained by limited access to information. With no presence on the ground in the three regions under state of emergency, the UN knows very little of the nature of the conflict, the gravity of the abuses and the sensitivities of getting involved. Being the most populous country in Africa and the regional superpower, Nigeria has for reasons of pride continuously rejected any foreign involvement in its internal affairs. This goes for both the UN and regional organizations such as the AU and ECOWAS, the latter of which tend to stay out of interfering (*the ECOWAS Commission is dominated by Nigerians*). Local state authorities in Nigeria and neighbouring countries could be more open to providing information; successful collaboration of this kind apparently facilitated the release of 7 kidnapped French tourists in April. Obtaining adequate knowledge will be key for the UN to be able to offer any meaningful support or appear credible in the eyes of Abuja. *The UNCT so far has had no chance to get involved in these matters and UNOWA*

generally stays out of Nigerian affairs. DPA will consider whether Nigeria should be declared a country of "Special Circumstances" by means of the Policy on Special Circumstances in Non-Mission settings especially in light of the on going following to the Petrie report on Sri Lanka.



Political, Peacekeeping, Humanitarian
and Human Rights Unit
17 May 2013

cc: DSG, CDC

May. 17. 2013 11:16PM

UNHQ COMMCENTER 3/15

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Friday, 17 May 2013**

Handwritten: 12/5/13
H. G. C. W.

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UNHQ COMMOCENTER 3715

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