



No. 23, June 2011

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Peace and Security Council Protocol

'The PSC shall encourage non-governmental organizations to participate actively in the efforts aimed at promoting peace, security and stability in Africa. When required such organizations may be invited to address the Peace and Security Council' – Article 20 of the Protocol Relating to the Establishment of the PSC of the African Union

Early Warning Issues for May

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC) for the month of June is Zimbabwe. In the absence of a country's representation at ambassadorial level, an alternate member will chair the Council for the month.

South Sudan

The fragmentation in the security situation of South Sudan and the associated escalating violence between intra-south forces illustrate the precarious nature of the security and political situation of South Sudan. Clearly, the independence of the South from the North is not the end of insecurity and violence in South Sudan. The fighting over Abyei undermines any prospect for the rise of South Sudan and its ultimate independence without involving military conflict with the North. These developments attest that a great deal of attention needs to be paid to the internal and regional dynamics of South Sudan as it continues its quest for independence.

Uganda

The 'Walk to Work' campaign which began on 11 April has now become a nation-wide movement largely due to the violent way in which the government responded to the popular protest. At the end of April more than three hundred lawyers gathered in Uganda's capital, protesting the arrest of the country's top opposition leader and the crackdown on demonstrations. The lawyers who gathered outside the high court in Kampala demanded the resignation of security officials involved in the arrest of the opposition leader, Kizza Besigye, and the violent response to the peaceful protests. Many of these lawyers have also challenged the violation of Uganda's constitutional right of freedom of assembly.

Recently, Amnesty International published a *Human Rights Agenda for Uganda* which recommends nine areas of concern that the Ugandan government should prioritise in order to improve human rights. Amnesty International has identified the current restriction on the rights to freedom of expression and peaceful assembly as a priority issue for encouraging changes to the practice

of human rights in Uganda. Amnesty International has also criticized the Ugandan government's blanket ban against all forms of public assembly and demonstration that has been in force since the conclusion of the February 2011 general elections and has urged that this ban be lifted immediately.

Madagascar

The political crisis that emanated from the unconstitutional change of government in Madagascar in 2009 is far from revealing in all its complexities. External actors seem to have run short of formulae in their attempts to help the country return to constitutional order. At the same time, the so-called domestic initiatives have not yet produced the expected breakthrough. There is an impasse in the transition process with further risks of violence. Currently, a roadmap proposed by the regional SADC Mediation Team has come under criticism and appears as a recipe for confrontation if adopted in its initial form.

The radicalism of the opposition

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Livingstone Formula

'Civil Society Organizations may provide technical support to the African Union by undertaking early warning reporting, and situation analysis which feeds information into the decision-making process of the PSC' – **PSC/PR/ (CLX)**, 5 December 2008, Conclusions of a Retreat of the PSC on a mechanism of interaction between the Council and CSOs.

parties and the intransigence of the coup leader, Andy Rajoelina, continue to tear apart any efforts at resolving the crisis while the socio-economic conditions continue to deteriorate as a result of imposed sanctions and diplomatic isolation. In the wake of the ongoing Arab Revolution, the failure of the Malagasy authorities to plan an inclusive and coherent post-coup transition runs the risk of plunging the country back into instability.

COUNTRY ANALYSIS

South Sudan

Previous PSC Communiqués and other AU statements

In the communiqué that it issued at its 262nd meeting held on 24 February 2011, the Peace and Security Council (PSC) of the African Union (AU) stressed the need to continue supporting the implementation of the Comprehensive Peace Agreement of 2005, including the negotiations on post-referendum arrangements. The Council also underscored the need to speed up the post-conflict reconstruction process and the socio-economic development of South Sudan, as a basis for building a viable state.

Following the eruption of violence over Abyei, on 4 May 2011 the AU issued a statement noting with grave concern the violence in the Abyei area. Recognizing that the violence resulted from the failure of the parties to implement the CPA and the recently concluded agreement of Kadugli on Security in Abyei, the AU called upon the parties to 'immediately ... implement, fully and without any delay, all the provisions of that (Kadugli) agreement, including withdrawing any additional unauthorised armed forces from Abyei.' The AU further urged the parties 'to desist from taking any unilateral actions, concerning the security of Abyei, or the political future of (the) Abyei Area'.

Crisis Escalation Potential

In relation to the referendum, South Sudan witnessed no serious violence. However, this calm did not survive for too long. Subsequent to the referendum, and in the aftermath of the confirmation of the overwhelming vote for secession, increasing levels of violence have been witnessed in various parts of South Sudan. According to the UN, more than 800 civilians died and over 93,000 others have fled their homes since January as a result of the violence. Defections from the SPLA and rebellion against the SPLM-led Government of South Sudan (GoSS) have increased. In Jonglei, the armed rebellion of George Athor has persisted, with clashes between armed fighters under the control of Athor and the SPLA. As a sign of the further deterioration of the security situation in South Sudan, other defections and armed resistance to SPLM leadership have also taken place. In early March, the militia group called the Olony-Lam Akol Group, which is linked to a former high ranking Southern official from the Shilluk ethnic group in Upper Nile State, attacked and temporarily occupied the town of Malakal.

In our PSC Report of February 2011, we observed that 'there is no other issue that carries greater risk of an eruption of violence in post-referendum Sudan than the situation of Abyei'. This region has become a major flash point over the course of the past few months, with a heightened military-build up by the two forces and a series of recurring clashes. In confirmation of our earlier concerns, the dispute over Abyei has over the course of the past days brought North and South Sudan to the brink of a full scale war. Following an attack (attributed to, but denied by the SPLA) against a UNMIS convoy that was transporting SAF Joint Integrated Forces, heavy fighting broke out in Abyei on 20 May 2011. The fighting reportedly involved heavy artillery attacks and bombings that spread into the town of Abyei. On 22 May, Sudanese authorities announced that the SAF had taken over Abyei. In a move that further breaches the CPA, Sudanese President Bashir also unilaterally dissolved Abyei's administrative council.

The fragmentation in the security

situation of South Sudan and the associated escalating violence between intra-south forces illustrate the precarious nature of the security and political situation of South Sudan. Clearly, the independence of the South from the North is not the end of insecurity and violence in South Sudan. The fighting over Abyei undermines any prospect for the rise of South Sudan and its ultimate independence without involving military conflict with the North. These developments attest that a great deal of attention needs to be paid to the internal and regional dynamics of South Sudan as it continues its quest for independence.

Key Issues and Internal Dynamics

The major challenge facing South Sudan is the consolidation of domestic peace and security. There are a plethora of issues that affect the security situation of the South. These range from the proliferation of opposition militias and armed rebel groups to the transformation of the security sector and the implementation and finalization of an effective, transparent and workable disarmament, demobilization and reintegration process. Of these, the proliferation of opposition militias and armed rebel groups poses the most immediate security threat to civilians in South Sudan.

In the aftermath of the April 2010 elections, which resulted in various major defections from the SPLM, dissident groups launched armed insurrections against the SPLM. Since then, various parts of the South have experienced violence as a result of clashes between the SPLA and armed opposition groups. In the period leading up to the January 2011 referendum, the Government of South Sudan initiated and implemented various measures in order to tackle these armed rebellions. In October 2010, it convened the Southern Sudan Political Parties' conference in Juba, which succeeded in creating a unified position regarding the referendum. President Salva Kiir also announced an amnesty pardoning rebel leaders. On 5 January, a ceasefire agreement was also signed with the major rebel group led by George Athor.

All these measures unfortunately began to unravel in the aftermath of the January 2011 referendum.

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This proliferation of opposition armed

One opportunity for undertaking such a process has been the transitional constitution-making process. The expectation that this process would afford an opportunity for achieving national political consensus was based on the resolution of the All Southern Sudanese Political Parties Conference of October 2010, which promised a broad based, inclusive and participatory transitional government. Unfortunately, these expectations were not borne out by the constitution making process. Using its incumbency and acting against the October 2010 agreement, the SPLM dominated the transitional constitution making process. First, when the technical committee for reviewing the 2005 Interim Constitution of South Sudan was announced on 21 January 2011, all the members of the committee were from the SPLM. Even if this was subsequently rectified with the addition of other members to the committee, representing other political groups, the SPLM still added its own candidates to the membership of the review committee in an apparent attempt to dictate the review process. The review process faced further problems of legitimacy when six members of the committee from opposition groups withdrew from the process, accusing the SPLM of using its majority in the committee to impose provisions favourable to its continuing grip on power.

With the negotiation over the resolution of the Abyei dispute failing to yield any conclusive result, both groups as well as the governments of the North and the South, have resorted to asserting title over Abyei. Throughout the first few months of

2011 there were reports of increased build-ups of conventional armed forces from both the SAF and the SPLA. This not only resulted in recurring armed clashes, but also brought the two forces to the brink of war.

At the end of February, an attack on a police post in a Ngok Dinka village by the uniformed armed group of Misseriya resulted in 75 police and civilian deaths. A similar incident took place on 2-3 March when the Maker Abior and Nood villages were attacked. The newly reviewed draft constitution of South Sudan defines Abyei as part of the territory of an independent South Sudan. This decision provoked fierce reaction from the North that declared that it would not recognise South Sudan.

The heavy artillery fighting and the bombings experienced in the most recent fighting that started on 20 May between the SAF and the SPLA adds impetus to the fear that the North and South are on the brink of war. Coming as it does following the wake of the agreement for withdrawing all unauthorised forces from Abyei, this heavy fighting once again illustrates the precarious nature of the North-South peace process and the imperative of resolving the Abyei issue.

Scenario Planning

Given the above analysis, the scenarios that could unfold include the following:

Scenario 1:

As the SPLM continues to show preference for a military rather than a political approach, the security situation in South Sudan is set to deteriorate further.

Scenario 2:

The complexities surrounding Abyei are likely to continue to trigger violent clashes between the Ngok Dinka and the Misseriya, while also drawing the SAF and the SPLA into further confrontation.

Scenario 3:

The military takeover of Abyei by the SAF and the dissolution of the Abyei administration by presidential decree, issued unilaterally by President Bashir, creates further confusion about the status of Abyei.

Early Response Options

In the light of the above, the early response options that could be considered include the following:

Option 1:

The PSC could condemn the attack against the UN convoy that was transporting SAF forces that are elements of the JIF as a violation of the CPA and request an impartial investigation of the incident. The PSC could further call on the Government of Sudan to ensure that SAF forces do not attack civilians and

civilian infrastructure in Abyei, that they withdraw from Abyei without conditions and that the Abyei administration be reinstated

Option 2:

The PSC could call on the Government of South Sudan to initiate a national dialogue for reconciliation and building national consensus among all political forces in South Sudan. To this end, the PSC could also authorize the AU High Level Implementation Panel to engage South Sudanese actors and facilitate the convening of a process for such dialogue.

Option 3:

The PSC could also call on all members of the international community to effectively engage the Sudanese parties, either individually, regionally or through the UN, in order to ensure the full implementation of the CPA and achieve a negotiated settlement over Abyei and other post-referendum issues.

Option 4:

The PSC could reiterate its statement on the need to speed up the post-conflict reconstruction process and the socio-economic development of South Sudan, while at the same time emphasising the need for more just and effective governance, accountability, transparency and oversight in all such processes on the part of the Government of South Sudan.

PSC Retrospective

Border disputes in Africa

Border disputes appear to be common features of African politics. The causes of border disputes in Africa are many and are characterized by territorial and land claims due to the absence of clearly defined borders. Territorial disputes usually arise at state-level, but may also be precipitated by the inhabitants of border regions. In Africa, border disputes have recently become the main cause of insecurity. Due to their prevalence, border disputes in Africa have

drawn the attention of both African states and the African Union Peace and Security Council. The Panel of the Wise held a meeting on 12-14 December 2010 in Algiers, Algeria, and emphasized the need for a comprehensive strategy to deal once and for all with border disputes in Africa. It recommended that the strategy should be developed by the Commission of the African Union and regional economic organizations in Africa.

Some years earlier, African Ministries in charge of border issues held a

meeting in Addis Ababa, Ethiopia, on 7 June 2007 and declared that less than a quarter of African borders had been delimited and demarcated. African Ministers emphasized in their declaration that African borders were burdened with risks of disputes due to the absence of demarcation, which gave rise to the existence of 'undefined zones'. The Ministries in their declaration called upon African states to take the necessary steps to facilitate the process of demarcation of African borders,

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including maritime boundaries, where such an exercise had not yet taken place. The Ministers also encouraged African governments to undertake and pursue bilateral negotiations on all problems relating to the demarcation of their borders, including those pertaining to the rights of affected populations, with a view to finding appropriate solutions to these problems.

The African Ministers requested the Commission of the African Union to initiate a Pan-African survey of borders, through a questionnaire to be sent to governments of all African states, in order to facilitate the demarcation of African borders.

Following the Algiers meeting of the Panel of Wise and the declaration of the African Ministers, border disputes in Africa have become more prominent and more likely. For instance, in the Horn of Africa, recurrent border disputes have taken place among some eighteen neighboring countries over a relatively short period of time. In other parts of Africa the prevalence of border disputes remains similar. In addition, in the southern part of Africa border disputes have affected at least six different countries. The same types of dispute have arisen among North and West African countries.

Even though recurrent border disputes have been observed in Africa, the likelihood of them escalating into war varies according to circumstances. This possibility is much higher in the Horn of Africa than in other parts of Africa. In the Horn there were border incidents in 1977 between Ethiopia and Somalia and in 1998 between Ethiopia and Eritrea. In 2010, differences surfaced between Djibouti and Eritrea over their ongoing border dispute.

Causes for border disputes in Africa

There are diverse factors that may contribute to border disputes in Africa. The major causes of such disputes include:

State Collapse

In most cases, state collapse is attributable to an absence of viable state institutions, authority vacuums and an inability by the people of such a state to defend their territory against invasion, maintain law and order and create new leadership structures, before a total collapse takes place. When a state ceases to exist and public services, including security services, shrink or collapse entirely, there is a formal loss of control over territory. As a result of state collapse, the function that defines statehood no longer exists and lawlessness and chaos will shatter the social and political structures of the country, and the ability to control vulnerable border areas.

When the issue of the collapsing state arises, Somalia, in the Horn of Africa, invariably comes to mind. This is because for the last two decades, Somalia has been a collapsed state and its borders with neighboring countries have become insecure. The chronic instability of Somalia is observable particularly along the southern border with Kenya and the Ugandan and Ethiopian border areas. Due to the frequency of disputes along Somalia's borders it has been described as a "no peace no war" zone. Unfortunately, the conditions pertaining to Somalia's borders are part of a larger pattern of state collapse and lawlessness that affects all of Somalia.

The example of Somalia clearly indicates that state collapse in Africa is a factor that can contribute to border disputes. In such circumstances the nature of the relationship between a state that collapses and neighboring countries becomes more difficult. In addition, the presence of militias, war lords, clan and tribal leaders in the collapsed state merely contributes to a general lack of political legitimacy and an absence of legal certitude. Such fragile relations between countries lack judicial power and there is therefore an international obligation to resolve border disputes in an amicable and mutually acceptable manner to the general satisfaction of all parties.

Undemarcated Borders

Most African countries share undemarcated and unmanaged boundaries. For instance, in North Africa, the Algerian-Moroccan border, inland from the Mediterranean, is demarcated for only about 102 miles to the hill of Teniet Sassi, then for about 200 miles to Figuig. The rest of this border remains a contentious issue. The Algerian-Spanish Saharan border has been demarcated, but the precise location of the Moroccan border is unknown. The Algerian-Tunisian border, inland from the Mediterranean, is also demarcated for about 404 miles to Bir Romane, but the remainder is still disputed.

Furthermore, sharing borders with a variety of countries has had an effect on border disputes in Africa. In the Horn of Africa, Ethiopia shares borders with five neighboring countries, Eritrea, Sudan, Djibouti, Somalia, and Kenya. The soon-to-be-independent South Sudan will also soon share a contiguous border with Ethiopia. Border demarcation determines the limits of local administrations; defines where people vote, pay taxes, and access public goods; and determines the accessibility of schools and medical services. Borders also identify private ownership, farming rights and mining. Legally, they determine the physical extent of a country's sovereignty and its right to defend against invasion of its territory. Moreover, it prevents bilateral disputes and assists domestic administration as well as the creation of peaceful and stable border areas that help to enhance economic development. Therefore, when borders are not clearly demarcated, there remains a constant possibility of a border dispute.

Colonial Legacy

Some borders, such as mountain ranges or rivers form natural borders. Others tend to be artificial, in the sense that they are man-made divisions of the landscapes of regions and continents. During the colonial

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period, the demarcation of borders in Africa was not based on local circumstances.

Consequently, an important factor to consider is that the colonial powers demarcated Africa's borders often either from a military security perspective or from an economic perspective in terms of mineral and land wealth. Consequently, colonial surveyors invariably divided tribes, nations and communities when they drew their colonial maps of the continent of Africa, thereby bisecting traditional migratory, hunting and trading routes. They therefore succeeded, not always intentionally, in dividing peoples who speak the same language, profess the same religion, possess common cultural traits and engage in similar economic activities.

These actions by colonial powers resulted ultimately in making border disputes more complex in Africa. The consideration given to local conditions by former colonial powers was therefore wholly insufficient and often disregarded by the indigenous population, leading ultimately to a situation where border disputes have become relatively common in Africa.

Weak Border Management

Many African countries have ineffective border controls. Weakness in managing borders in Africa is influenced by the level of poverty, unemployment, underdevelopment and the life styles of people living in border areas. Governments are also to blame for not maintaining effective border controls.

Economically, in most parts of Africa, people living in border areas engage themselves in semi-arid farming activities as a result of their pastoral way of life, which does not allow them to stay in one area permanently. In effect, this also contributes to under development in the area. Border area inhabitants gain less attention from central government and, as a result, often become marginalized from access to public services.

In border areas, the state's capacity to exercise authority is weak or relatively non-existent. The absence of state oversight and control in border regions breeds a high degree of lawlessness and compels local communities to rely upon informal systems of protection, usually involving a combination of tribal or clan militias for deterrence and retaliation and more traditional authorities and customs for conflict management and justice.

Apart from weak management, natural borders such as rivers or mountain ranges are often very long, irregular and difficult to manage or control. For instance the border between Cameroon and Nigeria is 1,085 miles in length, the border between Ethiopia and Sudan is 1,994 miles long, and Ethiopia's border with Somalia stretches for 994 miles. Many of the weaknesses in Africa's border management systems have been effectively exploited for illegal cross-border activities that threaten national sovereignty and destabilize regional politics and social structures.

Climate Change

Due to environmental degradation in many border areas, increased competition and pastoral conflicts over water and grazing lands have become prevalent. A long and on-going expansion by migratory pastoralists at the expense of other groups has contributed to periodic clashes over land. Not only pastoralists, but farming societies from the central and highland regions, driven out by lack of soil fertility due to reduced rainfall, scarcity of arable farm land and high population growth, tend to invade border areas where land is abundant and moisture is readily available in river areas.

Increased competition over new farmland and growing demands by urban settlements in border areas are more immediate drivers of conflict in these border areas. For example, towns and villages are important sites of trade and aid in the Horn of Africa, particularly on the Kenyan side of the Ethio-Kenyan border, where "locations" or villages serve as seats of local administration. The new settlers move in and the existing inhabitants assume, often

correctly, that the newcomers will create a scarcity of resources, thereby initiating a cause for a fresh territorial dispute. In this regard climate change, by reducing water and crop availability, may also play a significant role in triggering border disputes.

Cross Boundary Resources

In many traditional African societies, forests, wild life, cross-border waters, and grazing lands as well as other natural resources on both sides of the border are considered to be shared resources. In Africa, in contrast to land ownership in North America or Europe, land was neither individually owned nor used, thereby giving a quite different meaning to the concept of an imposed physical boundary that remains constant and relatively unchanging.

During the exploratory and colonial periods, Europeans arrived with long-established legal ideas and practices concerning private ownership and imposed their ideas about fixed boundaries and land usage on the indigenous peoples of Africa. In effect such imported ideas came into conflict with Africa's traditional communal sense of property ownership and created confusion in addressing border problems such as a shortage of grazing land, access to trade, water, health facilities, minerals and fisheries, as well as access to schools and employment, and access to the sea. These problems are all capable of fueling conflict about border disputes. The source of conflict is invariably a potential struggle between the interests of the wider regional community and the interests of the individual state.

Territorial Claims and Scarcity of Resources

As a result of population increases in Africa, the scarcity of land resources becomes prevalent and contributes to territorial claims. A lack of clearly defined and demarcated boundaries therefore contributes to frequent territorial claims in many parts of Africa. The territorial dispute that arose in 2009 between Kenya and

PSC Retrospective

Uganda over the ownership of Mgingo Island in Lake Victoria, the dispute in 2008 between Eritrea and Djibouti over Ras Damera, and the conflict between Uganda and the Democratic Republic of Congo over the oil-rich Lake Albert region are all indicative of the fact that border disputes are a direct consequence of a scarcity of land or water resources.

Sometimes, such disputes are motivated by a quest for additional mineral resources or a desire

for enhanced domestic security. Similarly, Northern and Southern Sudan both claim the territory of Abyei, whereas claims by Ethiopia and Eritrea on Badime serve to maintain an insecure 'no peace no war' stalemate between the two countries. Therefore, the peaceful mutually accepted demarcation of disputed borders should be a priority concern of the international community, including particularly the member states of the African Union.

arrest has said that the campaign was only the beginning and that pressure on the government will grow until it begins to listen. After being 'drenched' by tear gas or pepper spray at close range, Besigye spent a week in a Nairobi hospital. His left eye was seriously damaged, but he said he had regained most of his sight. During the early stages of the protest campaign Besigye was also shot in the finger by a rubber bullet. The authorities said Dr Besigye was provoking them, and they charged him with inciting violence.

In the course of the ongoing protests Besigye was arrested five times while leading the "walk to work" campaign. On 26 May four alleged "masterminds" of the 'walk to work' street protests in the eastern Ugandan district of Mbale were charged with terrorism by the government. In Uganda, punishment for those convicted of terrorism can include the death penalty. Human rights organisations have condemned the action of the police. The four alleged protestors will reappear in court on 1 June.

To the dismay of many Ugandans, Museveni wrote, in a letter published in the state-owned New Vision paper, that the 'walk-to-work' campaign was part of a hidden agenda promoted by Besigye and his supporters. Museveni also wrote that 'they want to ignite riots using drug-users or even hired groups to loot property ...' and he urged his security institutions to 'end this criminality' and accused the police and judiciary of being too soft in handling the 'Walk to Work' organisers and their supporters.

In a continuing protest against the government, protesters in Kampala responded enthusiastically on 23 May to the call by *Activists for Change* for five minutes of noise every Monday. Motorcyclists and drivers honked their horns, banged pots and pans together and generally made a racket to show support for opposition protests about high food and fuel prices. Market vendors and women also joined the protest. The protests have been among the most serious anti-government protests in East Africa for several months. The political and security situation in Uganda is deteriorating rapidly and there is a huge possibility that the crisis may escalate in the absence of genuine engagement by the government, with the opposition.

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COUNTRY ANALYSIS

Uganda

Previous AU Documents and Recommendations:

Uganda is one of the most active and visibly influential members of the African Union. The country has featured on the agenda of the PSC and the AU several times in the light of the security situation in northern Uganda and the threat posed by the brutal Lord's Resistance Army (LRA) which originated in Uganda, but is now also active in eastern and central Africa. However, the more recent violence in Kampala and beyond has not been debated or discussed by any organ of the African Union, including the PSC. The Council which has become more assertive and more willing to resort to intervention in recent years, still seems to consider clashes like the one that took place in Kampala on April and May as a matter of domestic law and order. The silence of the PSC and the larger AU structure could be perceived as an example of double standards as the AU has discussed and acted upon similar developments in North Africa.

Crisis Escalation Potential

Uganda is currently in a state of political and security unrest. The country has seen severe hikes in food and fuel prices during the past several months, making car or bus travel unaffordable for many. Anger over the increases has sparked a series of 'walk to work' marches led by opposition leader Kizza Besigye to protest government corruption

and rising food and fuel costs. The protests resulted in violence between the police and protesters and allegations of police brutality. According to reports, police have allegedly killed nine people including a two-year-old girl, shot by a member of the security forces during the marches. More than 600 protestors have also been arrested, with hundreds reportedly injured in the protests.

The protests, despite their original focus on the rising cost of fuel and food, quickly turned into larger anti-government demonstrations. Before the February 2011 presidential polls, Besigye, who leads the major opposition Forum for Democratic Change (FDC), had called for Egyptian-style uprisings in the event of election fraud. Subsequently, upon gaining 26% of the votes, compared with 68% of the vote gained by the incumbent president, he claimed that the election was rigged. However, a heavy security presence prevented post-election protests.

When protests about fuel and food prices began on 11 April, police and soldiers indiscriminately used tear gas, pepper spray, and both rubber bullets and live rounds against protesters, as well as some individuals not even involved in the protests. According to the Ugandan Human Rights Commission, tear gas was also fired into schools, health centers and homes, injuring women and children.

There is no sign of calm in Uganda and the way in which the government and the security forces handled the unrest has been condemned by many. Besigye, who is under house

Key Issues and Internal Dynamics

On 12 May, 2011 President Museveni, who has been in power since 1986, was sworn in for a fourth term as president. The mood in the capital, Kampala, was very tense and security was tight. There was a heavy police and military presence. On the same day as the presidential inauguration, Kizza Besigye, who was in Nairobi for medical attention following a police beating during his 'Walk to Work' campaign, flew home to a tumultuous welcome by thousands of supporters and anti-government protesters. Dr Besigye, accompanied by his wife, a UN employee based in New York, greeted the crowds from an open-top car and spent six hours driving the 40km from Entebbe airport to Kampala through crowds of cheering supporters. However, the demonstration turned violent and some of his supporters, who soon clashed with police, were killed or injured.

The 'Walk to Work' campaign which began on 11 April has now become a nation-wide movement largely due to the violent way in which the government responded to the popular protest. At the end of April more than three hundred lawyers gathered in Uganda's capital, protesting the arrest of the country's top opposition leader and the crackdown on demonstrations. The lawyers who gathered outside the high court in Kampala demanded the resignation of security officials involved in the arrest of the opposition leader, Kizza Besigye, and the violent response to the peaceful protests. Many of these lawyers have also challenged the violation of Uganda's constitutional right of freedom of assembly.

However, despite the criticism of his government's response to the protests, Uganda's President Yoweri Museveni did not waiver from his contention that the demonstrations were illegal. In his letter to the New Vision newspaper he also attacked both local and international media for their coverage of the opposition protests. Museveni called the press 'the enemies of Uganda's recovery' and accused Al-Jazeera, the BBC, regional NTV and Uganda's privately owned Daily Monitor of cheering on those behind the month-long 'walk-to-work' campaign. In an expression that offended many and resembling the speech of Libya's troubled leader, Gaddafi, he also referred to the protesters as 'drug-users' and 'groups

(hired) to loot' expressing support for the efforts of the Ugandan Police in trying to end the riots.

Subsequently, on 19 May 2011 Besigye was prevented from leaving his house by police who claimed that they had information that he was mobilising supporters and was about to commit a crime. Dr Besigye left his house by car and was stopped at a police roadblock. They said he was under 'preventive arrest' and gave him two options - either to return home or to go the police station. Referring to the repressive Ugandan regimes of Milton Obote and Idi Amin Besigye said that he was ashamed that Uganda had 'regressed back to the dark days of previous atrocious dictatorships'. The actions by the government are believed to be damaging the reputation of the government and the president as the protests are gaining momentum and gathering support amongst the various sections of Ugandan society.

Uganda's President Yoweri Museveni has ruled Uganda for more than a quarter of a century. Museveni led a guerrilla struggle in 1981 and his National Resistance Army eventually took power in January 1986. Claiming that multi-party politics promotes ethnocentrism, he subsequently introduced a system of politics described as a broad-based, alternative system of democracy in which people could compete for political office on individual merit. Over the next 10 years, Mr Museveni became the favourite of the West as he was credited with bringing Uganda out of Idi Amin's brutal and traumatic regime and creating relative stability and economic development, particularly in the 80s and 90s. Museveni was once feted as being part of the new generation of Africa's leaders who would replace the 'Big Men' of Africa. In 2001, he was also praised by many for his announcement that he would stand down at the next election and that he would soon choose a successor. However, he changed his mind and had the constitution amended to allow him to run for a third term in 2006.

Kizza Besigye was Yoweri Museveni's personal physician before he left the government in 2001, after accusing the ruling National Resistance Movement of being undemocratic, dishonest and corrupt. Since then Besigye has lost three disputed elections to President Museveni. After he returned to Uganda ahead

of the 2006 elections, he was arrested and charged with both treason and rape. The charges were later dismissed, but not until long after the polls had closed. The rape prosecution was dismissed as 'crude and amateurish,' but the treason charges hung over his head until 2010. His lawyers then unsuccessfully challenged the 2006 results, alleging widespread fraud. The government claimed Dr Besigye had connections with anti-government rebels, and this accusation led to further charges.

After his election victory and inauguration, President Museveni began choosing a new cabinet. In a move that surprised many observers, President Museveni appointed Amama Mbabazi on 24 May 2011 as the new prime minister. Mbabazi, a former security minister who once had a parliamentary election victory cancelled by the courts because of vote-rigging, has also been implicated in several of Uganda's biggest corruption scandals. A parliamentary committee accused him and other ministers of misusing money meant for hosting the Commonwealth Heads of Government Meeting (CHOGM) in 2007. Museveni has also appointed former parliament speaker, Edward Sekandi, as vice president.

Museveni has vowed repeatedly that his government will not be taken down by protests and has labeled the campaign against him as illegitimate and illegal while Besigye claims corruption is the reason that Museveni is still in power after 25 years. Besigye has also said that Museveni does not have the ability or will to deal with corruption in his government. Recent developments have seriously damaged the government's image, both locally and internationally while boosting the profile and support for Besigye and his political movement.

Geo-Political Dynamics:

Pan-African and RECs Dynamics:

Uganda is a prominent peace and security advocate in the eastern African region and beyond. Uganda contributed more than half of the 9,000 AMISOM troops in Somalia supporting the weak Mogadishu Transitional Federal Government (TFG) against the *Al Shabaab* Islamic extremists who control most of the country. On 14 May, 2011 *Al Shabaab* threatened to punish

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character of the process, saw the amendment of the age requirement for presidential candidates lowered to 35 years instead of 40, as in the previous constitution. Secondly, there were controversies around the conditions under which the referendum was held and some exclusionary measures endorsed by the new constitution. The proposed constitution stipulates that presidential candidates must be resident in the country for at least six months prior to elections - a provision apparently aimed at barring the exiled former president, Marc Ravalomanana, from taking part in the process.

return Madagascar to constitutional order, cracks have begun to appear among key external actors and this development has shifted the balance in favor of the coup plotters. As the situation currently stands, there is no doubt that the aim of the *Haute Autorite de la Transition* (HAT) is to perpetuate its rule through a carefully designed roadmap that confronts SADC and the international community with a *fait accompli*.

though Marc Ravalomanana's support base has been weakened lately due to internal divisions within his camp, excluding him from the transition and future political process in Madagascar is likely to create further tensions.

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UN Dynamics

Wider International Community

While many observers were expecting the European Union to condemn the November 2010 referendum for its unilateral character and absence of transparency, the EU, at least some of its members, rather tacitly gave their blessing to the process, while others provided the necessary financial assistance. This has provided the HAT with a platform to dictate the terms and conditions of the transition, as almost 74 per cent of the voters (52 per cent voter turnout) approved the new constitution.

There are hard choices to be made if SADC and AU mediators are to remain relevant and effective in the process. The first choice would be to reconcile the divergent views on how to resolve the crisis in the best interest of the country, working with the main actors in the crisis. Rajoelina seems to be working well with the home-grown approach. Perhaps there is a need to see how to bring other political actors into the process in order to provide inputs into this plan and create conditions that will ensure fairness and transparency.

Civil Society dynamics

complex political landscape, CSOs also find it hard to maintain their neutrality even though they have demonstrated great willingness to cooperate with each other. Indeed, the proposed roadmap made provision for the important role expected from CSOs. In essence, the Malagasy CSOs are to be involved in the observation of the presidential as well as legislative elections. They are also expected to monitor and ensure the compliance of political actors with the Code of Ethics and Good Conduct.

Scenarios

Scenario 1

As the international community's attention is on the crisis in North Africa, transitional political actors might take advantage of the vacuum and unilaterally impose the roadmap without seeking to address its shortcomings. Such action is likely to delay the effective resolution of the crisis while failing to address some of the most structural causes of instability in Madagascar.

Scenario 2

SADC finally succeeds in forcing the HAT to take into consideration the demands of the opposition leaders. This might help establish a fair process that could contribute to creating a conducive environment for a credible electoral process. Failure to do this will certainly put the credibility of SADC, the AU and the broad international community at stake.

Scenario 3

Andry Rajoelina could ignore SADC

recommendations to continue to rule without any regard for international mediation efforts. In this case, the military will continue to sustain his leadership while repression is used to quell social protests.

Scenario 4

With the disenchantment of the young unemployed in Madagascar and the impasse in the transition process, the country could be affected by violence. The army is far from being united behind the HAT and the risk of rebellion, a coup or social upheaval has become a constant variable in the national polity of Madagascar. Inspired by the North African revolutions, the youth in Madagascar could decide to challenge both Marc Ravalomanana and Andy Rajoelina.

Early Responses

Given the above scenarios, the

following options could be considered:

Option 1:

SADC needs to remain unequivocal about the fairness and credibility of the transition process and the current roadmap. Regional leaders should seize the opportunity to address the divergences that are apparent in the document and present sufficient guarantees for its effective implementation.

Option 2

Leaders of the opposition in Madagascar should play their part without restraints, with the objective of providing the country with genuine democratic institutions and legitimate leadership. They need to reconsider their radical opposition to every initiative taken by the HAT to restore constitutional normalcy in Madagascar

Option 3

There is a need to reiterate that violence should not be used as a political tool. Both the current government and the opposition need to refrain from resorting to violent means and seek to resolve the crisis through consolidated dialogue. Bans on protests and prevention of the return of political exiles could contribute to further deterioration of the situation.

Option 4

The international community should not appease the authorities in Antananarivo by endorsing a controversial transition plan. This could set a bad precedent in Africa, a continent threatened by electoral violence and unconstitutional changes of government.

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West African Drug Trade: a Problem of Governance

In a 2005 report, "Crime and Development in Africa," the United Nations Office on Drugs and Crime (UNODC) made the following statement analyzing the problem of illicit drug trafficking and organized crime in Africa:

In a number of African countries, drugs, crime and corruption are undermining development efforts. crime, in a broad sense, inhibits development in Africa by destroying human and social capital, drives away business and investments, and undermines the ability of the State to promote development.

The statement – and the strategies for combating the problem which, in the view of the UN, constituted a huge problem of international security, not to mention the negative impact on 'sustainable development' – was a wake-up call for African states, African regional organisations, and the African Union (AU). Then in 2007, UNODC produced an even more dramatic report, *Cocaine Trafficking*

in West Africa: The threat to stability and development (UNODC, Vienna, 2007), which estimated that about a quarter of Europe's annual consumption of 135 to 145 tonnes of cocaine, valued at \$1.8 billion, transitted from South America via West Africa, in addition to quantities of heroin smuggled from Asia to North America.

Moreover, West Africa was identified as a significant producer and exporter of cannabis products. This report, unlike the 2005 alert, attracted massive international media and governmental attention, and many West African states were prompted to take action. However, in July 2009, UNDOC in Vienna produced another report, *Transnational Trafficking and the Rule of Law in West Africa: A Threat Assessment*, which noted that drug trafficking had put West Africa "at greater risk" by 'undermining the rule of law; deepening corruption; polluting the environment; violating human rights; stealing natural resources; depleting human resources; and jeopardising health.' This, the report noted, 'makes West Africa more prone to political instability and less able to achieve the Millennium Development Goals.'

Much of these dire conclusions were reiterated at the 4th Session of the AU Conference of Ministers for Drug Control and Crime Prevention, held at its headquarters in Addis Ababa, Ethiopia, on 28 September to 2 October 2010. The meeting was meant to review the implementation of the AU Plan of Action on Drug Control and Crime Prevention (2007-2012), which underlined 'the increased linkages between drugs and conventional and organized crime in Africa.'

In 2008, Antonio Maria Costa, Executive Director of UNODC, even went so far as to compare Europe's need for cocaine, and the role of West Africa in the supply chain, to the effects of the transatlantic slave trade, a toxic enough point to make. Costa noted that Ghana, once known as the Gold Coast, might now be transformed into the 'coke coast.' 'We are aware,' Costa said in October 2009, that 'members of the ruling classes [in West Africa] benefit from this bloody trade, because of greed and as an insurance policy for hard times when power will be lost. We are

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aware that major trafficking rings are run from places of power, while counter-narcotic operations (run by low paid, junior officers) are compromised by corrupt...' West Africans (who), he added, 'are victims of a global trade – caught in the cross-fire of drug suppliers to the West and drug consumers in the North. But traffickers are targeting your countries because of conditions that enable them to operate with low risk. And many of these wounds are self-inflicted'.

Leaked US State Department cables in 2010 revealed the increasing concern of American and European authorities regarding the problem, but also what appeared to be significant intrusions into the inner circles of governments in the region. The cables indicate corruption at the highest levels of some governments in West Africa, the undermining of the rule of law, the distortion of the security sectors, high levels of violence among youths, and, in the case of Guinea Bissau, political instability and even coups.

The cables revealed the following disturbing developments:

In a major case involving the landing of a plane full of cocaine and arms in Sierra Leone in 2008, while the President, Ernest Koroma, appeared eager to prosecute and extradite three South American traffickers seized with about 1,500 pounds of cocaine, his Attorney General and Minister of Justice, doing the actual prosecution, was accused of offering to release them for \$2.5 million in bribes.

In Guinea, the country's biggest narcotics trafficker turned out to be the son of the (late) President, and diplomats subsequently discovered that before the police destroyed a huge narcotics seizure, the drugs had been replaced by flour.

In 2009, three men from Mali accused of plotting to transport tons of cocaine across northwest Africa were charged under a narco-terrorism statute added to the law in 2006. Both men were linked to

both *Al Qaeda* and its North African affiliate, *Al Qaeda in the Islamic Maghreb*.

In Nigeria, diplomats at the Liberian Embassy were using official vehicles to transport drugs across the border because they were not getting paid by their war-torn government and “had to fend for themselves.”

The leaked cables also noted British government concerns about narcotics trends in Ghana. A British Embassy official provided American officials with data from Operation Westbridge, a U.K.-supported program to strengthen narcotics interdiction at Ghana's main international airport in Accra. He reported that in the seven months since the start of this Operation at the end of November 2006, the UK had made 51 seizures of narcotics originating in Ghana. Airport officials were found to be allowing traffickers to easily smuggle drugs through an airport's "VVIP (Very Very Important Person) lounge."

In Sierra Leone, a US official noted in one cable in 2009, 'The proliferation of marijuana cultivation is being viewed as a national security threat... In Moyamba district, for example, intelligence reports suggest that individual marijuana farms span between 5 and 12 square miles. Local unit commanders feel powerless to stop the cultivation.' The cable noted that there were reasons to be hopeful that Sierra Leone was trying to tackle the drugs trade, but warned that 'senior members of the government have profited from the drug trade and have a vested interest in slowing co-operation.'

The cables indicated that Belgian, Belorussian and Dutch nationals were suspected of involvement in cocaine smuggling and that Sierra Leone “remains an easy place for intelligent, well-funded criminals to set up shop and take advantage of the country’s overall destitution.”

Actual drug interceptions magnify the information in these cables. In May 2010, Gambian and British officials seized two tonnes of cocaine with a street value of around a billion

dollars. Twelve people of various nationalities were arrested after investigators discovered the drugs in an underground bunker in a warehouse outside the Gambian capital, Banjul. Eleven senior government officials, as well as the Director of Gambia's National Drug Enforcement Agency (NDEA), were also arrested as part of a probe linked to drugs.

That same month, US and Liberian authorities arrested a number of people suspected of drug trafficking in Monrovia and flew them to the US to stand trial. In early 2008, the UN seized a shipload of cocaine worth US\$500 million off the coast of Liberia; an amount that represented about two times Liberia's annual budget at the time.

As a result of West Africa's increasing importance as a transit point for illegal narcotics, European and U.S. government agencies have in the past two years intensified support for West African countries, and have deployed additional personnel in the region, to combat the problem.

The AU Commission on the Implementation of the Decisions of the Third Session of the African Conference of Ministers of Drug Control and Crime Prevention has recognized marijuana as ‘the most problematic illicit drug in Africa’ and estimated that 8 per cent of Africa’s population, mostly youths ‘many of whom are orphaned and marginalized’, use marijuana, which accounts for 64 per cent of drug treatment demand on the continent. UNODC estimates that Africa accounts for between 22% and 26% of the world’s cannabis production, making the continent one of the largest annual sources of cannabis production.

Conclusion

The dangerous assumption that West Africa is merely a 'transit point' for drugs is sometimes shared by the ruling elite, as 419 scams were at one time thought to merely affect rich Westerners, with a potentially devastating

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impact upon West Africa's socio-economic and crime landscape. In fact, the level of consumption of cocaine in Ghana, the highest in Africa, compares with that of many Western countries.

The commitment of governments at the highest level, which in West Africa requires the personal commitment of the President, to effectively curtail and eliminate the narcotics trade, is therefore crucial. This was the case in a cocaine trial in Sierra Leone, involving as it did

a senior cabinet minister and law enforcement officials.

International anti-narcotics laws and treaties also need to be domesticated. International action plans and protocols to combat illicit drug trafficking ought to be urgently implemented in all West African countries.

Also very important, governments should make sure that captured traffickers go through a transparent and methodical trial process. This, of

course, requires the commitment of the President of the country concerned. This commitment would help to map out the problem and expose irregular loopholes that can be effectively closed. It would also help to establish legal precedents upon which future judgements could be based.

Important Forthcoming Dates

5 June:	World Environment Day
12 June:	World Day Against Child Labour
16 June:	Day of the African Child
20 June:	World Refugee Day
9 July	Independence for South Sudan

Country	Election	Date
Madagascar	Presidential	1 July 2011
São Tomé and Príncipe	Presidential	July 2011
Tunisia	Chamber of Councillors	24 July 2011
Cape Verde	Presidential	6 August 2011
Liberia	Referendum on Constitutional amendments	23 August 2011
Egypt	Parliamentary	September
The Gambia	Presidential	September

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This Report is published through the support of the Ministry of Foreign Affairs of the Federal Republic of Germany and the Humanity United Foundation. In addition, the Institute for Security Studies receives core support from the Governments of the Netherlands, Norway, Sweden and Denmark.

As a leading African human security research institution, the Institute for Security Studies (ISS) works towards a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy and collaborative security and gender mainstreaming.

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