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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 September

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC) for the month of September is Chad, represented by H.E. Chérif Mahamat Zene, Ambassador to Ethiopia and Permanent Representative to the AU. In the absence of a country's representation at ambassadorial level, an alternate member will chair the Council for the month. Member States currently represented on the AU Peace and Security Council include Benin, Burundi, Chad, Côte d'Ivoire, Djibouti, Equatorial Guinea, Kenya, Libya, Mali, Mauritania, Namibia, Nigeria, Rwanda, South Africa and Zimbabwe.

### BIO DATA:

#### Current posts:

### H.E. Mr. Chérif Mahamat Zene

Permanent Representative to the AU  
Ambassador to Ethiopia  
Chair of the PSC

#### Draft agenda for September 2011

The approved Agenda is unfortunately not available. However, it is anticipated that the following countries, or events in these countries and regions, will feature on the

#### PSC Agenda for discussion:

- South Sudan
- Somalia
- Terrorism
- North Africa
- Events in the Horn of Africa
- Libya

## Libya

While securing law and order is the immediate challenge facing Libya under the NTC leadership, the country also faces other longer term and more structural challenges. The first of these challenges is to successfully establish an all-inclusive and legitimate transitional government that is representative of all Libyans. In order to achieve this democratic transformation, the

NTC has to overcome at least two of many potential threats. The first threat comes from the divisions within the NTC itself. The NTC is not a cohesive and unified entity. Rather it is a coalition of various forces who are otherwise united by their opposition against, and commitment to oust, Gaddafi. As the 28 July assassination of rebel commander Abdel Fattah Younes, while in custody of rebel forces, attested, there are multiple fault lines

within the NTC. These fault lines run along tribal, regional, generational, and historical divisions and ties with the former regime. With the main unifying goal of ousting Gaddafi having been achieved, there is generally a danger that rivalry will ensue among the various factions involved in the rebellion.

## 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.

## Egypt

Despite the removal of Mubarak from power, the political situation in Egypt remains volatile. Multiple axes of division and rivalry have emerged. The division between the youth protestors and the army has degenerated into public confrontations. Clear signs that

the cohesion of the protesters is cracking have also emerged. While the gaps between Islamists and liberals have deepened, one of the most organized political movements in Egypt, the Muslim Brotherhood, has also split. At the end of June 2011, several members of the Brotherhood broke away to form a new political party, Current Party, thereby exposing further cracks in an

organization that was expected to be a formidable contender for political power in Egypt's forthcoming elections. Whether the transition will result in a full process of democratization remains uncertain. Fears that the army may thwart efforts to establish a full democratic system curtailing its political and economic privileges are deepening.

## Guinea

Guinea, one of the first countries in Africa to achieve post-colonial independence, never had an opportunity to experience democracy until the presidential elections of 27 June, 2010, which were applauded by the international community and raised the hopes of many for ending military rule in the country. However, the release of the preliminary results of the first round poll was followed by violent

demonstrations in Conakry and other parts of the country, triggered by perceptions of electoral fraud and irregularities and confusion regarding some voting and counting procedures. Guinea remains deeply divided along ethnic lines. On 18 July, 2011 soldiers attacked the presidential palace in Conakry in an attempted coup against the newly elected president. There is still much to do before peace, stability and democracy can be assured in Guinea.

Guinea began moving toward democratic legitimacy and constitutional order after the 2010 presidential election and the establishment of a civilian government. The new president has been working to restore stability and economic growth. The task of the new president is particularly difficult as he inherited a catastrophic situation. Urgent and concrete solutions are needed to meet the expectations of the citizens of Guinea regarding democracy, justice and economic development.

## Malawi

Malawi experienced protests and violent riots in mid-July after demonstrators took to the streets in Blantyre, Lilongwe and other cities, protesting against fuel shortages, price hikes and the repression of civil liberties. Nineteen protestors were reportedly killed by Malawi's security forces. Malawi's over-zealous expulsion of Britain's ambassador to Lilongwe and Britain's tit-for-tat response, plus the suspension of

British budget support for Malawi, has left Malawi vulnerable to further unrest. The current state of Malawi's economy and its future prospects are further factors exacerbating the country's economic, political and security challenges.

Tensions still remain high in the midst of long fuel queues, acute shortages of foreign exchange and lengthy power outages and water scarcity. According to some reports 80 per cent of public servants,

including police officers and workers in most government departments, received their July salaries very late. The government blamed the upgrading of the computer network for the delay, but many claim that the government simply had no money available to pay its employees. The economic and political grievances of Malawians, coupled with an aggressive response to the popular uprisings, have raised the level of the crisis.

## Pending issues

At its 268th meeting, held on 23 March 2011, the Peace and Security Council of the AU deliberated on the on-going political transition in Egypt. At the meeting the Council was briefed by the AU Commissioner for Peace and Security and received a statement from the Permanent Representative of Egypt to the AU. In a press

statement issued after the meeting, the PSC noted the progress made in the transition process, particularly the constitutional amendment. While it expressed interest in the planned visit of the AU Commission Chairperson and the Panel of the Wise to Egypt, the PSC also indicated its own planned visit to the country. The Council agreed to meet in due course to discuss the situation in Egypt on the basis of a report of the Chairperson of the Commission and after its own planned visit to

Egypt. While the AU Commission Chairperson and the Panel of the Wise have since undertaken their visits, the PSC has yet to visit Egypt. The PSC also still awaits the report of the Chairperson on the situation in Egypt. Finally, the meeting that the PSC anticipated holding on the situation in Egypt, since its 268th meeting, has as yet to materialize.

## COUNTRY ANALYSIS

### Libyan Update

#### Major recent developments

The unprecedented advance of the rebel groups to the capital, Tripoli, has caught many by surprise. On 20 August, 2011 the rebels entered Tripoli and claimed that they had captured two of Gaddafi's sons, including Saif al Islam, who has been accused by the International Criminal Court (ICC) of war crimes and crimes against humanity. However, the exuberance of the National Transitional Council following its rather early victory in capturing Tripoli disappeared after the defiant TV appearance of Saif al Islam on 22 August 2011, discrediting the claim of the National Transitional Council (NTC) that he was captured and thereby creating a huge public relations embarrassment for the NTC. Subsequently, Gaddafi's defiant voice message was broadcast on TV in which he stated that the retreat from Tripoli had been a tactical move to put the rebels in a military 'trap'. By the end of August, after NTC forces had captured most parts of Tripoli, including Gaddafi's compound after brutal fighting with Gaddafi forces, fierce fighting continued in a key Gaddafi stronghold, the Abu Salim neighborhood.

Rebel forces expanded the fighting to the east for the control of Gaddafi's home town of Sirte and other pockets of resistance still under the control of pro-Gaddafi forces. The military machinery of Gaddafi seems to have lost its grip, but still constitutes a serious threat for the stability of the country. As rebel forces step up their pressure on Sirte, including by calling on tribal leaders there to peacefully surrender, its artillery campaign around the regime-held stronghold of Sirte has succeeded in destroying many of Gaddafi's military vehicles and a "large headquarters bunker."

The NTC recently announced that it had transferred its headquarters to Tripoli. However, the city which hosts close to one third of the total Libyan population, is suffering from a total energy blackout. There is also a public health problem developing in Tripoli, as the city has lost access to running water. There is increasing concern

that the protracted conflict may further worsen the humanitarian crisis in the capital and other areas of Libya as widespread shortages of fuel, food and medical supplies take place.

#### Key issues and internal dynamics

Although Gaddafi has been effectively deposed, the future of Libya is far from certain. There are many factors that pose serious threats to the security and stability of post-Gaddafi Libya. The first challenge for the NTC is to establish law and order in the country, including Tripoli. At the end of August, Tripoli saw the return of some police to the streets in the central district of the city and there were also reports of the re-opening of some shops. The NTC has stated that it will not demobilize the existing police institution, at least in the short term. While these are very prudent decisions, parts of the country still remain insecure. Not only are Gaddafi's forces continuing with their attacks in several parts of the country, including Ras Lanuf, Tripoli and Sirte, but Gaddafi and his son, Saif al Islam, remain at large. One of the major security concerns in the post Gaddafi era will be the wide availability of small arms and light weapons. The proliferation of these weapons has further compounded the security situation in the country.

In terms of creating law and order, another challenge which both the NTC and its international backers need to find a way of overcoming, is the need to ensure protection for vulnerable sections of society. People in danger of revenge attacks by rebel forces include former Gaddafi forces in the custody of the rebels and people known or suspected of actively supporting Gaddafi such as people in his birth place of Sirte. Sub-Saharan Africans from other parts of the continent are particularly in high risk of attack partly due to suspicion that they came to the country as mercenaries. Minority groups also face attacks and other forms of discrimination.

While securing law and order is the immediate challenge facing Libya under the NTC leadership, the country also faces other longer term and more structural challenges. The first of these challenges is

to successfully establish an all-inclusive and legitimate transitional government that is representative of all Libyans. In order to achieve this democratic transformation, the NTC has to overcome at least two of many potential threats. The first threat comes from the divisions within the NTC itself. The NTC is not a cohesive and unified entity. Rather it is a coalition of various forces who are otherwise united by their opposition against, and commitment to oust, Gaddafi. As the 28 July assassination of rebel commander Abdel Fattah Younes, while in custody of rebel forces, attested, there are multiple fault lines within the NTC. These fault lines run along tribal, regional, generational, and historical divisions and ties with the former regime. With the main unifying goal of ousting Gaddafi having been achieved, there is generally a danger that rivalry will ensue among the various factions involved in the rebellion. Given that the different factions in the NTC are armed, unlike the case of Egypt, the emergence of such rivalry risks transforming the revolution into a situation of anarchy. The second threat comes from the inadequate representation and inclusiveness of the NTC. Although the NTC comprises various opposition elements from many parts of the country, the bulk of the NTC leadership hails from the west of the country. Additionally, the level of acceptability of the NTC among various sections of the Libyan population is not the same. Compounding the above two threats is the additional concern that the NTC also faces the challenge of transforming from leading an armed rebellion against Gaddafi to actually governing the country.

Another longer term and more structural challenge is to achieve national cohesion and reconciliation. While the Libyan people are almost entirely Muslim and predominately Arab, Libya has historic ethnic, tribal and regional divisions. These include ethnic differences in the form of Berbers in the Nafusa Mountains, Tuaregs in the south western desert region of Fezzan and Toubou in the Cyrenaican portion of the Sahara Desert. Among the Arabs, who form the bulk of the Libyan population, there are also hundreds of different tribes and multiple dialects of spoken Arabic. Under Gaddafi, and more particularly in the course of the

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address these challenges, including the early convening of a meeting to review the situation, facilitate the exchange of information and enhance coordination.

## UN Dynamics

In an address to the UN on 26 August, the UN Secretary General, Ban Ki-moon, called for the international community to work together to restore order in Libya and for fighting to end. The UN Chief said that the crisis had entered a 'new and decisive phase' and said the emphasis must now be on ensuring there was a smooth transition of leadership. The UN chief also urged better relations between Libya's National Transitional Council (NTC) and the African Union, which has so far refused to recognise the NTC as the legitimate government. Secretary General Ban said the international community should also be prepared to support Libyan police capacity, 'bearing in mind that the country is awash with small arms'.

Accusations of human rights violations against the NTC have also been voiced by international civil societies. Amnesty International stated that it had evidence that both pro-Gaddafi forces and the rebels had perpetrated serious human rights violations and war crimes. International news networks have also showed evidence of executions and arbitrary killings. Although the NTC released a statement denouncing revenge killings, the fact that there is no unified and effective command and control of the rebel army has meant that the NTC lacks the means to exercise control over its rebel army. It is therefore feared that the situation could spiral out of control, further endangering the prospects for peace and reconciliation in the country.

The UN is to investigate reports of summary killings and torture through its existing commission of inquiry on Libya. It has previously said some reports could amount to war crimes or crimes against humanity. UN Secretary General Ban Ki-moon said that the Security Council had assured him of their support for the rapid deployment of a UN mission in Libya. The UNSC has also made a decision to release to the Transitional National Council \$1.5 billion in assets that had previously been frozen under sanctions instituted against the Gaddafi regime.

## Scenario Building

Given the above analysis the following could take place:

### Scenario 1:

Despite the fall of Tripoli into rebel hands, fighting will continue until Gaddafi's forces put down their weapons.

### Scenario 2:

With the various factions within the NTC vying for dominance and influence for shaping the transitional process, the coalition could fracture, resulting in armed confrontation and chaos.

### Scenario 3:

While hunting down Gaddafi and his remaining fighters, the NTC will lead the process for establishing a transitional government responsible for stabilizing the country and pursuing political, constitutional and other legal reforms that will create the conditions for establishing a democratically elected government.

## Early Response Options

The following are the early response options that the PSC could consider:

### Option1:

The PSC could issue a communiqué stating that it is willing to recognize the NTC as the legitimate representative of Libya on the condition that the NTC facilitates the establishment of an all-inclusive transitional government.

### Option 2:

The PSC could recognize the facts that are created on the ground in Libya, including the demise of Gaddafi's regime and the emergence of the NTC as the *de facto* government in Libya.

### Option 3:

The PSC could call upon the NTC and Gaddafi's forces not to attack African immigrants, prisoners of war and other opposition detainees, suspected former members and supporters of Gaddafi, and to establish a commission of inquiry for investigating alleged human rights violations and perpetration of war crimes.

### Option 4:

The PSC could request the AU Commission to engage with Libyan authorities and the UN on the stabilization and peace building needs of Libya and submit proposals on the deployment of a peace support operation mission to support peace building and stabilisation efforts.

## Documentation:

### Relevant AU Documents:

PSC/AHG/3(CCXCI)  
(26 August 2011) Report of the Chairperson of the Commission on the situation in Libya and on the efforts of the African Union for a political solution to the Libyan crisis

PSC/AHG/COMM.(CCXCI)  
(26 August 2011) Communiqué on the situation in Libya

AU Commission  
(25 MARCH 2011) Consultative Meeting on the Situation in Libya Addis Ababa

PSC/PR/BR.1(CCLXVIII)  
(19 March 2011) Press statement on the Situation in Libya

AU Commission (19 MARCH 2011)  
Meeting of the African Union ad hoc High-Level Committee on Libya Nouakchott

Press Release (17 March 2011) the African Union ad hoc High-Level Committee on Libya Meets in Nouakchott on

19 March 2011 Addis Ababa

PSC/PR/COMM.2(CCLXV)  
(10 MARCH 2011) Communiqué on the situation in Libya Addis Ababa, Ethiopia

### UN Documents

S/RES/1973 UN Security Council Resolution 1973 (March 17 2011) on the situation in Libya

S/RES/1970 UN Security Council Resolution 1970 (26 February) on the situation in Libya

## COUNTRY ANALYSIS

### Egypt

#### Previous AU PSC Communiqués and other statements

In a press statement, **PSC/PR/BR.3(CCLXVIII)**, issued at its 268th meeting on 23 March 2011, the Peace and Security Council welcomed the progress made in the transition in Egypt. The council particularly noted 'the organisation, on 19 March 2011, of a constitutional referendum and the arrangements being made for the holding of presidential and legislative elections in September and October 2011.' Subsequently, the Panel of the Wise of the AU undertook a mission to Egypt from 3 to 6 June 2011. In a press release issued subsequent to its mission, the Panel commended the interim government 'for its exemplary efforts in the transition to a new government and constitutional order, in accordance with the democratic and developmental aspirations of the Egyptian people'. It also saluted the people of Egypt for their preference for peaceful change and for the cohesion demonstrated so far in their resolve to set the country on the path to democracy. Most importantly, the Panel called on the authorities in the country 'to ensure that the transition process that will culminate in legislative and presidential elections will restore the confidence of Egyptians in their political system and will meet the people's democratic aspirations. In this context, the Panel also emphasized the need for national dialogue and respect for the values of dignity, tolerance and justice.'

#### Crisis Escalation Potential

In our previous analysis of the situation in Egypt, we contended that without meeting the more substantive demands of the people of Egypt the protests would persist, notwithstanding Mubarak's departure. This assessment was borne out by subsequent events in the country. Whether Egypt will embark on a full process of democratization has become uncertain. The fears that the army

may thwart efforts to establish a full democratic system curtailing its political and economic privileges are deepening. It seems that the army prefers an evolutionary and regulated change over a once off leap to full democratic order.

The resulting slow pace of change is causing frustration among ordinary people supporting the revolution. Protests over the course of the past few months have been met with violence by government forces. On 29 June 2011, Egyptian police clashed with hundreds of anti-government protesters in Cairo's Tahrir Square, leaving more than a thousand people injured. In the most serious demonstrations since Mubarak's forced resignation in February, riot police fired tear gas canisters to try to disperse the protesters who were calling for the prosecution of former Egyptian officials, especially the security officials accused of killing protesters, and for the speedy implementation of reforms.

Clear signs that the cohesion of the protesters is cracking have also emerged. While the gaps between Islamists and liberals have deepened, one of the most organized political movements in Egypt, the Muslim Brotherhood, has also split.

#### Key Issues and Internal Dynamics

In post-Mubarak Egypt, three major actors dominate the socio-political landscape. These actors are the military, Islamist groups, particularly the Muslim Brotherhood (al-Ikhwan al-Muslimun), and the revolutionary youth (i.e. 6 April Movement), which were the main driving force behind the Tahrir Square protests. Events since the fall of Mubarak, as well as the future course and eventual outcome of the popular uprising, are being, and will continue to be, shaped primarily by the interplay between these actors.

On 11 February, Egyptian President Hosni Mubarak bowed to the demands of protesters and resigned from power after three decades of rule. A military council, the Supreme Council of the Armed

Forces (SCOAF), was named to temporarily assume the duties of government. On 11-12 February, the crowds that had gathered in Tahrir Square celebrated Mubarak's fall. Apart from the immediate demand for Mubarak's resignation, the more substantive demands of the protestors were the dissolution of the parliament that was dominated by the ruling party and the rewriting of the Constitution that was misused by the government for repressing dissent. On 13 February, the SCOAF abolished the constitution and dissolved parliament, promising a new constitution to be ratified by a referendum. The SCOAF also promised that it would be in charge of the country only for six months until parliamentary and presidential elections were held.

After decades of tight authoritarian rule, Egypt was left on weak foundations for democracy. The only opposition political party with long existence and experience, and strong organisational capacity, was the Muslim Brotherhood. Until recently, the country's media and free press were not independent. Intended independent institutions such as the judiciary have also been co-opted or silenced by the regime. The space for civil society activity has also been limited. Since the departure of Mubarak, these conditions are changing. Egypt is now witnessing a diverse and dynamic civic and political activism. The country has witnessed an impressive political and social awakening involving the proliferation of diverse political parties, movements and civil society actors. According to one research account, previously apolitical actors, like the youth movements that led the January uprising and the ultra-orthodox Salafists, have now entered the political arena for the first time.

The new political dynamism in post-Mubarak Egypt involves competition, debate, division and changes in alliances. As a result, even established political actors like the Muslim Brotherhood are undergoing major transformations with defections and splits along generational and philosophical lines. At the end of June 2011,

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In the meantime, the divisions that surfaced in March within the opposition have further been deepened in recent months. This is mainly related to the rising influence of Islamists and the question of the role of Islam in the politics of Egypt. The Muslim Brotherhood has shown unprecedented strength in post-Mubarak Egypt, taking leading roles in constitutional changes, voter mobilization, and protests. In this period of political awakening, Salafists have also become active. The extent of the influence of Islamic groups became evident at the July 29 'Day of Unity' protest held at Tahrir Square. Instead of bridging the gap between secularist and Islamist groups in the opposition, that day's protest reaffirmed the power of the Muslim Brotherhood and other Islamic organizations that amassed tens of thousands of supporters. Outnumbered by Islamist groups who were chanting pro-sharia, anti-secularist, and pro-SOAF slogans, secularist groups withdrew from Tahrir Square en masse.

the challenge for the country is to introduce reforms targeting the high price hikes, the widening economic gap between those close to the centre of power and the masses, the deteriorating standard of living and, most notably, the high unemployment rate among young Egyptians.

The visit of the Panel of the Wise took place from 4 to 6 June 2011. The Panel held an in depth consultation and discussion a diverse group of actors. These included not only the members of the Interim Government, but also the outgoing Secretary General of the League of Arab States, Amr Moussa, and a wide range of civil society representatives, including women's groups, students, researchers, academics, journalists, bloggers and activists. The Panel urged the Egyptian authorities to ensure that the road to legislative and presidential elections (would) meet the peoples' democratic aspirations. Additionally, the Panel also appealed to both the government and people of Egypt for 'the continuation of national dialogues, the preservation of values of dignity, tolerance and justice as they strive to build and consolidate a new democratic Egypt at this historic moment in their national history'.

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affair has remained unchanged. Speaking on the subject, Brazil's Ambassador to the UN and the current President of the UNSC, stated that 'the UN Security Council is an institution of last resort' and that the situation in Egypt has not reached a point where it affects international peace and security. Accordingly, he said that 'this situation (was) being dealt with at the national level. This was consistent with the traditional position of the UNSC whereby the Council had rarely shown interest in intervening in an on-going domestic uprising with the exception of those cases involving gross violations of international law. It was thus unlikely that the UNSC would act on the situation in Egypt, preferring the Secretary-General to continue monitoring the situation and reacting as necessary.

## Wider international community dynamics

The US is the major international actor having strong historical and strategic ties with Egypt. Since 1979, Egypt has been the second largest recipient of US foreign aid after Israel, with US aid to Egypt totalling around \$60 billion. About one third of Egyptian military spending is financed by the US. The US is also the main weapons supplier and trainer of the Egyptian army.

Because of the huge strategic importance of Egypt for US interests in the Middle East, the US was cautious in its approach to the popular uprising in Egypt. At the time of the uprising, the Obama administration consistently advocated 'an orderly transition'. On 15 March, US Secretary of State, Hillary Clinton, made the highest-level visit to Egypt by a U.S. official since the fall of Hosni Mubarak.

In June 2011, US Senators John McCain and John Kerry led a delegation of American businessmen representing companies including General Electric, Coca-Cola, Boeing, Dow, Marriott International and Exxon Mobil to Egypt. The two Senators promised US willingness to support the Egyptian economy. It is reported that the US is considering

a package of economic assistance, including debt relief, to help Egypt in its democratic transition following the ouster of former President Hosni Mubarak in February.

Saudi Arabia has also shown interest in influencing the course of events and the future role of Egypt in the Middle East. Following the decline of Egypt to accept a standby loan of three billion dollars from the IMF, Saudi Arabia announced it would support Egypt with financial assistance of nearly US\$4 billion in the form of soft loans, deposits and grants. This was warmly welcomed in Cairo. Field Marshal Hussein Tantawi, chairman of SCOAF, reportedly directed a message of thanks and appreciation to King Abdullah Abdel Aziz and the government of Saudi Arabia for their support.

## Scenario planning

Given the above analysis, any one or combination of the following scenarios may unfold:

### Scenario 1:

There is a danger that the control of the military over the politics and economy of Egypt will further deepen. Under such conditions, only reforms that are not threatening to the historical position and economic privileges of the army will be pursued.

### Scenario 2:

The tension between the liberal and secularist revolutionaries on the one hand and the military on the other is set to continue. This would further undermine the position of liberal revolutionaries and the prospect of a genuine transition to full democracy.

### Scenario 3:

Given the prevalent social and economic ills, poverty and unemployment affecting a large percentage of the Egyptian population, the message of the Muslim Brotherhood has enormous potential for gaining strong political

and ideological support. This situation, together with the lack of organization and cohesion among the liberal opposition camp will give Islamists the advantage to gain the majority of seats in the November parliamentary election.

## Early Response options

Given the above scenarios the following options could be considered:

### Option 1:

The PSC could issue a statement or a communiqué requesting the authorities in Egypt to ensure that the trial of former President Mubarak and others is conducted in a manner that is consistent with fair and speedy justice without endangering the transition of the country to democracy.

### Option 2:

The PSC could request the Egyptian authorities to respect the rights of the Egyptian people to freely express themselves, including through peaceful protest without fear of retribution.

### Option 3:

The PSC could request the transitional authorities to ensure that minorities are protected and that a level playing field is created to ensure that the voices of all sections of society are able to express themselves freely. These are necessary pre-requisites for fair, credible and transparent elections.

## Documentation:

Assembly/AU/Dec.369(XVII), (30 June to 1 July 2011) Decision of the 17th ordinary session of the Assembly of Heads of State and Government on the State of Peace and Security in Africa,

PSC/PR/BR.3(CCLXVIII), (23 March 2011) Peace and Security Council of the AU, Press Statement on the Situation in Egypt,

## COUNTRY ANALYSIS

### Guinea

#### Previous AU communiqués and Documents

Following the assassination attempt on the life of President Alpha Condé on 18 July 2011 the AU Peace and Security Council was briefed by the Director for Peace and Security on the situation in the Republic of Guinea at its 287th meeting, held on 21 July 2011. The Council also received a presentation by the Permanent Representative of the Republic of Guinea to the AU. The subsequent communiqué, **PSC/PR/2 (CCLXXXVII)**, endorsed the press statement issued by the Chairperson of the Commission, on 19 July 2011, and the ECOWAS statement of 20 July 2011, that strongly condemned the attack. The PSC urged the Guinean authorities to investigate the attack and bring the perpetrators to justice.

The Council further acknowledged the calmness of the Guinean people following the attack and encouraged all stakeholders to advance their efforts to consolidate democracy and work towards reconciliation and a return to constitutional order. The communiqué further welcomed the address to the nation by President Condé on 18 July 2011, and urged the various Guinean parties to promote dialogue and work together to create conditions conducive to the preparation and holding of peaceful, free, fair, transparent and credible legislative elections.

#### Crisis Escalation Potential:

The 27 June, 2010 presidential elections in Guinea received international commendation and raised the hopes of many for ending military rule in a country that had never experienced democracy since its independence in 1958. However, despite general agreement by observers and the international community that free and fair democratic elections had taken place in Guinea, post electoral violence still occurred. Following the release of the preliminary results of the first round poll, there were demonstrations in the capital, Conakry, and other parts of the country. As incoming election results

were confirmed, post electoral violence in the country was triggered due to perceived electoral fraud and irregularities and the confusion regarding some voting and counting procedures.

The violence over election results was due to Guinea's deep divisions along ethnic lines. These divisions were exacerbated during the post-election period when candidates deliberately incited their respective ethnic groups and geographical regions in order to gain votes. The promising election process was marred by strong ethnic rivalry and clashes between supporters that claimed a number of lives.

Ethnic divisions during the pre-election period also became manifest within the Guinean army, among officers and security forces. The presence of suspected supporters and allies of the former coup leader, Moussa Dadis Camara, also created instability in the army and tended to encourage further radicalization and unrest. Corruption and drug trafficking was another major issue that exacerbated instability and made it difficult to achieve a smooth transition to democratic rule.

On 18 July, 2011 gunmen pounded the presidential palace in Conakry with rockets with the intention of overthrowing the democratically elected government of President Alpha Condé. Consequently, some 37 soldiers were arrested. The attempted coup against President Alpha Condé was a clear manifestation that free and fair elections were merely part of the democratization process. The incident also further demonstrated that Guinea was far from a stable and peaceful country and that much needed to be done to consolidate the gains of the past couple of months. The army could still threaten the existence and proper functioning of the civilian government. The attempted coup further escalated the existing tensions between the government and radical army elements and widened the divisions between the various ethnic groups in Guinea.

#### Key Issues and internal Dynamics

On 16 August President Condé announced that he had pardoned

17 opposition activists jailed for taking part in an 'illegal rally' in April 2011. The move was considered as a demonstration of willingness by the government to promote reconciliation and stability, following the attempted coup in July and the divisive 2010 elections.

Mr Condé has named the imam of Conakry's grand mosque and the city's Roman Catholic archbishop to head a panel to work on national reconciliation. According to Prime Minister Mohamed Said Fofana, the Muslim cleric, El Hadj Mamadou Saliou and Archbishop Vincent Koulibaly will co-chair a 'provisional commission of reflection on the conditions needed for the undertaking and achievement of national reconciliation.' The Premier also said that the commission would 'meet the elders and the well-informed members of different communities and people from all social levels in Guinea, then put to government, as soon as possible, concrete proposals (with a view to) national reconciliation.'

Weeks after the attempted coup the Guinean minister of territorial administration and decentralization, Alhassane Condé, expressed the government's 'total readiness' to discuss with opposition parties all questions and opposition concerns to ensure the smooth-running of forthcoming parliamentary, municipal and community elections.

Guinea began moving toward democratic legitimacy and constitutional order after the 2010 presidential election and the establishment of a civilian government. The new president has been working to restore stability and economic growth. The task of the new president is particularly difficult as he inherited a catastrophic situation. Urgent and concrete solutions are needed to meet the expectations of the citizens of Guinea regarding; democracy, justice and economic development.

During the past seven months the new president has made progress in the country and the international community has shown appreciation for his efforts. The EU Commission paid a visit to assess the current situation of Guinea from 3-4 March

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A further weakness in the existing governing structure is the lack of inclusiveness. Frustration has grown since Condé came to power because he has failed to create an inclusive government, preferring instead to appoint members of his own ethnic group. Despite Guinea's considerable mineral wealth, which includes the world's largest supply of bauxite, the raw material used to make aluminum, much remains to

The UN secretary General, Ban Ki-moon, on 19 July 2011 called on all Guineans to refrain from all

Divisions between the president and opposition parties over legislative elections will persist and lead to political instability in the country. As a result, the legitimacy of the government could be undermined and would open a power vacuum that could be filled by the military.

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## Early Response options

**Option 1:**

The PSC could issue a communiqué calling on the president and other stakeholders to continue their collaboration to maintain pace and stability in the country.

**Option 2:**

The PSC could urge a transparent investigation into the attempted coup by a credible third party.

**Option 3:**

The PSC could call for and support national reconciliation and institution building to facilitate the prompt holding of democratic legislative elections.

### Documentation:

**Relevant AU Documents:**

**PSC/PR/2 (CCLXXXVII) ( 21 July 2011) Press Statement on the situation in the Republic of Guinea**

PSC/PR/COMM(CXCVII) (10 July 2009) Communiqué on the situation in the Republic of Guinea

PSCIPRI2(WCVII) (10 July 2009)  
Report of the Commission on the  
situation in the Republic of Guinea

Assembly/AU/6(XIII) (1-3 July 2009) Report of the Peace and Security Council of the African Union on its Activities and the state of peace and security in Africa, Sirte, Libya

### REC's Documents:

096/2010 ECOWAS (10 June 2010)  
Statement on Guinea 003/2009  
ECOWAS (10 January 2009)  
Statement by Leaders Reject  
Military Transition in Guinea

## PSC Retrospective

## ***PSC Retrospective: Applying AU's principle of non-indifference to the drought in the Horn of Africa***

The Horn of Africa is hit by one of the worst droughts in more than 60 years. While there are more than 12 million people affected by the drought in the whole region, Somalia is the epicentre of a major humanitarian crisis. Almost 3.7 million Somalis, nearly half of Somalia's population, are in desperate need of emergency humanitarian assistance. While the drought has affected much of the country, famine has been declared in five regions of southern Somalia.

Since a few weeks ago, various institutions and news outlets have on a daily basis been reporting the heart-breaking experiences of many Somalis. Many have fled their homes to refugee camps in neighbouring countries. While some make it to the overcrowded refugee camps in Kenya and Ethiopia, often walking long distances for days and sometimes weeks, many others perish along the way from hunger and thirst. Even after reaching the refugee camps, there are those who have died before receiving life-saving assistance. The devastation caused by the crisis is graphically highlighted by images of malnourished children, as well as frail and often grieving women shaken by the drought and loss of their children and other family members.

Unfortunately, the crisis is expanding. More territories are believed to be in danger of slipping into famine. The level of the tragedy is almost overwhelming. Given the prevailing economic crisis in the world, the timing of the drought and resultant famine cannot be any worse.. As Secretary General of the UN, Ban Ki-Moon, recently emphasised, there is a danger that humanity cannot meet all the needs for coping with this crisis. According to the UN, while the total amount of

money needed for the emergency is about 1.6 billion dollars, so far only half of this amount has been raised. Without obtaining the additional money and mobilising all the support that can be made available, the lives of many who could otherwise be saved, will be needlessly lost.

By any account this is the worst humanitarian tragedy to unfold on African soil in recent history. Consequently, there is no other part of the world that needs to mobilize its resources more than Africa. When the drought was first declared to be the worst humanitarian crisis in the world, Africa was the least prepared and the least mobilized to be able to effectively address the crisis. After some weeks, the African Union issued a press statement and started to mobilize assistance from within Africa.

The need for mobilizing all peoples and countries in Africa arose not only from the particular context of the crisis unfolding in Somalia. It also arose from the principles that African countries subscribed to upon the transformation of the Organization of African Unity into the African Union (AU).

When the AU was founded, it was premised on the principle of non-indifference. This principle promises to people in Africa that the AU and the people of Africa would not merely stand by and observe humanitarian crises on the continent, but would also act. Unlike its predecessor, the Organization of African Unity, African ownership and leadership and intra-African solidarity inform the major operational principles of the African Union.

It is important to note that the principle of non-indifference is

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## PSC Retrospective

In the light of these commitments, the AU has recognized that inaction in the face of such devastating tragedy is both irresponsible and inexcusable. Indeed, there is no better moment of need for Africa to show its solidarity with Somalis and apply the principles of non-indifference.

In the meantime, the AU continued with its mobilization efforts. The AU Commission Chairperson

The paltry contributions by regional power-houses such as Nigeria and South Africa attracted criticism from activist groups. The failure

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## PSC Retrospective

of the majority of countries to make pledges and the inadequate pledges made by the participating states were described by many as failing far short of what had been expected. Jerry Rawlings, former president of Ghana and now AU representative for Somalia, told Reuters he had “expected better”.

Although AU member states could have done better, particularly as this was the first initiative of its kind by Africa, the effort was nonetheless commendable. It is however important that the lessons from this experience are adequately identified to inform the development of an adequate framework to enable the

AU to effectively respond to crises of this nature in future. One such lesson is that the resources for such crises should be mobilized not only from governments, but also from other sectors of the continent, including private enterprise, civil society and ordinary citizens.

## COUNTRY ANALYSIS

### Malawi

#### Previous AU/PSC Communiqués and Recommendations:

Malawi is an influential member of the African Union and held the Chairmanship of the Union for 2010. Although the AU in recent years has been more assertive in dealing with situations where violations of human and democratic rights occur or popular uprisings take place, the organization has remained silent about the popular unrest in Malawi. The silence of the PSC and the larger AU structure creates a perception of double standards, particularly as the AU has discussed and responded to similar developments in North Africa.

#### Crisis Escalation Potential:

Malawi experienced protests and violent riots in mid-July after demonstrators took to the streets in Blantyre, Lilongwe and other cities, protesting against fuel shortages, price hikes and the repression of civil liberties. Nineteen protestors were reportedly killed by the Malawi security forces over two days. Consequently security was tightened and the army was deployed in different parts of the country to quell the protests. More than five hundred people were arrested while forty-four people suffered gunshot wounds. Individual protestors, opposition political organisations and other members of civil society

have accused the police of harassing and beating civil society leaders, opposition political leaders and journalists.

Several buildings and businesses belonging to members of the security forces and government allies have been attacked during the unrest. According to witnesses, police initially fired tear gas and later used live ammunition to stop the unrest. The government has blamed the violence on political opponents and protest leaders and defended the measures by the security forces as a legitimate way to stop the violence.

Days after the protests reached their peak, many of the leaders of the opposition movement went into hiding as President Mutharika, who referred to the protesters as ‘thugs and sons of Satan,’ accused the protest leaders and rights activists of attempting to stage a coup through the demonstrations. In a nationally broadcast speech, Mutharika named opposition and civil society leaders who should face ‘consequences’ for the protests and their alleged attempt to overthrow a democratically elected government. The president further vowed that he would use any means to ‘smoke out’ the perpetrators of the violence. Opposition leaders have also claimed that they received death threats from unknown sources.

Tensions still remain high in the midst of long fuel queues, acute shortages of foreign exchange and lengthy power outages and water scarcity.

According to some reports 80 per cent of public servants, including police officers and workers in most government departments, received their July salaries very late. The government blamed the upgrading of the computer network for the delay, but many claim that the government simply had no money available to pay its employees.

The economic and political grievances of the Malawi public, coupled with an aggressive response to the popular uprisings, have raised the level of the crisis. The current state of Malawi’s economy and its future prospects are further factors exacerbating the country’s economic, political and security challenges.

#### Key Issues and Internal Dynamics:

Malawi has enjoyed relative peace and stability in the past decade. The past seven years of Mutharika’s reign have witnessed phenomenal economic growth and stability. Malawi has also enjoyed debt relief, with the growth of its annual gross domestic product averaging about 7 per cent. Mutharika, a 77-year-old former World Bank economist, had won widespread praise from international institutions and donor governments for pushing through economic reforms and clamping down on corruption in his country.

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However, developments significantly changed their course recently following a diplomatic squabble with its former colonial overlord. The recent dispute with Britain, Malawi's biggest donor, came about as a result of a leaked embassy cable that referred to Mutharika as 'autocratic and intolerant of criticism'. The Weakileaks cable leak led to the expulsion of Britain's ambassador to Lilongwe. In response, Britain expelled Malawi's representative in London and suspended budget support for Malawi.

and a weakening economy. In May 2008, President Mutharika accused his predecessor, Bakili Muluzi, of being behind a plot to remove him. Soon afterwards, security forces arrested four opposition officials and ex-security chiefs, including a former army commander and police chief. Those accused of participating in the alleged plot strongly denied the allegations.

Nineteen people were killed during the two days of protest after police opened fire. The government said those killed during the protests were not demonstrators, but looters. Reports of the use of live ammunition by police to quell riots that followed the demonstrations angered many who claimed that the brutal response by the police had shown the true face of the government.



## Civil Society Dynamics

Members of civil society have played a significant role in organising the protests. Demonstrations were first organised by civil society groups calling attention to bad governance and poor international relations. A broad coalition of rights groups, academics and political activists had petitioned the President to 'ease the suffering of Malawians' by selling his personal jet, stopping the salary paid to the first lady, trimming the cabinet from more than 40 to 14 ministers and seeking repayment of a loan made to the government of Robert Mugabe in Zimbabwe.

The Malawi Human Rights Commission (MHRC) strongly condemned the Government's role in the violence and human rights violations that characterised the period before, during and after the 20 July demonstrations. The MHRC also urged the government to thoroughly investigate the violent events that occurred and to account for all the deaths. In addition, the Commission expressed the need for independent investigations into the situation by independent institutions. The MHRC also urged the Malawi security services to strictly comply with domestic and international standards on the lawful use of force and firearms.

Members of local, sub-regional and international civil society have been calling for an independent, transparent investigation into the killings and use of excessive force in Malawi where, on 20 July 2011, security forces fired live ammunition at mainly peaceful demonstrators who were protesting against worsening economic and human rights conditions. Journalists were also targeted by the police in their efforts to contain the protests. Amnesty International said eight journalists were beaten by the police during protests, and that a female radio reporter had been seriously injured. The human rights group said the Malawian government was

becoming increasingly intolerant of dissenting voices.

The Public Affairs Committee, an umbrella group of Christian and Muslim activists in Malawi, blamed the government for the violent handling of the crisis. The committee further stated that if the government continued to harass people without proper reasons, further demonstrations would be inevitable. In South Africa, civil society, labor and media groups met recently, together with civil society leaders, media workers and academics from Malawi, to discuss developments in Malawi and urge relevant bodies including the United Nations to investigate the deaths of the 19 people killed during the July demonstrations.

## Scenario Planning:

The political and economic situation in Malawi may take a number of courses based on the actions taken by the various parties to the crisis in the coming months. These are the possible scenarios:

### Scenario 1:

Continuation of negotiations with the opposition and members of civil society could help stabilize the country and avoid further violence.

### Scenario 2:

Marginalizing the opposition and dissenting groups, coupled with economic and political discontent, could lead to further protests and civil unrest.

### Early Response Options:

Given the above scenarios the following options could be considered:

**Option 1:**

The PSC, in tandem with SADC, could continue to monitor the

situation and consider engaging with the Government of Malawi in order to ensure and facilitate constructive dialogue between the government and key stakeholders in Malawi

**Option 2:**

The PSC could urge SADC to help mediate a restoration of diplomatic relations between the governments of the UK and Germany on the one hand and Malawi on the other, in order to restore crucial economic assistance to Malawi.

## Important Forthcoming Dates

8 September                      World Literacy Day

9 September                      African Union Day

21 September    International Day of Peace and Security

| Country    | Election                                                      | Date                                 |
|------------|---------------------------------------------------------------|--------------------------------------|
| Egypt      | People's Assembly<br>Presidential                             | September<br>Late 2011               |
| Zambia     | Presidential<br>National Assembly<br>Local elections          | 20 September                         |
| Cameroon   | Presidential                                                  | October                              |
| Lesotho    | Local elections                                               | 1 October (postponed from September) |
| Liberia    | Presidential, House of Representatives and<br>Junior Senators | 11 October                           |
| Tunisia    | Constitutional Assembly                                       | 23 October (postponed from July)     |
| Morocco    | Parliamentary                                                 | 25 November                          |
| The Gambia | Presidential                                                  | 24 November                          |
| DRC        | Presidential and National Assembly                            | 27 November                          |
| Gabon      | National Assembly                                             | December                             |

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