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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 October

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC) for the month of October was to have been Côte d’Ivoire. However, this was unfortunately not possible. 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. At the time of going to press, the PSC had not decided on the Chair for October.

BIO DATA: As at 30 September 2011 the name of the October PSC Chair was not available

Current posts:

Permanent Representative to the AU Chair of the PSC

Draft agenda for October 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:

- Events in the Horn of Africa
- North Africa – Egypt, Libya
- Great Lakes
- Sudan and South Sudan

Darfur

The humanitarian situation in Darfur continues to be affected by the continuing violence. Air strikes by SAF have reportedly targeted not only rebel strongholds, but also civilian areas identified with rebel movements. It was reported that the

GoS has armed and encouraged non-Zaghawa ethnic groups cohabitating with the Zaghawa to expel them, with exhortations to reclaim their land from ‘the new settlers’. These GoS-supported militias even attacked Zaghawa members of a government investigative committee on a fact-finding mission to the area. Much of the new displacement in

Darfur in March-June 2011 was the result of these attacks, including the indiscriminate aerial bombardment of Jebel Marra. UNAMID reported that between 60,000 and 70,000 people have been displaced since the start of 2011, owing mainly to the deteriorating security situation in Darfur. UNAMID reported

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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.

Nigeria

that *Boko Haram* has carried out against a foreign target. The attack on the UN is therefore significant not only for the devastation that it caused, but also for the metamorphosis of *Boko Haram*. It represents the ambition of the group to become an international terrorist group and expand its operations beyond Nigeria. Until recently, the attacks of *Boko Haram* were limited to some parts of Northern Nigeria, but recent attacks in Abuja have confirmed both its wider territorial reach and the increased level of threat that it represents not only to Nigeria, but also to the region and the international community as a whole.

Niger

The recent coup, coupled with the already existing security challenges, including a threat by the *al-Qaeda in the Islamic Maghreb*, (AQIM) operatives in Niger's northern region who have extended their operations in urban areas of Niger, including its capital Niamey, and the ongoing conflict into Libya with a clear spill-over effect on Nigerian politics and security issues. The resurgence of the Touareg insurgency, which remained dormant until 2007 can also take advantage of the regional security crisis and pose a significant security challenge for the government.

REGIONAL ANALYSIS

Darfur

PSC and AU communiqués and statements

In the communiqué, **PSC/PR/COMM (CCLXXXVI)**, it issued at its 286th meeting, the PSC stressed that achieving peace in Darfur is a matter of urgency, recognizing that the people of Darfur have been waiting for peace for too long and took note of the conclusion of the Doha Peace talks that culminated in the signing of the Doha Document for Peace in Darfur. The council also underscored the need to launch the Darfur Peace Process (DPP) both for sustaining the gains achieved thus far and ensuring that Darfuris fully own the peace process. The PSC also decided to extend the mandate of UNAMID for a further period of 12 months.

On 23 August 2011, the AU issued a press release expressing concern over the need for respecting the hybridity of UNAMID and calling on the international community to unconditionally and fully support the DPP. Commenting on the debate surrounding Security Council Resolution 2003 (2011), the AU Commission stated that the debate was ‘a reflection of the need for due consideration to be given to the position of the AU on the situation in Darfur, as articulated by its relevant policy organs, in particular the PSC.’

Crisis escalation potential

Notwithstanding some positive developments registered within the framework of the Doha peace process, the security condition in Darfur remains volatile. The military campaign of the Government of Sudan against rebel locations in Darfur that began late last year has continued in February 2011. Since the Sudan Armed Forces (SAF) resumed aerial attacks on rebels in April 2011, SAF and rebel forces have been engaged in armed clashes intermittently. In June 2011, fighting involving SAF and armed rebel groups in Western Darfur, forced close to 1000 civilians to seek protection at UNAMID's team sites. Even after the signing of the Doha Document, a UNAMID investigation confirmed reports of air strikes by the SAF in South Darfur. According to UNAMID, the strikes caused the death of one civilian and the injury of two others. The incident also reportedly forced a number of villagers to flee their homes.

There have also been sporadic local conflicts involving various ethnic groups, often over scarce resources and reprisals for attacks. Since these low level incidents have been few, they did not result in many casualties or displacement of people. UNAMID and international workers continue to face security challenges and restrictions on its movements. On 5 August, a UNAMID peacekeeper was killed and another was seriously wounded after an ambush by unidentified gunmen in Duma

Village, 37 kilometres northeast of Nyala in South Darfur. Earlier, on 22 July, two UNAMID peacekeepers were injured in an ambush by unknown persons in West Darfur while escorting two fuel tankers. Similarly, on 30 June, an Ethiopian peacekeeper was killed and another injured after a UNAMID minibus was attacked in El Geneina, West Darfur, by unknown gunmen. Kidnapping of international aid workers also remains a problem. UNAMID reported that it has experienced restrictions in terms of its movements for implementing its mandate in Darfur on various occasions.

Key issues and internal dynamics

After the Abuja peace agreement for resolving the Darfur conflict unraveled, another round of peace talks was launched in Doha, led by the AU-UN joint Chief Mediator with the sponsorship of the government of Doha. Since 2009, the Doha peace process has led to the signing of various agreements. These include the 'Good Will Agreement' signed by JEM and GoS on 17 February 2009, the Framework Agreement signed between these two parties on 23rd March 2010, the framework Agreement signed by the internationally sponsored new movement Liberation and Justice Movement (LJM) and GoS on 18 March 2010 and the Ceasefire Agreement signed between the LJM and GoS on 18 March 2010.

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None of these agreements was all-inclusive or comprehensive. Various developments, including the intransigence of GoS, resulted in the launch of new military campaigns and regional political developments, notably in Chad-Sudan relations, which frustrated the signing of a comprehensive agreement. After the major issues for negotiation were identified, continued fighting and disagreement over some of the issues, most notably the administrative status of Darfur, frustrated the participation of some of the major rebel groups. Since March 2010, the substantive participation in the Doha process was largely limited to LJM and the GoS. The other parties, including the militarily strong rebel group JEM, did not participate in the Doha process.

Late last year the mediators tabled a draft peace agreement covering all substantive issues for consideration by the Darfuri parties. This renewed effort for another comprehensive peace culminated in the signing of the Doha Document for Peace in Darfur on 14 July 2011 between GoS and LJM. The signing ceremony was attended by African leaders including presidents of Sudan, Chad, Eritrea and Burkina Faso. As the conspicuous absence of high-ranking western officials tends to show, the agreement has not been received with much enthusiasm, internationally

The Doha agreement covers all the major issues, which were addressed in the Abuja agreement. These include Compensation and Return of IDPs and Refugees; Power Sharing and the Administrative Status of Darfur; Wealth Sharing; Human Rights and Fundamental Freedoms; Justice and Reconciliation; Permanent Ceasefire and Final Security Arrangements; Modalities for Internal Dialogue and Consultation; and Implementation Modalities. Except for the changes relating to justice, compensation, and power-sharing formulae, the 14 July agreement does not reflect any major substantive difference from the Abuja agreement of 2006. The government of Sudan, LJM, UNAMID and the AU applauded the signing of this agreement as offering the basis for achieving peace in Darfur.

The LJM is the only rebel movement that is party to the Doha process,

although JEM participated intermittently. Unlike the other rebel groups, in military terms the LJM is not the most significant group. Unlike the militarily significant rebel groups, LJM was in many ways the creation of international mediators involved in the Doha process who were keen on unifying the many rebel factions in Darfur into a single entity that would negotiate with the government on behalf of the people of Darfur. The end result was a rebel group with limited political or military influence on the ground and little support from Darfuris. The LJM seems hopeful that some of the substantive issues addressed in the Doha agreement, notably compensation and justice, could help it to build a constituency in Darfur and thereby win popular support.

Some developments have been observed in terms of efforts towards the implementation of the Doha agreement. Most notably, these include the establishment under UNAMID of the Cease Fire Commission for Darfur. The CFC held its inaugural meeting on 22 August 2011. Chaired by the UNAMID force commander, Lt. Gen. Patrick Nyamvumba, and comprising senior government and rebel group Liberation and Justice Movement representatives, the tasks of the CFC include monitoring all violations against the DDPD as well as older accords dating back to the N'Djamena Humanitarian Ceasefire accord of 2008, monitoring dialogue among parties that have signed the agreement and ensuring the safety of those implementing these accords. On 8 September 2011, the CFC held its second meeting and decided to meet on a regular basis every two weeks.

To mobilize popular support for the Doha process and add further impetus for the efforts to achieve peace in Darfur, the All Darfur Stakeholders' Conference (ADSC) took place in Doha from 27 to 31 May 2011. Participants came from various sections of Darfur communities, including IDPs, Refugees, tribal leaders, civil society, elected officials, Darfuris and some of the rebel movements. The Conference brought together more than 500 delegates representing all the various Darfuri stakeholders. From the rebel movements, apart

from LJM, which is the main movement fully involved in the Doha process, JEM also participated in the Conference.

The ADSC expressed support for the Darfur peace process. The participants also endorsed the Doha Draft Document that was subsequently signed on 14 July 2011 as the basis for reaching a permanent ceasefire as well as a comprehensive and inclusive peace settlement in Darfur. The conference further decided upon the establishment of the Darfur Implementation Follow-up Committee, which held its first meeting on 9 September 2011. However, some observed that participation in the conference was very limited in that the participants never actually reviewed the document. The conference acknowledged that the security situation in Darfur remains unstable.

Like the Abuja agreement of 2006, the Doha agreement is not without flaws. Most notably, it is not all-inclusive. The major militarily important rebel forces the Justice and Equality Movement (JEM), the Sudan Liberation Army-MinniMinawi (SLA-MM), and the Sudan Liberation Army-Abdul Wahid (SLA-AW), did not support or sign the agreement. The major threat for the Doha peace process thus comes from this rejection of the Doha process by these rebel groups.

These rebel groups are engaged in military operations on the ground. Hostilities have taken place during the course of past months, between JEM and SAF as well as between various factions of SLA and SAF. The fighting between the Government and rebel forces has continued particularly in the areas of ShangilTobaya, in North Darfur, and Jebel Marra, in West Darfur. In a clash that took place in June between unidentified armed groups and SAF in ShangilTobaya, close to 1000 civilians were forced to seek refuge at UNAMID's nearby team site. SLA-MM, supported by a breakaway faction of LJM, had tried to retake ShangilTobaya. JEM continued efforts to move towards Mellit in North Darfur, while SLA-AW maintains a strong presence in Rockero and Jebel Marra.

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Alongside the Doha process, there have been efforts to launch the Darfur Peace Process under the auspices of the AU High Level Implementation Panel with the support of UNAMID. This is an opportunity for dialogue on peace with the leadership, ownership and participation of various Darfuri actors. The GoS has been pushing for such a local process and despite the strong interest of the AU for the launch of the DPP, western countries and the UN have expressed concern that the conditions for launching the DPP are not yet present. The AU views the DPP as offering an opportunity to mobilize support for the peace process and establish the conditions for implementing the peace agreement.

The humanitarian situation in Darfur continues to be affected by the continuing violence. Air strikes by SAF have reportedly targeted not only rebel strongholds, but also civilian areas identified with rebel movements. It was reported that the GoS has armed and encouraged non-Zaghawa ethnic groups cohabitating with the Zaghawa to expel them, with exhortations to reclaim their land from 'the new settlers'. These GoS-supported militias even attacked Zaghawa members of a government investigative committee on a fact-finding mission to the area. Much of the new displacement in Darfur in March-June 2011 was the result of these attacks, including the indiscriminate aerial bombardment of Jebel Marra. UNAMID reported that between 60,000 and 70,000 people have been displaced since the start of 2011, owing mainly to the deteriorating security situation in Darfur. UNAMID reported that on 14 August 2011 an Italian INGO International aid worker was kidnapped in Nyala, Southern Darfur. The victim was in a car with two Sudanese colleagues driving to the airport when four unidentified armed men, dressed in civilian clothes, stopped them and abducted the aid worker.

AU and RECs dynamics

The AU Peace and Security Council in a communiqué issued at its 286th meeting, reiterated the call made by the 17th Ordinary Session of the Assembly of Heads of State and Government to AU partners, in particular the UN Council and its

On 7 September 2011, the African Union (AU) Commissioner for Peace and Security, Ramtane Lamamra, visited El Fasher, North Darfur, to gain first-hand knowledge of recent UNAMID work on the ground. The Commissioner visited the Abu Shouk IDP camp and the UNAMID Community Policing Centre located there. Following his visit, Commissioner Lamamra told journalists that the signing of the Doha Document for Peace in Darfur opened promising possibilities to work for the future of the region. There is now a golden opportunity to encourage the key parties concerned to change the situation in Darfur in a way that responds to the hopes of Darfuris.

UN dynamics

On 29 July 2011, the Security Council, while expressing strong determination to support the peace process in Darfur, as well as concern over worsening violence there,

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decided to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) for another 12 months. Although the UNSC decided to maintain UNAMID under its current mandate and troop level through its unanimously adopted resolution 2003 (2011), the Council requested the Secretary-General to report within 180 days on a planned review, to be undertaken in consultation with the African Union. The UNSC instructed UNAMID to make full use of its capabilities focusing and prioritizing the protection of civilians; safe, timely and unhindered humanitarian access; and the need to complement efforts to promote the peace as well as the political process negotiated in Doha, Qatar. Like the PSC, the UNSC also called for all parties to the conflict, including all armed movements, to immediately end the violence and make every effort to reach a permanent ceasefire and a comprehensive settlement under the Doha Document.

Regarding the DPP, despite the call of the AU PSC, the UNSC stated that important elements of the necessary enabling environment for a DPP were not yet in place. In particular, the situation was not yet conducive for would-be participants in such a dialogue to exercise their views without fear of retribution or intimidation. The effect of this situation is that UNAMID lacks the authority to facilitate the launch of the DPP.

Although the resolution was adopted unanimously, following its adoption, the representatives of South Africa, Nigeria and Gabon expressed their disappointment that the Council had not taken the opportunity afforded by the mandate extension to immediately launch the DPP as the African Union had requested, and had not waited for the pre-conditions of an “enabling environment” to be met.

This view was also shared by the representatives of China and the Russian Federation, who stressed the importance of the African Union’s partnership on Darfur, noting its communiqué on the need to press ahead with the DPP. Representatives of the United States and the United Kingdom, on their part, defended the position that the enabling conditions for the DPP did not yet exist, with the former noting that in the current

situation, people speaking out were regularly being targeted and intimidated

On 14 September 2011 UNAMID head and interim Joint Chief Mediator, Ibrahim Gambari, held a press conference. He stated that UNAMID figures had shown that the number of armed attacks in all three Darfur states had fallen by as much as 70% over the past three years, which had resulted in more previously displaced people returning to their homes. He also called on JEM, SLA-MM and SLA-AW to join the peace process. While Darfur IDPs strongly condemned Gambari’s statement, on 19 September the rebel SLM-AW stated that it no longer considered the interim JCM as neutral and called on ‘the African Union and the United Nations to reconsider his designation as joint envoy in Darfur.’

Scenarios

Given the above analysis, the following could take place:

Scenario 1:

The Doha peace agreement is an important development. However, the refusal of some major rebel groups to sign the agreement puts it in danger of facing the same fate as the Abuja peace agreement.

Scenario 2:

The resort to armed violence on the side of the GoS and the rebel groups will both undermine the implementation of the Doha agreement and perpetuate insecurity in Darfur.

Scenario 3:

Without the involvement of the major rebel groups in the Doha agreement, namely JEM, SAL-AW and SAL-MM, as well as GoS, attacks and hostilities between GoS and these movements will continue, particularly in North Darfur and the West Darfur regions.

Early Response Options

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

Option1:

The PSC could reiterate its commitment that negotiation is the key to ending the Darfur conflict and all actors should avoid actions or statements that isolate those movements that are not yet party to the Doha process. The PSC could additionally request the AUHIP and UNAMID to reach out to the major rebel groups with a view to convincing them to sign the Doha agreement.

Option 2:

The PSC could request the GoS to suspend its aerial attacks against rebel territories and request rebel groups to refrain from attacking government forces, both to end further hostilities and to establish a condition for stabilizing Darfur.

Options 3:

The PSC could request the AU Commission to engage the GoS on creating further enabling conditions for the launch of the DPP and to avoid further delays in the launch of the DPP.

Documentation:

Relevant AU Documents:

PSC/PR/2(CCLXXXVI) (18 July 2011) Report of the Chairperson of the AU Commission on the Situation in Darfur

PSC/PR/2(CCLXXXVII) (18 July 2011) Communiqué on the situation in Darfur

UN Documents

S/RES/2003 (2011) UN Security Council Resolution 2003 (2011) renewing UNAMID’s mandate

COUNTRY ANALYSIS

Nigeria

Previous PSC/AU Decisions

In a press release, issued on 26 August 2011, the Chairperson of the AU Commission, Dr. Jean Ping, condemned in the strongest terms the suicide bomb attacks on the United Nations Office in Abuja, Nigeria. The Chairperson underscored the abhorrent and criminal nature of the attacks, which he said could not be justified under any circumstances. The Chairperson also expressed his most sincere condolences to the families of the victims and wished the wounded a speedy recovery. He also expressed the AU's sympathy and solidarity with the United Nations family, as well as with the people and government of Nigeria. Dr. Ping reaffirmed the AU's total rejection of extremism and terrorism in all its forms and manifestations, and its determination to combat the scourges in accordance with the relevant AU and international instruments. He encouraged the government of the Federal Republic of Nigeria to spare no efforts in bringing those responsible for the horrific attacks to justice.

Crisis Escalation Potential

On 26 August, a suicide attacker rammed his explosive-laden car into the United Nations office in Abuja, killing 23 people and injuring over 100 others. *Boko Haram*, the notorious radical Islamic sect claimed responsibility for the attack on the UN building. This was the first attack that *Boko Haram* has carried out against a foreign target. The attack on the UN is therefore significant not only for the devastation that it caused, but also for the metamorphosis of *Boko Haram*. It represents the ambition of the group to become an international terrorist group and expand its operations beyond Nigeria. Until recently, the attacks of *Boko Haram* were limited to some parts of Northern Nigeria, but recent attacks in Abuja have confirmed both its wider territorial reach and the increased level of threat that it represents not only to Nigeria, but also to the region and the international community as a whole.

The current spate of attacks began on New Year's Eve, 2010 when *Boko Haram* bombed a popular fish market in Abuja. It was evident from this attack that the group was not only seeking attention, but also that it was determined to cause massive destruction in Nigeria. Since the bombings, *Boko Haram* has become even more deadly and daring. This year, it has carried out no fewer than 70 major attacks (4 of them in Abuja) or an average of one attack every three days. In total, more than 600 people have been killed, leaving many more injured. The group has increasingly used the capital to stage high profile attacks. The most daring of all included the suicide attack on the police headquarters in June 2011 and a similar attack at a popular beer garden that overshadowed the inauguration of President Goodluck Jonathan on 29 May 2011. These attacks have demonstrated resilience and sophistication, characteristics usually associated with better known terrorist groups such as *al Qaeda* and *al Shabaab*. This is evident from the number and nature of the attacks that the group has succeeded in executing. It has also instilled widespread fear across Nigeria, whereby government institutions including the Presidency, National Assembly, and various ministries, as well as schools and universities, have been disrupted by false reports of *Boko Haram* attacks. This tense situation has been further compounded by the mythical and elusive nature of the group.

Key Issues and Internal Dynamics

The major threat to Nigeria's security and the cause of its instability in recent years is the threat posed by terrorism. Before *Boko Haram* became a household name in 2009, various militant groups including the Movement for the Emancipation of the Niger Delta (MEND) carried out numerous acts of vandalism, rampage, and terrorist activities, demanding more development for the region and a fair distribution of the region's rich natural resources. While most of their activities were limited to the Niger Delta region, MEND also used Abuja to stage its high profile attacks. For example, MEND claimed responsibility for the independence-day car-bomb on 1 October 2010, which killed 12 people and wounded scores of others.

The emergence of *Boko Haram*, a radical Muslim sect based in Maiduguri, a north-eastern city of Nigeria, represents a massive threat to peace and stability in that country. *Boko Haram*, a combination of Hausa and Arabic words denoting 'Western education is sinful', is the popular name of the group officially known as, "*Jama'atu Ahlis-Sunnah Lidda'awati Wal Jihad*," which is loosely translated as "The Group of the People of Sunnah for Teaching and Jihad." Its roots go back to generations of religious fanaticism and radicalism that are entrenched in northern Nigerian society. In 1945, Mohammed Marwa, a migrant from neighboring Cameroon, supposedly introduced what is termed the 'Maitasine doctrine,' based on an extreme interpretation of the Holy Koran that also promotes disdain for police and other law enforcement officials. This event set in motion what is often considered the advent of Islamic radicalism and the seed of the contemporary religious malaise in Nigeria.

The politicization of religion and the earnest quest by many religious zealots to entrench Islam in Nigeria and promote a return to Islamic orthodoxy took an explosive turn in 1980 with mass violence in the form of the 'maitasine riots' in Kano, in which over 4,000 people perished and several thousands were injured. Since the Kano riots, inter-communal religious conflicts, usually resulting in further riots, have recurred in different parts of the country. For example, over 20 violent incidents occurred between 1980 and 2010. These events took place in Bulunkutu (Borno) in 1981; Kaduna in 1982, 1986, 2000 and 2002; Jimeta in 1984; Gombe in 1985; Ilorin in 1986; Ibadan in 1986; Kafanchan in 1987; Kano in 1987, 1991, 2001, and 2004; Jos in 1987, 2008 and 2010; Kasina in 1991; Yelwa in 2004; and Maiduguri in 2006 and 2009. Since January this year, similar religious violence has taken place in Jos, Maiduguri, Gombe and Borno. Apart from over 50,000 people who have perished and several thousands who have been injured, as well as massive damage to property and infrastructure, these conflicts have had far reaching social effects, particularly in accentuating Muslim-Christian divisions and through perpetuating an environment of extreme terror and fear among affected communities.

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It is against this tense and violent background that *Boko Haram* has emerged with the objective of converting Nigeria into a Muslim state governed on the principles of ancient Koranic dogma. Although it is not known exactly when *Boko Haram* was founded and which of the several Islamic militant groups it replaced, it is widely believed that the group emerged out of the ruins of the 'Nigerian Taliban,' a ruthless militant group established in 2001 and eventually exterminated by security forces between 2003 and 2004. The name *Boko Haram* only began to appear in public places in 2006. Consistent with its 'Maitasine doctrine,' *Boko Haram* is opposed to modernity and technology including items such as computers, radios, television sets and wrist watches. It was Mohammed Yusuf, the ideological founder and charismatic leader of *Boko Haram*, who helped define the rubrics of this philosophy. He also imposed no limits to the means and methods of applying it. According to Yusuf, the modern state, including its key features such as a national constitution, is symptomatic of Western education which, in his view, has corrupted Islam and represents the source of all evils in modern times. He has therefore sought to transform Nigeria into an Islamic caliphate and to replace the Nigerian constitution with one founded on *sharia* law, a condition already applicable in Northern Nigeria and many other Nigerian states with Muslim majority populations

To effectively apply this philosophy and achieve its purpose in a country as big as Nigeria, Yusuf needed an enormous number of foot soldiers or fighters to help impose his will. He used both his charisma and unconventional methods of recruitment, establishing Islamic schools or *Madrasahs*; threatening the occupants of mosques and Islamic institutions, including Islamic scholars, who refused to meet his requests; storming prisons to free and recruit convicts; bringing in foreign fighters from neighboring countries like Benin, Cameroon, Chad and Niger; and enticing relatively poor, uneducated, Nigerians with motorbikes to serve as taxis to raise money for the group and for raids and attacks on opposition communities. Yusuf died in 2009, but before his death, *Boko Haram* had attracted between 280,000 and 300,000 followers. Training camps were also established

in remote areas of Maiduguri to prepare combatants for their collective task.

Boko Haram's tactics have included hit-and-run attacks, ambushes, shootouts with police, torchings and arson attacks and bombings as well as suicide attacks against government officials and institutions, Christian communities and moderate Muslims. In 2009, *Boko Haram* launched a lightening-style wave of attacks across northern Nigeria, resulting in more than 800 deaths. The government responded with a heavy military crackdown in operations that led to the killing of hundreds of *Boko Haram* fighters and leaders, as well as the destruction of their facilities, including their headquarters in Maiduguri. Several hundred others were arrested, including Mohammed Yusuf and some senior members of *Boko Haram*. Yusuf was later killed in custody, which the organization vowed to avenge.

For a while, it was believed that the group had been crushed. Then, they resurfaced in 2010 and attacked a popular fish market in Abuja. The worst of the group's activities occurred this year, reaching their peak of activity in the post April-May elections.

The elections were highly divisive along the north-south line. The decision of Goodluck Jonathan to compete in the elections was seen as controversial by some members of the northern elite, who maintained that only a northerner should have replaced Yar'Adua, whose term was cut short by his untimely death. *Boko Haram* took advantage of this division to perpetrate almost daily terrorist attacks against Christians and moderate Muslims, and even threatened to attack Jonathan himself. At the same time, the Christian-Muslim conflict erupted in Jos and Maiduguri, further providing Yusuf and his followers with a cushion and safe haven to increase their attacks with almost no restraints. These developments have heightened instability in Africa's most populous country and threaten to reverse the progress made toward consolidating democracy in Nigeria, and also balkanized the country to some extent.

A far more dangerous consequence of *Boko Haram's* activities would be if the group was to expand its

activities further south and destroy the imaginary line that divides Muslims and Christians in Nigeria. The predominantly Christian Igbos, constituting one of the country's largest ethnic groups, are already exhibiting strong grievances against *Boko Haram*, which has targeted many Igbos. For example, on Saturday, 24 September 2011, suspected *Boko Haram* members killed five Igbo traders at the Madala market, which created unease with many Igbos. There is a growing concern that if this trend continues, Nigeria risks a civil war that will pit Muslims against Christians.

The *Boko Haram* threat has been compounded by the politicization of the group. Most Nigerians believe that the group's excessive attacks in the wake of the April-May elections, were the work of some northern politicians, particularly from Nigeria's opposition parties, who were angry at the election of President Goodluck Jonathan, a southerner, in the place of a northerner. This conspiracy dictum purports that these unfortunate politicians patronized and sponsored the attackers to punish and destabilize the regime of Dr Goodluck Jonathan. To this end, the *Boko Haram* threat is seen and analyzed mainly through the prism of politics rather than through security lenses, which requires a political solution. The solution they propose is for a national dialogue among Nigeria's heavyweight politicians. Another theory holds that northerners are jealous of the federal government's amnesty programme offered to militant groups in the Niger Delta region at the Southern tip of Nigeria, whose rapacious activities have earned them perceived special treatment, particularly in the form of jobs, development projects, and training and skills development. As a result, *Boko Haram* and northern youths have taken up arms against the government to attract similar treatment. According to the patrons of this view, the federal government should engage in dialogue with *Boko Haram* and offer them amnesty, while addressing fundamental issues of poverty and youth unemployment in the north.

The *Boko Haram* issue is therefore a highly charged political topic, or what some analysts have referred to as a political time bomb, in Nigeria. The regime of Dr. Goodluck

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Jonathan has approached the issue with much caution, first to prevent it from taking on Muslim-Christian or north-south conflict overtones, and secondly, as a security issue to isolate the perpetrators' more radical views from mainstream Muslim views. The unrealistic nature of *Boko Haram's* goals, as well as the elusive and incoherent nature of the group, makes it difficult to apply the same standards that were applied to the Movement for the Emancipation of the Niger Delta (MEND) and other militant groups in the Niger Delta region. Nonetheless, the government has played almost every available card to contain the threat. For a long time it resisted calling *Boko Haram* a terrorist group, which would require the application of the Terrorism Prevention Bill adopted by Parliament on 1 June and signed into law by President Jonathan on 3 June 2011. The Bill itself is the first official acknowledgement of the threat of terrorism to Nigeria. Furthermore, the government has employed stringent security measures aimed at crushing the group, particularly its leadership and sources of arms, finances and support bases. It has concurrently pursued dialogue and responded to some of *Boko Haram's* demands such as the prosecution of the law enforcement officers suspected of killing Mohammed Yusuf, the group's leader in 2009, as well as a public apology by some government officials, whom the group claims wronged them. Currently, an amnesty offer is still on the table, but *Boko Haram* has rejected every initiative and even refused to consider the amnesty. The attacks on the UN building came as an embarrassment to the government at a time when it was trying to appease *Boko Haram*. Since the attacks, the government has stepped up security measures, including intelligence, investigations, arrests and the prosecution of *Boko Haram* suspects. Given *Boko Haram's* roots in neighboring countries like Benin, Cameroon, Chad, and Niger, as well as its links with foreign and international terrorist groups like AQIM, *al Shabaab*, and the Yemeni-based *Al Qaeda in the Arabian Peninsula* (AQAP), the government would need more than the existing security and intelligence agencies and prosecutors in Nigeria to effectively address the threat posed by *Boko Haram*.

Geo-political dynamics

Pan-African and RECs Dynamics

Africa's current concern is the group's increasing link with *al Qaeda* and other terrorist groups in Africa. Intelligence reports have confirmed that *Boko Haram* has operational links with *Al Qaeda* in the land of Islamic Maghreb (AQIM) based in the Sahel region of Algeria, where it is believed *Boko Haram* recruits have been trained in the use of explosives. Reports also indicate that *Boko Haram* sent operatives to Yemen, Mauritania, and Somalia, where they received training in various terrorist tactics including bomb making and guerrilla style attacks. Indeed, it is believed that the suspected mastermind of the suicide attacks on the UN building, Mammam Nur, recently returned from Somalia prior to the attacks. If these reports are true, it would mean that the dynamics of the threat of *Boko Haram* have changed and that the group can no longer be considered a domestic Nigerian terrorist organization, which deserves a Nigerian solution. *Boko Haram* is now not exclusively a threat to West Africa or Africa as a whole, but a potential threat to the whole world.

This unfortunate development emphasizes the need for a regional solution. Recently, ECOWAS embarked on a process to elaborate a Counter-Terrorism Strategy and Implementation Plan. Such a process is not only timely, but also crucially important in providing a common regional framework with which to prevent and combat the current threat of terrorism in the region. It will also facilitate better coordination among West African States and provide states with a toolkit with which to fully and effectively implement African Union and UN counter-terrorism legal regimes. The Strategy should also address the dire need for capacity, particularly with respect to skills development, expertise, and human and financial resources to enable states to effectively engage groups such as *Boko Haram* and to facilitate a sustained counter-terrorism campaign in West Africa.

The African Union (AU) already has a robust counter-terrorism framework that defines the necessary actions and measures to be undertaken at the national, regional and continental levels. This

framework includes the 1999 OAU Convention on the Prevention and Combating of Terrorism, adopted in Algiers, Algeria, and the Protocol to the 1999 OAU Convention and Plan of Action on the Prevention and Combating of Terrorism in Africa. Ongoing efforts to finalise a Comprehensive African Anti-Terrorism Model Law would further re-invigorate the domestication of the AU and UN counter-terrorism instruments. In this regard, the regional threat posed by *Boko Haram* is a call on all AU Member States to be on the alert and to strengthen intelligence, investigation and other practical means of counter-terrorism cooperation and collaboration.

UN Dynamics

The United Nations lost eleven staff members in the attacks on the UN Office in Abuja that killed 23 people and injured over 100 others. The attacks followed an emerging trend whereby the UN was increasingly being targeted by militant and terrorist groups, such as those operating in Afghanistan, Iraq, and Algeria. The Abuja attacks strengthened the UN's resolve to prevent and combat terrorism and to increase its engagement with states, particularly in Africa, to jointly address the terrorist phenomenon. Following the Abuja attacks, the UN deployed its security forces to assist their Nigerian counterparts in assessing and strengthening security measures to address the threat posed by *Boko Haram*.

Although efforts are in progress to conclude a comprehensive international convention against terrorism, the UN already has a robust framework for dealing with terrorism. The framework includes fourteen international conventions and four protocols adopted since 1963, which deal with various terrorist offences, including violence at airports, against ocean vessels or against diplomatic facilities; illegal use of explosives, hijackings, bombings, terrorist financing and weapons of mass destruction, among others. There are also key UN decisions that regulate the fight against terrorism. These include relevant Security Council decisions such as resolutions 1267 (1999), which provides sanctions against the Taliban and *al Qaeda*; 1373 (2001), which calls on states to implement a number of measures intended to

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The Abuja suicide bombings several weeks ago highlighted the urgency for the United Nations to step up measures to work closely with states, particularly in Africa, where there is a widespread problem of capacity, to scrupulously implement the UN counter-terrorism regimes. Given the apparent links between *Boko Haram* and *al Qaeda*, the UN should also consider putting *Boko Haram* on the sanction list. This will require the Sanction Committee to further investigate the relationship between *Boko Haram* and *al Qaeda*.

The *Boko Haram* phenomenon took on an international dimension from the time of the inception of the group, with fighters coming from Benin, Cameroon, Chad and Niger. In addition, *Boko Haram* terrorists have been trained in Somalia, Algeria, in the Sahel region, Mauritania and Yemen. As stated above, *Boko Haram* not only poses a threat to Nigeria, but to the wider international community as well. The attacks on the UN Office in Abuja have firmly confirmed this wider threat. The attacks also claimed the life of a Norwegian and forced a number of European High Commissions in Abuja to shut down in the immediate aftermath of the attacks for fear of further attacks. The Group's links with *al Qaeda*, which is a known international terrorist organization, raises major concerns about *Boko Haram's* new international profile. To this end, the group could attack foreign interests both in and outside Nigeria. This possibility therefore requires effective cooperation among both African and non-African countries, particularly those that are known or perceived to be *al Qaeda's* targets. Such cooperation should be

Given the European Union's interests in Nigeria, particularly the economic interests of key EU members such as the United Kingdom, the situation in Nigeria should therefore be of concern to the EU. Although the EU condemned the Abuja attacks, it will need to strengthen practical cooperation with Nigeria and its neighboring states in order to effectively address the growing threat of terrorism. The disintegration and instability of a country the size of Nigeria and its abundant natural resources will potentially be felt by every member of the international community. Such an impact could negatively affect a wide range of economic, political and societal domains including the global price of petrol, international crime, and forced migration.

Many of the victims of *Boko Haram*'s attacks and religious violence in Nigeria have been women and children. We have also learned of expectant mothers being killed and maimed in terrorist attacks. Some families have been decimated in these attacks. In spite of such atrocities, civil society has been further marginalized in the war against terrorism in Nigeria. The Nigerian government has not yet explored cooperation with civil society organisations to address the *Boko Haram* question, particularly the vexing issue of Muslim-Christian conflict. Its approach so far has been to give priority to state security and military considerations.

conditions that give rise to groups such as *Boko Haram* and other religious-based militant groups. Civil society organizations, if given the space and resources, could be instrumental in reconciling Muslims and Christians in Nigeria and other ethnic conflicts that serve to fuel terrorism and militancy in that country.

Given the above analysis the following could take place:

Boko Haram will continue to wreak havoc in Nigeria potentially expanding its activities to Southern Nigeria with the dangerous consequence of religious hostilities erupting along the North South divide. The result of these developments could include the disintegration of Nigeria with many states seceding and declaring independence along ethnic lines.

Given the pressure and the temptation to show firm action against the group, the Nigerian government may resort to adopting tough security measures involving the armed pursuit and destruction of the infrastructure of the group and the killing of its leadership.

Boko Haram becomes an international terrorist group with full operational links with *al Qaeda*, *al Shabaab* and other terrorist groups. In doing so it loses the appeal of its original doctrine or ideology, thus forfeiting significant support in Nigeria and neighboring countries.

Given the high cost to Nigeria of *Boko Haram's* attacks, new bombings may produce heightened public outrage and condemnation with the consequence of undermining the appeal of the group, among less active supporters, and creating collaboration between the public and Nigerian authorities to repel the threat of *Boko Haram*.

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Scenario 5:

Weary of *Boko Haram*'s consistent targeting of Igbos, the latter decides to retaliate through the creation of a militant group or the existing Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), or the Nigerian government decides to send in the "Bakassi Boys" or MEND and other militant groups in the South to counter the threat posed by *Boko Haram*.

Early Response Options

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

Option 1:

The PSC could issue a press statement or a communiqué condemning the acts of terrorism that *Boko Haram* has perpetrated in Nigeria and calling on Nigerian authorities to operationalize and effectively implement the Terrorism Prevention Bill with a view to vigorously applying the law against *Boko Haram* and its activities. In this regard, *Boko Haram* would be officially designated as a terrorist group, making it a criminal offence to be a member or to support the group, whether directly or indirectly.

Option 2:

The PSC could also encourage Nigeria to implement political, legal, economic and social programmes, intended to dissuade and deter individuals from engaging in terrorism as the most effective means to eliminate the threat of terrorism in the long-term. Military operations such as those carried out against *Boko Haram* in 2009 are difficult to sustain without a social and political backlash, which may in turn reflect larger community problems or conflicts. Such operations are almost invariably accompanied by gross violations of human rights, causing victim communities to feel targeted and therefore motivated to seek reprisals.

Option 3:

The PSC could also call on Nigeria and its neighbors to build and sustain cooperation through border control, information sharing and coordination of security measures. If all affected countries can collaborate effectively on border control, including air, sea and land access points, this could significantly reduce the mobility of infiltrators and the importation of arms and explosive materials. This cooperation should also necessarily take place in areas of intelligence,

investigation, and prosecution of terrorist suspects.

Option 4:

The AU could convene a meeting of the PSC and responsible Regional Economic Communities (RECs) to review the state of terrorism in Africa and those groups that have perpetrated terrorist acts, with a view to eventually eliminating such groups and all those who harbor, support, or finance them. The PSC could also decide to establish a list of terrorist groups and their activities in Africa with a view to garnering common actions against such groups. The PSC could also request the African Centre for the Study and Research on Terrorism (ACSRT) to facilitate cooperation among states and the effective implementation of regional, continental and international legal instruments.

COUNTRY ANALYSIS

Niger

Previous AU/PSC Communiqués and Recommendations:

Niger held widely commended presidential and legislative elections on 31 January 2011 which facilitated one of the smoothest transitions from rule by a military junta to a democratically elected civilian government. The successful elections helped the country restore its membership and role in the AU. Niger's AU membership was suspended following a military coup in February 2010.

In a Press Release dated 4 February, 2011, the Chairperson of the

African Union Commission, Jean Ping, welcomed the successful conduct of the elections to facilitate steps towards the restoration of constitutional order and civilian rule. The chairperson, who referred to the positive assessment of the elections by the various observation teams, including the AU election monitoring team, said that the elections demonstrated the maturity of the people of Niger and the various political actors, as well as their determination to successfully conclude the transition to a democratic, constitutional and civilian government.

Some years earlier, on 29 October 2009, the PSC had issued a communiqué, **PSC/AHG/COMM.3(CCVII)**, endorsing the decision on Niger, adopted by the Extraordinary Summit of ECOWAS Heads of State and Government on 17 October 2009, in Abuja, Nigeria.

The PSC had then also requested the Chairperson of the AU Commission to intensify his efforts towards resolving the crisis and to continue working closely with ECOWAS.

Crisis Escalation Potential:

On 2 August, 2011, the 51st anniversary of Niger's independence, Niger's President, Mahamadou Issoufou, acknowledged for the first time the attempted coup against his democratically elected government. He further announced that 10 people had been arrested for attempting the coup in mid-July. The president said that those arrested had decided to undermine the security of the state with events planned to take place during the night of 12-13 July 2011. According to sources, several soldiers, including a major and a lieutenant, were

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Subsequent reports have shown that those arrested included members of the junta that had toppled the former president, Mamoudou Tandja, in February 2010. President Issoufou has said that the attempted coup was a reaction to the decision by the new government to take strong action against the misuse of public funds through payment of false accounts and other forms of corruption. The coup attempt is a manifestation of the fragile nature of the security and democracy of Niger.

The crisis and ongoing war in Libya has a direct and negative impact on the security and stability of its southern neighbor Niger. The situation in Libya is characterized by a high number of uncontrolled weapons that are circulating in the region and which could end up in the hands of rebel groups or members of the AQIM. Recently the Nigerian Justice Minister, Marou Amadou, expressed his deep concern about the negative security implications of the conflict in Libya on the situation in Niger and described the situation as 'explosive'. He stated that Niger needed help with intelligence-gathering and aerial surveillance of some six

The recent coup, coupled with existing security challenges, includes a threat by AQIM operatives in Niger's northern region who have extended their operations in urban areas of Niger and the ongoing conflict into Libya, with a clear spill-over effect on Nigerian politics and security issues. The resurgence of the Touareg insurgency, which remained dormant until 2007 can also take advantage of the regional security crisis and pose a significant security challenge for the government.

On 14 September the Nigerian police announced the arrest of army Colonel Abdoulaye Badie, the former second-in-command of the military junta that ousted President Mamadou Tandja and ruled until March 2010, accusing him of taking part in the foiled coup attempt of July 2011. Badie was previously arrested in October 2010 and questioned and released by the then-ruling military administration. He had been the body's permanent secretary until General Djibo Salou, who led the junta, abolished the post four days before his arrest.

In the latest index of global corruption by the anti-graft watchdog, *transparency International*, Niger scored 2.6 out of 10 and was ranked 123rd of 178 countries that were assessed. One of the major promises by the new government was that it would combat the rampant corruption in Niger. The government warned that widespread

Subsequently, in June, in a decision that was considered a bold move, the new government for the first time revealed a case of embezzlement involving 3.3 million USD, an action that led to the sacking of the budget minister and two other senior officials. The commitment to fight corruption was further manifested and institutionalized as the government created an anti-corruption body at the end of July 2011. The High Authority to Combat Corruption comprises representatives of the government, the private sector and civil society. According to officials the new body will be tasked with 'centralising and processing complaints and information it receives relating to corruption'.

The anti-corruption campaign against army officers has been bold and is believed to have caused discontent especially amongst former army officers who have lost their positions and their influence. The military junta conducted investigations of the Tandja regime and now it looks like the time has arrived for the Junta to be examined, creating enormous discontent and creating a possible reason for the recent coup. The coup has clearly shown to the people of Niger, ECOWAS and the AU that democracy and stability are much more than conducting a peaceful and democratic election. The incident has further highlighted the fact that much needs to be done to consolidate the recent gains in Niger.

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further intensified by the situation in Libya. The visibility and significance of the terrorist group which has between 300 and 600 members has increased in number and potency since merging with the larger *al-Qaeda* terrorist franchise in 2006. They began kidnapping Westerners including tourists and aid workers in Niger, Mauritania, Tunisia and Algeria, raising millions of dollars in ransom money to bankroll their operations. In January 2010, two French nationals were seized from a restaurant in Niger's capital, and were killed when French commandos launched an operation to try to save them. The growth and expansion of the group and the unresolved issue of the Touareg insurgency will surely add to pressures facing Niger's new government.

At the beginning of September 2011 thirty-two members of Colonel Gaddafi's inner-circle, including his son Saadi, arrived in Niger. Officials in Niger stated that they were not playing host to the uninvited fugitives and stated that there were no international warrants for their arrest, so there was no choice but to give them sanctuary on humanitarian grounds. Col Gaddafi helped to fund rebellions by nomadic Tuareg fighters against the governments of Mali and Niger during the 1970s and 80s. Many of the rebels went on to serve in Gaddafi's army.

The Niger government has recognised the NTC's authority, but said it had not yet decided whether it would allow Col. Gaddafi to enter the country. Niger has voiced concern that weapons plundered from the Libyan conflict could fall into the hands of *al Qaeda's* North African wing and other rebel groups who are already established in the region.

Landlocked Niger is one of the poorest nations in the world, ranking ahead of only Zimbabwe and the Democratic Republic of Congo in the United Nations Development Program's Human Development Index of 169 countries. According to data from the World Food Program, only 15 percent of women are literate and 82 percent of the population relies on farming and animal herding. Niger is also recovering from a drought in 2009-10 that put about 7 million people at risk of starvation.

Geo-Political Dynamics

Pan-African and RECs Dynamics:

The Economic Community of West African States (ECOWAS) has played a significant role in the transition to constitutional order in Niger. The African Union also gave its approval of the poll by expressing its satisfaction with the overall process.

In a regional effort to fight the ever growing threat of terrorism in the region, Mali and Niger announced on 18 February, 2011, their plan to enter into a formal defence agreement aimed at improving military cooperation against the Islamist threat that has risen in recent years across the Sahara-Sahel regions of West Africa, with gunmen kidnapping foreigners for ransom and attacking government troops. Niger's military rulers had to ratify the agreement after it was initially signed in Mali late last year. The two nations agreed to share land, air and river bases, exchange intelligence and carry out joint patrols and exercises. Western powers led by France and the United States have stepped up their counter-terrorism efforts in the region, but analysts say such efforts have been hamstrung by regional rivalries and a lack of coordination between states. In May 2010, in an effort to enhance regional partnerships against AQIM, four Saharan desert states, Algeria, Mali, Mauritania and Niger, announced their plan to open a joint command headquarters in Tamanrasset, Algeria, to co-ordinate efforts to counter the growing regional threat from *al-Qaeda*. The countries announced that the move would increase cooperation and moves toward joint operations against terrorism, kidnappings and trafficking. In the meantime, Islamic militants in the Sahara Desert continue to exploit differences between neighboring countries in order to continue to use the ungoverned regions, which are vast, sparsely populated, and barely controlled by the region's security forces, as safe havens.

On 14 September Muammar Gaddafi's son, Saadi, was transferred to a house in the presidential villa in Niger's capital, Niamey. Gaddafi was flown from Agadez in northern Niger

to Niamey and traveled in a convoy from the airport to a house near the residence of Nigerien President Mahamadou Issoufo.

Relations between Niger and its powerful neighbor Nigeria have improved significantly in recent months. On 2 August Nigerian President Goodluck Jonathan met with President Mahamadou Issoufo at the opening of bilateral talks between delegations of the two nations in the capital, Abuja. The talks have resulted in agreements to cooperate on electricity, water supply for agriculture, information, desert encroachment and joint border patrols. Niger will begin exporting crude oil by the end of the year. Nigeria's northern states could also begin getting their supply of petroleum products from a refinery under construction in Zinder, Niger. The Zinder refinery, being constructed by the China National Petroleum Corp (CNPC), has a projected capacity of 1 million tons per annum, or 20,000 barrels per day, and is expected to come online next year at a projected cost of \$600 million.

Wider International Community Dynamics

At present there is a lot of international focus on Niger, following reports that high ranking Gaddafi officials and one of his sons entered Niger at the beginning of September 2011. Niger's Prime Minister, Brigi Rafini, subsequently said that 32 members of Gaddafi's inner circle, including his son Saadi, had arrived in Niger on 2 September, and were admitted for "humanitarian reasons." The United States stated that it had received assurances from Niger that Saadi Gaddafi would be prevented from traveling. A statement by the US State Department declared that they had received assurances from the government of Niger that Saadi Gaddafi would be prevented from travel in accordance with the travel ban imposed by UN Security Council Resolution 1970. The statement further noted that the United States also expected the government of Niger "to cooperate fully" with Libya's interim leaders "in bringing to justice anyone suspected of

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committing war crimes or human rights abuses in Libya.”

In July 2011 President Obama hosted four recently elected West African presidents, including President Mahamadou Issoufou, in a gesture of support for the continent’s nascent democracies.

On 16 September, Niger’s foreign minister said that France should not interfere in its relations with Libya, after the French government said it had been asked by Libya’s new government to secure the return of Gaddafi loyalists who fled to Niger. The ministry said that ‘France is a close ally, but on questions linked to Libya we would rather that requests came from Libya and not France.’

In an address at a World Trade Organization conference in Geneva on 19 September 2011, President Issoufou emphasized that Niger needed help to train and equip its security forces to deal with potential terrorism in the aftermath of the fall of Muammar Gaddafi’s government in neighboring Libya. The president said that his country needed a speedy end to the conflict in Libya because of its impact on trade, immigration and security. Niger has called for international help with intelligence-gathering and aerial surveillance to secure the six million square kms of its northern desert, where Niger’s forces recently clashed twice with suspected *al Qaeda* members.

Niger has one of the world’s biggest uranium deposits, drawing billions of dollars’ worth of investments, mainly from French nuclear giant Areva. However, recent increases of *al-Qaeda’s* presence and activities in the Islamic Maghreb, are affecting opportunities for investment in the country.

On 19 July the European Commission resumed aid to Niger, releasing 25 million euros (\$35 million). The funds are aimed at helping the government combat poverty by focusing on improving education and the health sector. The move has been interpreted as a sign of growing confidence in the new government. The funds were released after an analysis by the EU found “very encouraging progress” in areas of macro-economic stability, a

coherent and sustainable policy for fighting poverty and management of public finances. The EU suspended its development cooperation with Niger in 2009 when president Tandja refused to leave power after his term ended.

Scenarios:

The situation in Niger could 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:

The rising tension between the new government and the army could become further intensified by the attempted coup and subsequent arrests, thereby destabilising the politics and security of the state of Niger and threatening its young democracy.

Scenario 2:

Internal rifts and disagreements in the army could lead to tension that could precipitate violent confrontation.

Scenario 3:

The crisis in Libya could further strengthen *Al-Qaeda in the Islamic Maghreb*, (AQIM) and other armed groups to expand and intensify their activities in Niger as the proliferation of arms, and increasing numbers of mercenaries continue to flood Niger.

Early Response Options:

Given the above scenarios the following options could be considered:

Option 1:

The PSC in tandem with ECOWAS could continue to monitor the situation in Niger while condemning any type of military intervention in Niger.

Option 2:

The PSC in tandem with ECOWAS could call for a coordinated regional effort to combat AQIM.

Documentation:

Relevant AU Documents:

Press Release (February 4, 2011) African Union Welcomes the Successful Organization of Presidential and Legislative Elections in Niger

PSC/PR/COMM.2(CCXVI) (19 February 2010) Communiqué on Niger

AU Communiqué (19 February 2010) The Chairperson of the Commission Condemns the Seizure of Power by Force in Niger

Assembly/AU/Draft/Dec.1(XIV) Rev.2 (2 February 2010) Decision on the Report of the Peace and Security Council on its Activities and the Situation of Peace and Security in Africa

EX.CL/566 (XVI) (2 February 2010) Report of the Chairperson of the Commission on the Prevention of Unconstitutional Changes of Government and

Strengthening the Capacities of the African Union to Manage Such Situations

Assembly/AU/Draft/ Dec.2(XIV) Rev.2 (2 February 2010) Decision on the Prevention of Unconstitutional Changes of Government and Strengthening the Capacities of the African Union to Manage Such Situations

Assembly/AU/Dec.220(XII) (2 February 2010) Decision on the Resurgence of the

Scourge of Coups d’État in Africa

RECs Documents:

ECOWAS Statement N°020/2010 (16 February 2010) ECOWAS Leaders Exhort Nigerien Parties to Demonstrate Flexibility in Resolving Political Crisis

Spotlight on forthcoming AU Commission Elections

Spotlight on forthcoming AU Commission Elections

The election of the AU Commission Chairperson, Deputy Chairperson and eight Commissioners is scheduled for January 2012. The nomination process of the candidates for the Commission members shall be in terms of modalities based on article 13 of the Statutes of the Commission and determined by the five regions. For this reason the Council of Ministers in its 26th Ordinary Session in Addis Ababa, Ethiopia, from 23 February to 1 March, 1976 adopted resolution CM/Res.464 (XXVI) stipulating that “there shall be five (5) regions of the OAU. These regions comprise Northern, Western, Central, Eastern, and Southern African countries. The number of member states of each of the five regions is as follows: West Africa, sixteen (16), East Africa, thirteen (13), Central Africa, nine (9) Northern Africa, five (5) and Southern Africa ten (10).

The nomination process for Commission Members is guided by the statute of the African Union Commission EX.CL/478 (XIV) article 10 (1 and 2). This article states that the Chairperson of the Commission shall invite each Member State to submit, in writing, within three months, the names of a maximum of two (2) candidates together with their curricula vitae, for election to their respective regions. The applicable regional office submits the candidate's name to the office of the legal counsel of the Commission.

Accordingly, the AU Commission called on AU member states in August 2011 to submit their nominations (BC/OLC/217/4761.11). In its call for member states to submit nominations, the AU Commission required that each candidate for the position of chairperson, deputy chairperson or commissioner should be required to elaborate the candidate's vision and strategic approach, in at least two working languages of the Union, in addition to providing his or her curriculum vitae.

As stipulated in Article 17(1) of the Statue of the AU Commission, the Chairperson and Deputy Chairperson shall serve for

a period of two (2) years. The elected Chairperson and the Deputy Chairperson shall be eligible for re-election only once. The AU Commission comprises a Chairperson, a Deputy Chairperson and eight Commissioners.

According to the Rules of Procedure of the Assembly, each of Africa's five regions is entitled to two of the ten positions in the AU Commission. The Chairperson and Deputy Chairperson may not be from the same region and must be elected by a two-thirds majority vote of the Assembly. According to Article 6 of the Statute at least one Commissioner from each region must be a woman. All 10 Commissioners are required to be “competent women or men with proven experience in the relevant field, and have commensurate leadership qualities and a good track record in government, parliament, international organizations or other relevant sectors of society.” The Assembly endorses the 8 Commissioners elected by the Executive Council on a regional basis, by secret ballot. The Commissioners may serve for a maximum of two terms of four years.

The Chairperson of the Commission is directly responsible to the Executive Council for the effective discharge of his or her duties and serves as the Chief Executive Officer; the legal representative of the Union; and the Accounting Officer of the Commission. The Chairperson is also responsible for following up the implementation of all AU policies, the preparation of its strategic plans and coordination of its activities and meetings. The Chairperson also plays the role of facilitating the development of common African positions on issues of continental importance and advocating common African positions in international forums.

In the areas of peace and security, the Chairperson is assigned a very active and substantive role in the management, resolution and prevention of conflicts. Article 10, paragraph 1, of the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union* states that ‘the Chairperson of the Commission shall, under the authority of the Peace and Security Council, and in consultation with all parties involved in a conflict, deploy efforts and take all initiatives deemed appropriate to prevent, manage and

resolve conflicts.’ The Chairperson of the AU Commission is therefore responsible for ensuring the implementation and follow-up of all decisions of the PSC, including mounting and deploying peace support missions authorised by the Council. The Chairperson of the Commission, working through the Commission for Peace and Security, is obliged to keep the PSC informed of developments relating to these peace support missions. In particular, the Chairperson can issue periodic and comprehensive reports as well as other relevant documents in order to enable the PSC and its subsidiary bodies to perform their functions effectively.

The main criteria for candidacy and election are the candidate's commitment to uphold the principles of the Union; contribution to the promotion and maintenance of peace and security in Africa; participation in conflict resolution, peace-making and peace building at regional and continental levels; willingness and ability to take up responsibility for regional and continental conflict resolution initiatives; and respect for constitutional governance, in accordance with the Lomé Declaration, the rule of law and human rights.

Both the nature of the responsibilities of the position and its requirements imply that African regions need to give careful consideration to nominating candidates for membership of the Commission. The respective regions need to go beyond mere representation of their region on the Commission. Efficient candidates for the AU Commission will help to enhance the reputation of the African Union and contribute to maintaining peace and stability in the region.

Since the establishment of the African Union, the Commission has been headed by two Chairpersons: Alpha Oumar Konare, of Mali, from 2002 to 2007 and Jean Ping of Gabon, from 2008 to the present. There has also been one interim-Chairperson, Amara Essy of Côte d'Ivoire, who served during the transition from the Organisation of African Unity (OAU) to the African Union (AU) between 2000 to 2002.

Important Forthcoming Dates

1 October: World Tourism Day

2 October: International day for the Elderly

2 October: International Day of Non-Violence

15 October: International Day of Rural Women

16 October: World Food Day

24 October: United Nations Day

Country	Election	Date
Cameroon	Presidential	October
Lesotho	Local elections	1 October (postponed from September)
Liberia	Presidential, House of Representatives and 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
Egypt	Parliamentary	28 November
Gabon	National Assembly	December

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