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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 December

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC)

for the month of December is Equatorial Guinea. 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.

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Liberia

The 2011 electoral process in Liberia is a test for the political elite's resolve to maintain the fragile stability that has existed since the 2006 historic victory of Ellen Johnson-Sirleaf. These elections have taken place at a time when

the reform process is far from being completed while Liberia is still faced with serious socio-economic and political challenges. Three important questions will need to be addressed, including the state of political consensus and reforms, the commitment of Liberia's leaders to socio-economic problems, and the credibility of national electoral

monitoring bodies. In the absence of a meaningful dialogue among the various actors, even in the aftermath of the presidential election, Liberia looks set to face some tough times ahead.

Sudan and South Sudan

The fighting between the Sudan Armed Forces (SAF) and fighters of the Sudan People's Liberation Movement –North (SPLM-N) that

started in South Kordofan and spread into the Blue Nile state has entered its fourth month. There are no indications that the fighting in these two states will stop soon. There is no serious international

effort to end the violence and each side seems to believe that there is an advantage in continuing with the war.

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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.

Al Qaeda in the Mahgreb

The prominence, capacity and outreach of AQIM have grown significantly in recent years. Being active in a large, unsecured, ungoverned region with porous

borders and countries with weak security capabilities, and an absence of strong regional organization, the group has an effective safe haven for its operations. The recently gained weapons and money from Libya may further embolden the group while its alliance with *Boko Haram* could serve to increase its continental profile, thereby making

it a very serious source of insecurity and instability in the region and beyond. There is also a growing fear that a possible partnership between AQIM and *Al Shabaab's* militia in Somalia could create a chain of terrorist cells stretching from the west through the Sahel to the eastern tip of Africa.

Burundi

The situation in Burundi has not yet elicited considerable initiatives or pronouncements by relevant RECs, and the AU and its bodies, apart from a response to the 18

September attack in Gatumba. The International Conference on the Great Lakes Region (ICGLR) issued a statement condemning the attack and conveying condolences to the victims' families and the country. With both sides now

expressing openness to the concept of dialogue, initiatives at this time would be timely in preventing an escalation of violence and deterioration of democracy.

COUNTRY ANALYSIS

Liberia

Previous Communiqués and Statements

On the eve of the presidential elections in Liberia, ECOWAS issued a statement in which it called for peaceful, credible elections. The regional organisation warned that any act of violence or unwarranted manipulation of the electoral process could only jeopardise the democratic intentions of the state and its citizens and would not serve the general interest and the wellbeing of Liberia and the region. Equally, in a press statement issued on the eve of the controversial run-off, ECOWAS expressed its deep regret at the decision by the leader of the opposition party, Congress for Democratic Change (CDC), Winston Tubman, to boycott the second-round election. The ECOWAS Commission noted that the first round elections that were held on 11 October, 2011, were conducted in a peaceful, free and transparent atmosphere. The Commission conveyed its criticism of the CDC's pre-conditions for participating in the run-off, such as requesting the revision of the electoral code and relevant constitutional provisions. These conditions were seen as unrealistic and in violation of the ECOWAS Protocol on Democracy and Good Governance.

Crisis escalation Potential

The 2011 electoral process in Liberia is a test for the political

elite's resolve to maintain the fragile stability that has existed since the 2006 historic victory of Ellen Johnson-Sirleaf. These elections are taking place at a time when the reform process is far from being completed while Liberia is still faced with serious socio-economic and political challenges. There is a concern that the electoral process could breed tensions and compromise national reconciliation efforts. With claims of irregularities, the slow pace at which the electoral commission responds to the petitions and the boycott by the opposition, Liberia's political elite needs to transcend political and sometimes personal cleavages to preserve the country from relapsing into instability. Three important questions will need to be addressed, including the state of political consensus and reforms, the commitment of Liberia's leaders to socio-economic problems, and the credibility of national electoral monitoring bodies. In the absence of a meaningful dialogue among the various actors, even in the aftermath of the presidential election, Liberia looks set to face some tough times ahead.

Key issues and internal dynamics

Presidential and senatorial elections held in Liberia in October and November exposed the fragility of the post-conflict landscape. On 11 October, citizens in Liberia went to the polls to elect a new leader and possibly renew their confidence in the only African woman president on the continent. The context, both regional and domestic, in which these elections took place and their possible future implications have made them

particularly challenging for the country. Over the past few years, very few elections took place in Africa without protracted violence, to the extent that elections have increasingly become a serious threat to peace and democratic survival. The problem is not the nature of an election *per se* but the manipulation of the electoral process to favour a particular candidate at the expense of the general will of the electorate. At the heart of this problem is the credibility of the electoral monitoring bodies and their commitment to delivering free, fair and transparent elections.

Liberia is emerging from 15 years of war that exerted a devastating impact on the socio-economic and political life of the country. As in 2006, with controversial electoral outcomes, the 2011 electoral process maintained the Harvard educated Ellen Johnson-Sirleaf in power. The historical significance of the 2006 election was that it paved the way for a new transition from war to peace while providing the momentum to conceive and implement a coherent post-conflict reconstruction strategy after the election of the warlord Charles Taylor had failed to bring about peace in Liberia. As in all post-conflict situations, expectations are high in terms of addressing the deteriorated living conditions of the people. Yet, Liberia lacks readily available resources to effectively respond to citizens' basic needs. While the international community, mainly the United States and the international financial institutions, has been actively involved in the country's reconstruction, Liberia's problems cannot be resolved overnight. In addition to resentment

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This is the second time Liberia has gone to the polls since peace returned. However, on this occasion the national authorities themselves, through the National Electoral Commission (NEC), monitored the electoral process. Regular elections, as an opportunity for power alternation, form part of the national democratisation process and the post-conflict reconstruction exercise in Liberia. However, Liberians have had to choose, as in 2006, between an incumbent who has not delivered as expected, and an “untested” Congress for Democratic Change (CDC) whose popularity could be attributed to its leader, the former football legend, George Weah, who tends to overshadow his party’s presidential candidate, Winston Tubman. Despite his popularity, Weah remains disadvantaged by his poor education and his lack of political experience. It is feared that opportunistic politicians might seek to exploit Weah’s popularity for their own interests.

Firstly, the president is being criticised for her reluctance to tackle, more vigorously, the scourge of corruption. In 2010, the US State Department's annual report on human rights was critical of Liberia's continued failure to address corruption and the systematic nature of the problem.

Secondly, President Johnson-Sirleaf went back on her promise to serve only one term, arguing that the on-going post-conflict reconstruction, development and reconciliation process required stability and continuity.

In addition, a conference convened in December 2010 by key stakeholders in the 2011 electoral process identified a number of factors that needed constant monitoring, including the following:

- Electoral violence in Liberia could be both spontaneous and organised;
- Specific focus on problem areas such as Nimba, Lofa, Grand-Gedeh, Montserrado and Bong County;
- Issues underpinning the concerns are ethnic mobilisation, cross border voting, the media's role and political party irresponsibility;

- Weeks after the 11 October polls, the results of the first round continued to evince controversies with allegations of fraud in favour of the ruling Unity Party (UP), which obtained 43.9 per cent of the vote against 32.7 per cent for the opposition CDC. In addition to the 54 petitions pending before the Electoral Commission, a since-retracted controversial letter sent to the CDC by the commission chairman, James Fromayan, declaring the CDC's outright victory raised concerns over the credibility of the electoral process. Some argued that the international community had already opted for a candidate when the Nobel Peace Prize was awarded to President Johnson-Sirleaf, just a few days before the electoral campaign. Citizens and opposition parties expressed diverse opinions about the award of the 2011 Nobel Peace Prize to Ellen Johnson-Sirleaf ahead of the presidential elections. Winston Tubman, the leader of the CDC downplayed the award when he said that Johnson-Sirleaf, accused of supporting Charles Taylor's onslaught on Liberia, did not deserve it and that it would make no difference to the lives of ordinary citizens. Some argued about the timing of the award whereas others were simply pleased for Liberia to be recognised in such a positive light.

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added their support, thereby putting the incumbent in a relatively comfortable, yet complex situation.

While Prince Johnson expects to avoid prosecution for crimes against humanity, Brumskine, a vocal critic of Johnson-Sirleaf's administration, argued that she was "the better of two evils". President Johnson-Sirleaf has shown reluctance in implementing the recommendations of the Truth and Reconciliation Commission's Report that call for a 30 years ban on political leaders who took part in the war.

Meanwhile, with allegations of vote rigging, serious doubts emerged before the 8 November run-off. Subsequently, the CDC withdrew from the race, saying that its claims were being ignored. Among other demands, the CDC called for 50-50 representation on the electoral commission, the resignation of its chairman, a reconsideration of the invalidated 6.4 per cent of votes allegedly favourable to the opposition, and a transparent recounting of the national vote. These demands were not met.

Given Liberia's history of protracted conflict, the uncertainty over the run-off raised fears and concerns that the country could slide back into political anarchy. With the existing polarised political fault lines, it was quite possible that Liberia could experience an outbreak of political violence, considering that there were some elements on both sides of the political divide willing to do more than just take to the streets. Thousands of demobilised former combatants and the recycled fighters returning from Côte d'Ivoire still remain a major source of instability for both Liberia and Côte d'Ivoire.

Nonetheless, with the support of some of the most strategic actors on Liberia's political landscape, Johnson-Sirleaf will remain in power for another five-year term. It remains to be seen whether the coalition that is forming around her, will facilitate her task of addressing some of the long standing challenges of underdevelopment and post-conflict reconstruction. Knowing that each of these emerging allies brings support with a price tag, one could anticipate a delicate and complex relationship likely to hamper some reforms, including the fight against corruption and nepotism. Liberia is at a crossroads. The run-off holds both the key for continuity, in the

transition from war to peace, and the risk of a possible stagnation or relapse. One thing that has clearly emerged with the very weak voter turnout during the run-off is the impression that Johnson-Sirleaf's political legitimacy rests on very weak foundations.

Geo political dynamics:

RECs Dynamics

Liberia belongs to a highly volatile region. Most of the countries emerging from conflicts and instability remain fragile and the region faces formidable security challenges. A peaceful and successful outcome of the Liberian process has implications for the fragile gains in Sierra Leone, Côte d'Ivoire, Guinea and Guinea Bissau. Indeed, regional actors continue to play a defining role in Liberia's political and economic sphere. The decision by the CDC to boycott the run-off was highly criticised by ECOWAS and seen as counter-productive in as far as democracy and post-conflict reconstruction in Liberia are concerned. One of the major initiatives taken by the regional organisation in its attempt to diffuse the post-election tensions was to hold talks with the opposition leader, Winston Tubman. President Goodluck Jonathan, current Chairman of ECOWAS, which played the leading role in bringing peace to Liberia, invited the opposition presidential candidate to Nigeria. The aim of the meeting was to iron out the divergences and find peaceful solutions to opposition concerns. In a statement, 216/2011, issued before the CDC's decision to boycott the second-round election (6 November 2011), the ECOWAS Commission appealed to the leadership of the CDC to consolidate Liberia's democracy and peace by actively participating in the 8 November poll to prevent the country from slipping into political violence and avert the risks of a possible stagnation or relapse. The CDC's decision to boycott the run-off election thus ran contrary to the Commission's recommendations of participating in the election.

Despite the contestations from the opposition that the electoral system was flawed and would favor the UP, ECOWAS stood by the position that it would only support the outcome of the election. The ECOWAS Commission was unequivocal in warning the CDC and all Liberians that "the run-off

election would proceed as planned, and if the process is adjudged by the competent authorities and certified by credible observers to be transparent, free and credible, ECOWAS will recognize whoever emerges as President".

The commission further indicated its determination to protect the fragile peace in Liberia, warning protesters that the ECOWAS would take all appropriate measures to preserve stability in Liberia, in strict compliance with ECOWAS's resolve never to recognize any accession to power through unconstitutional means. ECOWAS's position, thus signified its authority and by taking such a tough stance it truly averted the possibility of the CDC mobilizing protests that could possibly destabilize Liberia and see the country regress into conflict. The CDC was therefore left with little room to maneuver except through engaging with the UP to form a coalition administration.

UN Dynamics:

Following the ECOWAS statement, the UN Security Council issued its press statement SC/10438 AFR/2280 in which members of the Security Council expressed their full support for the efforts of ECOWAS in promoting dialogue in Liberia. Furthermore, the Security Council reiterated its strong support of the efforts of ECOWAS, the African Union and others to provide observers for the elections that ensured the electoral system was relatively transparent free and fair.

The contribution of the United Nations Mission in Liberia (UNMIL) towards maintaining peace and stability has to be underscored. The peacekeeping force has been playing a constructive role and its involvement in the electoral process has been applauded both internally and internationally. In a statement, members of the Security Council reaffirmed their support for UNMIL's contribution to the Liberian electoral process. UNMIL played a key role in the securing the electoral process by closely monitoring security threats along the borders (Côte d'Ivoire-Liberia) and internally. However, the violent repression of the opposition pointed to the unpreparedness of the national security agencies for handling security issues peacefully. An opposition demonstration, meant to be peaceful, turned violent,

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resulting in the deaths of at least four people, with many injured. The lapse in security during the electoral process could also be attributed to the unresolved issues of security sector reforms in Liberia, while also exposing the fragility of the national security situation in Liberia.

Wider international community dynamics:

The international community has a major stake in the 2011 elections because of what they meant for the consolidation of the peace process, the democratization experiment and socio-economic recovery. The international community has lauded the progress made by Liberia in its post-conflict reconstruction process. Ever since Johnson-Sirleaf took over the presidency, her administration has managed to maintain political stability and uphold the rule of law in a country devastated by years of violence and pillaging of state resources. Significant strides have been made towards steering the country back from virtual economic collapse. Liberia has exhibited immense potential to improve economically. Consequently, various international financial institutions have written off Liberia's enormous national debt, thereby putting the country on a sound financial and economic recovery trajectory and making the impoverished country much more attractive to foreign investors. For example, in June 2010 the IMF and the World Bank developed proposals to relieve Liberia of its heavy debt burden, while in September 2010 the 19-nation Paris Club of creditor countries also took steps to relieve the country of its \$1.2bn debt. Liberia has been a recipient of various foreign development funds. For example, the UK Department for International Development has supported Liberia by making funds available through a number of UN agencies and NGOs. In 2008/2009, Liberia received around £17 million in aid from the United Kingdom.

Liberia's national economy has been growing, despite the global economic downturn. The IMF has projected a significant GDP growth through 2012. In 2009 the inflation rate averaged 7.4 per cent, while the Central Bank of Liberia has successfully maintained low single-digit inflation since 2009. These positive economic outlooks have been attributed to the prevailing peaceful political environment and Johnson-Sirleaf's government

has been applauded for its efforts in turning the country around, although others argue that the pace of development has been painfully slow.

Despite criticisms over the slow nature of development, Johnson-Sirleaf was awarded the Nobel peace prize in 2011 for her efforts to secure peace, promote economic and social development and strengthen the position of women in Liberia. A key challenge is whether the growth can be translated into a meaningful improvement of the living conditions of the majority of the country's citizens. There is also a concern that Liberia might not be able to hold the international community's attention beyond Johnson-Sirleaf term in office. An important milestone will be the departure of the UN peacekeepers and the ability of Liberia's national security institutions to function effectively.

Civil Society Dynamics:

Civil society and the media played a fundamental role in Liberia in advocating for citizens' political participation and ensuring a peaceful and stable society. CSOs concentrated much of their activities in the area of civic education, elections monitoring and observation, presidential and legislative debates, and campaigns against hate speech and violence amongst others. The Elections Coordinating Committee (ECC) was created to observe and monitor Liberia's 2011 Electoral process. It has a membership of over 30 civil society organizations. The ECC embarked on a programme of observing and monitoring the voter registration exercise, the campaign process, and adherence to election laws by all political actors.

Of particular significance was the women's role in the process. In addition to the United Nations, the African Union, ECOWAS, and the Carter Center observers, women electoral observers were trained and deployed in both rounds as part of a collaborative project organized by the Angie Brooks International Center (ABIC) the Mano River Women's Peace Network (MARWOPNET), and *Femmes Africa Solidarité* (African Women's Solidarity) (FAS) to strengthen women's roles as actors for peace and democracy across Africa in accordance with UN Security Council Resolution 1325

on Women, Peace and Security. Women observed the proceedings at numerous polling stations in rural and urban areas. A situation room was set up to monitor the electoral process in real time and investigate any claims of impropriety, which were few. However, in a country where most citizens face a myriad of challenges such as literacy, poverty and unemployment, their participation in the economic and political sphere should not be taken for granted. Poor transportation infrastructure posed a significant challenge for civil and advocacy groups to fulfil their duties as some areas were inaccessible. Thus, the challenge for civil society groups to educate voters and promote peaceful elections was immense.

Scenario Planning:

Given the above analysis the following could take place:

Scenario 1:

The conditions of the 2011 electoral process made a Government of National Unity inevitable for two reasons. Firstly, the support from the National Union for Democratic Progress (NUDP) of the former warlord Prince Johnson, and the Liberty Party's Charles Brumskine, has already set in motion discussions on the formation of a Government of National Unity (GNU). Secondly, President Johnson-Sirleaf has reiterated her commitment to work with other political parties to foster national unity. This could provide the platform to reaffirm leaders' commitments to work jointly to address the existing challenges facing the war-torn country.

Scenario 2:

Deteriorating relations among key political actors and social forces could derail the post-conflict reconstruction and peace building initiatives if not adequately managed. There are tensions between the government and opposition parties on a number of issues, ranging from corruption to national cohesion and reconciliation. Hardliners within the Unity Party and CDC could make the situation worse by failing to reach consensus on those issues.

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Scenario 3:

Some observers interpreted the low voter turnout during the run-off as a victory for the opposition, while others attributed it to the fear emanating from the violent repression of opposition protests on the eve of the elections. A strong likelihood is the threat of political violence to challenge the already affected legitimacy of the president. On many occasions, the CDC has threatened to hold demonstrations, which could be expected to degenerate into violence. This has forced both the opposition and the government to initiate talks.

Early Response Options:

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

Option 1:

The PSC could request the AU Commission and ECOWAS to continue engaging all Liberian political actors and press for an inclusive and representative government. Equally important is the need for the PSC to request the UNSC to extend the mandate of UNMIL until such time as Liberia's security sector can manage the country without external assistance.

Option 2:

The PSC could call upon Liberian political actors to ensure that their supporters desist from inciting and resorting to violence, and remind them that they bear most of the responsibility for the peace and stability of the country. They should therefore seize the opportunity to

craft a new political consensus to move the country forward.

Option 3:

The PSC could also commend the Liberian authorities for organising and holding the elections, and call upon them to implement the lessons learned from the challenges they faced in conducting such elections in order to achieve necessary institutional reforms and improve existing mechanisms for a peaceful alternation of power in Liberia.

REGIONAL ANALYSIS

Sudan and South Sudan: The conflict in the three transitional Areas and along the North-South borders

Previous PSC and AU Commission Communiqués

In the communiqué, **PSC/PR/COMM/1.(CCXC VII)**, issued during its 297th meeting held on 20 October 2011, the PSC decided to extend the mandate of the AU High Level Implementation Panel (AUHIP) for a further period of one year. The PSC further decided to meet in November 2011 to consider the situation in Sudan and South Sudan on the basis of a comprehensive report to be submitted by the AUHIP to the Chairperson of the Commission.

On 15 November 2011, the AU Commission issued a press release on the escalating tension along the border areas between South Sudan and the Republic of Sudan. Although the Commission did not condemn the air attack against a refugee camp in Unity State on 10 November, it expressed great concern about the fatal incident. In his statement, the Chairperson of the Commission urged both Governments to exercise utmost restraint and to refrain from any

act that may further aggravate the already tense situation on their common border.

Crisis escalation potential

The fighting between the Sudan Armed Forces (SAF) and fighters of the Sudan People's Liberation Movement –North (SPLM-N) that started in South Kordofan and spread into the Blue Nile state has entered its fourth month. There are no indications that the fighting in these two states will stop soon. There is no serious international effort to end the violence and each side seems to believe that there is an advantage in continuing with the war.

The formation of an alliance of armed opposition groups of Sudan against the National Congress Party (NCP) government in Khartoum, that was officially announced in November, indicates that the escalating conflict has entered a new phase, creating an imminent threat of the situation degenerating into another civil war in Sudan. If initiatives are not taken to contain the escalating violence, it is unlikely that there would be anything that stops the situation from spiralling out of control and engulfing the entire country and the sub-region.

Although the situation in Abyei has been relatively calm since the deployment of the UN Interim Security Force for Abyei (UNISFA), there is also a risk of tension flaring up into serious violence as the

Misseriya people expand their seasonal migration, particularly with both the SAF and SPLA maintaining a presence in Abyei despite their agreement to withdraw all forces from the region.

Clearly, the Republic of South Sudan (RoSS) cannot insulate itself from these escalating conflicts. The bigger fear is that the conflicts will escalate into an international war involving the newly independent RoSS and former parent state, Sudan. The relation between them is fast deteriorating. Trust between Juba and Khartoum is at its lowest. They are exchanging threatening rhetoric and accusing one another of supporting insurgencies in the territory of the other. The recent bombings, attributed to the SAF, that took place in the border areas of South Sudan's Unity State and Upper Nile are further entrenching mistrust, and tension between the two countries.

Key issues and internal dynamics

Four major issues have contributed to the tension and violence that has erupted, and is escalating, on the borders of the RoSS and Sudan. The first issue relates to the conflict in South Kordofan, the major oil-producing region for the Republic of Sudan after the separation of the RoSS. There is also concern about the conflict that erupted in September in Blue Nile state. A

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third issue involves the resolution of the conflict in Abyei that degenerated into armed violence in May 2011. Finally, there are also the outstanding post-referendum issues between the two countries that have yet to be finalised.

Abyei conflict

The tension that has been brewing and escalating since the beginning of the year in Abyei degenerated into further devastating armed violence in May 2011. Triggered by an ambush of a UN convoy transporting members of SAF, the violence resulted in the forcible occupation of Abyei by the SAF on 21 May 2011. Following negotiations facilitated by the AUHIP on 20 June 2011, the Government of Sudan and the SPLM signed an agreement on temporary arrangements for the administration and security of the Abyei area. The agreement, which aims at ending the military occupation of Abyei by the SAF, provides for the withdrawal of all military forces from Abyei upon the deployment of a temporary UN mission in the form of the Interim Security Force for Abyei (UNISFA) made up of Ethiopian troops. The agreement further provides for the reconstitution of the Abyei Administration and has also established the Abyei Joint Oversight Committee (AJOC). AJOC is responsible for political and administrative oversight of the Abyei Executive Council.

The implementation of the AUHIP negotiated agreement has been slow due to difficult conditions made worse by the rainy season, failure of the two sides to withdraw their troops and the threat of landmines. The deployment of UNISFA has also been hampered by the rainy season, although it has now reached more than two thirds of its mandated strength. At the end of October, 2894 of the 4000 Ethiopian troops constituting UNISFA were deployed. On 2 August, four Ethiopian soldiers died and seven others were injured when a patrol vehicle was hit by a landmine in Mabok, 30 kilometres east of Abyei town. This incident highlighted the serious threat posed by landmines in UNISFA's area of operation.

The continued presence of SAF and SPLM-N forces is also a major concern for UNISFA. While the SAF continue to occupy the area north of the Kiir/Bahr el-Arab river,

including Abyei town, the SPLA has not yet withdrawn from the area south of the river. President Bashir has stated that SAF forces will withdraw from Abyei after the establishment of the Abyei Administration Council. Following a compromise proposal from the AUHIP, the GoS appointed a Misseryian from Greater Abyei (former Dep Administrator for Abyei Area), but the RoSS has yet to confirm its acceptance of this appointment.

In terms of establishing the relevant institutions envisaged in the Abyei agreement, while the members of the AJOC have been confirmed, the Abyei area Council has yet to be agreed upon. The AJOC held its first meeting in Addis Ababa on 8 September 2011. Although both sides at that meeting committed to a phased withdrawal of troops that would lead to the SAF and SPLA fully withdrawing from Abyei by 30 September, Khartoum subsequently denied making such an agreement. Consequently, the SAF forces continue to occupy Abyei. Further meetings of the AJOC have since been cancelled. There is also still no agreement on the Abyei Area Administration as the the Khartoum government's nominees remain unacceptable to the RoSS.

Although the deployment of UNISFA is critical, the presence of the forces of Sudan and South Sudan undermines all efforts for restoring peace and security in Abyei. It also undermines UNISFA's role in facilitating the return of displaced communities to their villages and homes. Those who return will remain insecure. With the seasonal migration of the Misseriya from the North into the Abyei area already under way, it is feared that tensions may arise as returning IDPs attempt to prevent the Misseriya from grazing on their lands. The presence of the SAF could present a real risk of serious violence.

South Kordofan

Before the conflict in Abyei is settled, another conflict continues in South Kordofan. The violence in South Kordofan erupted on 5 June, pitting SAF, paramilitary, and special forces against the SPLM-N and its supporters, most notably the Nuban people. The fighting broke out following a disputed election that brought to power the ICC-indicted NCP candidate, Ahmed Haroun. According to eyewitnesses

from the town, the SAF appeared to orchestrate the outbreak by attempting to disarm SPLA Joint Integrated Units, which resisted, leading to a firefight. Prior to the eruption of violence, on 23 May, the Government of Sudan gave the SPLA a deadline of 1 June to withdraw all its forces from the Blue Nile and South Kordofan, which the SPLA-N expectedly rejected.

The conflict has reportedly involved the widespread use of indiscriminate aerial bombings, also affecting civilian areas. This development has led to the displacement of tens of thousands of people from their homes and forced thousands of others to flee across into the RoSS. There have also been reports of atrocities having been perpetrated in the course of the military campaign. Following a preliminary investigation of the early stages of the conflict, the UN High Commissioner for Human Rights warned that the serious violations that were alleged to have been committed could amount to crimes against humanity or war crimes. He called for an independent, thorough and objective inquiry to hold all perpetrators to account. Although both parties were blamed for the alleged atrocities, much of the responsibility was attributed to the SAF and allied forces.

With humanitarian access restricted to the affected areas, the civilian populations are faced with a humanitarian crisis. While about 1.2 million people are affected by the war, at least 230 000 people have been displaced. Of those displaced people it has been reported that only 140 000 have received any relief since the fighting began. It is therefore widely feared that a serious humanitarian crisis might have already begun to unfold in the region. As early as August 2011, the UN Under-Secretary for Humanitarian Affairs, Valerie Amos, warned that 'unless there is an immediate stop to the fighting, and humanitarian organizations are granted immediate and unhindered independent access throughout South Kordofan, people in many parts of the state face potentially catastrophic levels of malnutrition and mortality.'

Apart from those displaced, more than 20,000 others have become refugees in South Sudan, fleeing militia raids and aerial bombardment. The incidents of

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aerial bombings in South Sudan along the borders with the North, if continued, are sure to put refugees to the same risks that forced them to flee their homes.

Blue Nile

In September 2011, the conflict expanded further into the Blue Nile region of Sudan. On 1 September 2011, SAF forces clashed with SPLA elements of the Joint Integrated Units and supporters of the SPLM-North. The situation deteriorated into serious conflict on 2 September with Sudan's president Bashir declaring a state of emergency in Blue Nile, sacking Governor Malik Agar (SPLM-North), and shutting down the headquarters of the SPLM-N in Khartoum. The SAF has employed military campaigns akin to those used in the fighting in South Kordofan. These include conventional ground fighting, military raids and aerial bombardments.

As in South Kordofan, the conflict in Blue Nile has led to the displacement of tens of thousands of civilians and forced thousands of others to flee to refugee camps in neighboring Ethiopia and South Sudan. Although the exact estimate of those displaced is not known due to limitations of access to the affected areas, humanitarian agencies have reported that their numbers could be in the tens of thousands. According to the UNHCR, by 10 November the number of refugees who crossed the border into Western Ethiopia since the fighting began on 3 September, had reached 35,000. Another 7000 also crossed the border into Upper Nile State in South Sudan.

Further entrenching Khartoum's control of the state, President Bashir appointed a new Governor for Blue Nile State, on 20 September, to take over from the interim military ruler. The latter had been appointed after the declaration of a state of emergency and the sacking of the former Governor (and SPLM-N chairman), Malik Agar.

The fighting continued during October and November. Since the end of October, and following Bashir's announcement that Kurmuk SAF forces would take over Kurmuk, there was heavy fighting in and around Kurmuk, the SPLM-N stronghold near the Ethiopian border.

On 3 November, Sudanese military forces seized control of Kurmuk, giving a moral boost to the military and a propaganda success to Bashir. Illustrating the importance of Kurmuk's fall, the president visited the town four days later to declare it "liberated". Sudan's Red Crescent Society reported that many medical clinics, schools and water points in Kurmuk town were severely damaged as a result of the fighting.

On 12 November all of the armed rebel groups in Sudan announced the formation of an alliance called the Sudanese Revolutionary Front. The stated goal of the coalition is to overthrow the Bashir government and install a democratic system in Sudan. This clearly signifies that the conflict is entering a new phase involving a realignment of forces. This development risks the escalation of the conflict into yet another civil war that will engulf the whole of Sudan and inevitably the sub-region.

In recent weeks the conflicts in the two states of South Kordofan and Blue Nile have begun to spill over to the RoSS, presenting a dangerous threat of drawing the two countries into direct conflict. Repeated aerial bombardments of border territories in South Sudan's Unity State and Upper Nile State were reported in November.

On 8 November, the conflict in Blue Nile State took on a new dimension when aerial bombardments by the SAF in New Quffa and Yafta in Upper Nile State, South Sudan, were reported close to the border with Sudan. The UNMISS reported that according to initial investigations, one child and seven SPLA soldiers were killed. A number of injured were evacuated after the bombings. On 10 November, aerial attacks by the SAF were reported in the Yida area in Unity State, South Sudan, close to the border with Sudan. The UN in South Sudan reported that the bombardment struck a temporary camp for displaced and refugee populations in Yida. On 11 November, South Sudan's army reported that 18 soldiers were killed following a cross-border attack on a South Sudanese military base by the SAF.

If true, reports of Sudanese government expansion of its military presence in the southern region of Sudan near the border with South Sudan, are very worrying. According to the watchdog group, Satellite Sentinel Project, satellite

images show that the SAF is 'rapidly working to enhance air strike and air assault capacity in two airbases recently captured from rebels in Sudan's Blue Nile border area.'

These bombings and cross-border attacks raise serious concern about their potential to draw the two countries into direct conflict, if this has not already started. On 11 November the spokesperson of the SPLA told the AFP that '[t]here has been fighting in Kuek after an attack on our base by Sudanese armed forces (SAF) and mercenaries'. Regarding casualties he stated that 'on our side, five were killed and 26 were wounded, and on the side of the attackers, 13 bodies were counted on the ground and they have 47 wounded.'

Areas that were the targets of the bombings are gathering points for tens of thousands of refugees. The spread of the violence across the newly established international border thus additionally creates further insecurity and physical threats to tens of thousands of displaced people, refugees and affected civilians in the border areas and in refugee camps. The High Commissioner for Human Rights called for an independent probe into the air strikes, while the DPKO said UNMISS confirmed that Khartoum had bombed areas near the camp and attacked oil fields in Upper Nile state, as well as launched a cross-border attack on a South Sudanese military base.

Outstanding post-secession issues

Sudan and South Sudan have several unresolved disputes over borders, security arrangements and oil revenue-sharing, stemming from South Sudan's split from the north earlier this year. Recently the AU High Implementation Panel (AUHIP) stepped up its effort for re-launching a new round of negotiations. Although it was anticipated that negotiations would start on 19 November in Addis Ababa, this did not materialise.

The countries accuse each other of supporting rebels inside the other's territory, and recently South Sudan President Salva Kiir accused his northern counterpart, Omar al-Bashir, of planning to invade the south. Similarly, during his visit to Kurmuk President Bashir

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threatened South Sudan with war for its alleged support of SPLM-N in its anti-government activities. The situation went beyond exchanges of accusations with the recent SAF aerial bombings and cross-border attacks.

The rapidly expanding conflict in the border regions is further eroding whatever trust and commitment existed for the two leaders to continue negotiating on various outstanding issues. According to unnamed Sudanese officials, the rising tension on the borders with South Sudan contributed to Sudan's decision not to attend the intended meeting of 19 November.

On 25 November, In what signifies the success of the AUHIP in persuading the parties to resume a new round of negotiations, the AUHIP released a press statement announcing the resumption of talks between the Republic of Sudan and the Republic of South Sudan. According to the statement, the negotiations had resumed on 21 November in Addis Ababa, Ethiopia, with talks on border issues. It was also envisaged that the parties would negotiate other issues, including transitional financial arrangements, oil, trade issues and assets and liabilities. Although the resumption of the negotiations is a welcome development, it would not be surprising if the parties were unable to immediately agree on some of the more complex issues. On 28 November, as the delegates were finalizing this round of talks in Addis Ababa, Sudan announced that it had suspended exports of oil from South Sudan via its oil ports until the two nations could reach a deal on transit fees. According to the Sudanese oil minister, Ali Ahmed Osman, the South Sudan government had refused to pay roughly \$700 million in transit fees owed from the previous four months.

Geo-political dynamics

Pan-African and regional dynamics

Some notable initiatives at ending the violence in the border regions of Sudan have been taken, for example the agreement that the AUHIP mediated in Addis Ababa. This was the Framework Agreement signed on 28 June, on Political Partnership between the NCP and the SPLM-N and Political and Security Arrangements in Blue Nile and

Southern Kordofan States. Although this agreement was signed by presidential assistant Nafie Ali Nafie, the most senior civilian hardliner in the regime, the military overruled this decision in a show of its increasing dominance and President Bashir subsequently rejected the agreement.

In an attempt to salvage the 28 June agreement and end the violence, the current IGAD Chairperson, Ethiopia's Prime Minister Meles Zenawi, initiated another mediation effort. On 21 August, Zenawi met with Malik Agar (who was the governor of Blue Nile) and Al-Hilu (who was SPLM-N candidate for South Kordofan) in Addis Ababa. On the same day, he took Malik to Khartoum to negotiate a way out of the crisis. However, President Bashir responded by saying his government was unwilling to engage in further external negotiations and would not commit to the rejected framework. The door for direct SPLM-NCP talks was closed.

On 16 September, the SPLM-N submitted a "road map for political transformation" to Zenawi to discuss with Bashir. It lists six conditions to be met by the government before the SPLM-N would accept a cessation of hostilities, including reinstituting Governor Malik Agar, allowing humanitarian access to affected people and agreeing to international investigations into crimes committed in both Southern Kordofan and Blue Nile. If Khartoum agrees to its proposals, the SPLM-N would want a mediator to negotiate the road map. Since Zenawi's 17 September trip to Khartoum, there has been no reaction from the NCP. Hundreds of thousands are now displaced, fighting has intensified in both states, and the rainy season ends in three weeks, foreshadowing increased conflict.

The Special Envoy of the UN Secretary General, Haile Menkorios, reported that the GoS had agreed to mediation with the SPLM-N under the auspices of the AUHIP. The AUHIP has been discussing with the governments in Khartoum and Juba the possibility of opening another round of talks about the remaining post-referendum issues. Although the new round of negotiations on post-referendum issues was expected to resume on 19 November, Khartoum declined the invitation. While officials in Juba reported receiving notification from Khartoum that further talks on outstanding issues were suspended,

according to the pro-government newspaper, *Al-Intibaha* Sudan's decision not to attend Saturday's meeting was due to security tensions on the borders of the two countries as well as the upcoming cabinet announcement requiring the formation of new negotiation teams. Nevertheless, two days later, both sides sent their respective delegations to Addis to resume the new round of negotiations.

If the two sides agree on the delineation of the border line for the establishment of the 20km demilitarized zone envisaged under the 20 June Addis Ababa Agreement, the UNSC may need to expand the mandate of UNISFA to include a border monitoring support role.

The AU PSC anticipated discussing the situation in Sudan in November. This was predicated on receipt of a comprehensive report on the conflict from the AUHIP through the Chairperson of the AU Commission. In the light of the difficult humanitarian situation that emerged following the outbreak of the conflicts in South Kordofan and Blue Nile, the PSC needs to decide what measures it needs to take to end the fighting and facilitate full humanitarian access to all the areas affected by the violence. The PSC also needs to consider the steps that should be taken to de-escalate the tension between Sudan and the RoSS that escalated following reported SAF bombings of border territories in RoSS and cross-border attacks.

UN Dynamics

On 11 November the UN Security Council held a discussion on the deteriorating situation along the borders of Sudan and the RoSS. The UNSC received briefings on the situation from Mr Herve Ladsous, Head of the DPKO, the UN Secretary-General's Special Envoy, Haile Menkerios (statement delivered by Ladsous in his absence), and the Special Representative of the UN Secretary General (SRSG), Hilde Johnson, Head of UNMISS, via video link from Juba. The briefings covered various themes relating to the unfolding crisis including the conflicts in South Kordofan and Blue Nile, the situation in Abyei, the status of the AUHIP-led negotiations on outstanding post-referendum

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issues, reported bombings and cross-border attacks by the SAF and the resulting rising tension between the RoSS and Sudan.

Following the briefings, the representatives of the GoS and the RoSS delivered statements. The representative of the GoS affirmed that Sudan was committed to mediation under the leadership of Thabo Mbeki and accused South Sudan of supporting rebellion in the South Kordofan and Blue Nile states. The representative of the RoSS expressed extreme concern over the deteriorating situation along the north-south border and urged Sudan to desist from further attacks while calling on the UNSC to address the issue of humanitarian access in South Kordofan and Blue Nile.

Rejecting confirmed reports as media fabrications, the representative of the GoS denied reports of SAF bombings and cross-border attacks on territories in the RoSS. US Ambassador Susan Rice told reporters that the US and many members of UNSC were disturbed that representative the GoS 'blatantly lied' about the aerial bombings and cross-border attacks, which she said were incontrovertibly confirmed.

Afterwards, the UNSC held closed discussions. Ambassador Rice told reporters that the focus of the closed meeting was to discuss 'the severity and urgency of the situation and how we might collectively and individually as member states, prevail on the parties to de-escalate and return to the negotiating table and resolve critical issues that divide them'. After expressing her grave concern about the lack of humanitarian access to the conflict affected areas in South Kordofan and Blue Nile, Ambassador Rice made the interesting comment that she hoped the AU in collaboration with relevant UN officials would prevail on Khartoum to open up access.

Wider International Community dynamics

On 22 October the United States Special envoy to Sudan, Princeton Lyman, urged Khartoum to allow "credible" international organizations to reach the border states of South Kordofan and Blue Nile in order to assess the humanitarian situation.

The aerial attacks in Upper Nile state on 11 November and the

bombing on 10 November of the Yida refugee camp in South Sudan's oil-rich Unity state, prompted condemnation by the US and European Union. EU foreign policy chief Catherine Ashton urged the Sudanese Armed Forces to 'put (in place) an immediate halt to aerial bombings in the border areas.' In a statement issued on 12 November, her spokesperson said that Ashton strongly 'condemns the aerial bombardment carried out by the Sudanese armed forces in Upper Nile and Unity States in South Sudan'. In a similar statement on 12 November, the White House condemned the bombings as 'outrageous acts' and stated that 'those responsible must be held accountable for their actions.' As a necessary measure to de-escalate the rising tension, the statement demanded that 'the Government of Sudan halt aerial bombardments immediately' and urged 'the Government of South Sudan to exercise restraint in responding to this provocation to prevent further escalation of hostilities.'

Scenario Planning:

Given the new dimension that the crisis in Sudan took, the following are potential scenarios:

Scenario 1:

The SAF recently gained some military advantage over the SPLM-N. This is set to further entrench the position of Khartoum and its reliance on a military approach for resolving the crisis in these border regions. With the new alliance that the SPLM-N has established with various Sudanese armed movements, the conflict in South Kordofan and Blue Nile is likely to escalate. The SAF would continue to maintain its presence in Abyei.

Scenario 2:

In the face of international condemnation and rising concern over the situation in the border areas, and to avoid further escalation of the conflict and the unknown consequences that may ensue from such escalation, the SAF agrees to withdraw from Abyei and accepts the regional initiative for direct talks between the Sudanese government and SPLM-N on the crisis in South Kordofan and Blue Nile.

Scenario 3:

The SAF, SPLM-N and both the Republic of South Sudan and Sudan would continue with their current practices and approaches. The conflict in South Kordofan and Blue Nile would continue without any major escalation, but with sporadic violent attacks and attempts by both sides to gain further territory. The governments of both the Republic of South Sudan and Sudan would continue to trade accusations of various kinds and also try to mobilize the support of various actors in the international community.

Early Response Options:

Given the above scenarios, the PSC could consider the following options:

Option 1:

The PSC could welcome the resumption of a new round of negotiations between the Republic of South Sudan and Sudan on various outstanding issues and call upon the authorities of the two countries to seize the opportunity to settle all their unresolved issues amicably to enable them to focus their attention on the development needs of their respective peoples.

Option 2:

The PSC could call on the government of Sudan and the SPLM-N to suspend all hostilities in South Kordofan and Blue Nile and accept the regional initiative by the current Chairperson of IGAD, Prime Minister Meles Zenawi, for peace talks to resolve the conflicts in these regions.

Option 3:

The PSC could express its deep concern over the humanitarian crisis in these two regions and call on the Sudanese authorities to investigate, in collaboration with all concerned international institutions, alleged violations of humanitarian law and allow full and unhindered access to humanitarian aid for all affected communities.

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Documentation:

Relevant AU Documents:

PSC/PR/COMM (CCLXII),
(February 24, 2011) Communiqué
on the situation in Sudan

PSC/PR/PS/1(CCLXXXV), (July
13, 2011) press statement on the
independence of South Sudan

PSC/PR/COMM/1.(CCXCVII),
(20 October 2011) PSC
Communiqué on AU's efforts in
the Republic of Sudan and the

Republic of South Sudan and
on the activities of the AU High
Level Implementation Panel
(AUHIP) on Sudan

RECs Documents:

Communiqué of the 39th Extra-
Ordinary Session of the IGAD
Council of Ministers on the
Security and Political Situation
in Somalia, Sudan and Eritrea's
Activities in the Region 28th
June 2011

Communiqué of the 18th Extra

Ordinary Session of the IGAD
Assembly of Heads of State and
Government on the Activities
in Somalia, Sudan and Eritrea's
Addis Ababa, 4 July 2011

UN Documents:

S/RES/1990, (27 June 2011)
UNSC Resolution establishing
UNISFA

S/RES/1996, (8 July 2011) UNSC
Resolution establishing UNMISS

REGIONAL SECURITY ANALYSIS

Al Qaeda in the Islamic Maghreb (AQIM)

Previous AU/PSC Communiqués and Recommendations:

In a press statement dated 31st October 2011 the Chairperson of the AU Commission strongly condemned the kidnapping of three Humanitarian Aid workers on 23 October, two Spaniards and an Italian, by alleged members of *Al-Qaeda* in the Islamic Maghreb (AQIM). The Chairperson, Jean Ping, referred to the action as a 'cowardly act' and pledged that the AU would follow the developments seriously. The kidnapping took place in the Sahrawi refugee camp of Tindouf, in Raboundi, south-west Algeria. The Chairperson further urged countries of the region to increase their cooperation in the fight against terrorism in the Maghreb region.

A day before the press statement the Algiers-based African Centre for Study and Research on Terrorism (CAERT) hosted a meeting of African security officials in Algiers to discuss ways to end the link between terror groups and the transnational trafficking of drugs and weapons. Speaking at the event, the African Union Peace and Security Commissioner, Ramtane Lamamra, admitted that the terrorist threat faced by the African continent was a complex challenge. He also noted a connection between drug and

human trafficking, piracy, the arms trade and money laundering and West African drug traffickers and *Al-Qaeda* in the Islamic Maghreb. The Director of CAERT, Caetano José Madeira, urged member states 'to adopt, as a matter of urgency, a national and regional counter-terrorism strategy to ensure co-ordination, consistency, and the sharing of information between institutions'.

Earlier, a press release by the AUC dated 27 July 2010 also strongly condemned the killing of a French hostage, who had been held captive since April 2010 by AQIM in Mauritania. The release emphasized the Chairperson's growing concern about the mounting trend and threat of terrorism in the Sahel-Saharan region. The Chairperson gave his support to anti-terrorist initiatives by the countries of the region with a view to strengthening the effectiveness of their individual and collective action against terrorism. Jean Ping further stated the AU's strong stance on, and condemnation against, all forms of terrorism, and reaffirmed the urgent need for strong and sustained action to combat terror. The chairperson called for all African States to enhance their efforts to fight terrorism in the Maghreb and on the wider African continent. He further emphasised the decisions of the AU prohibiting the payment of ransoms in hostage taking situations.

Crisis Escalation Potential:

On 24 October, 2011 confirming the worst fears of the countries of the Sahel and the international community, a spokesperson for the Nigerian Islamist sect, *Boko Haram*, which recently gained international

prominence following its attacks in Nigeria, officially claimed that the group had links with the North African chapter of *Al-Qaeda*, AQIM. *Boko Haram*, among others, claimed responsibility for the high profile suicide bombing of the UN headquarters in Nigeria on August 2011 that killed some 24 people. In a Hausa language phone interview, a spokesperson for *Boko Haram*, Abul Qaqa, confirmed that the speculation about a possible link between the two groups was a reality. He said: 'They assist us and we assist them.'

On 24 November two French citizens in Mali were abducted from their hotel in the central town of Hombori. They were the first Westerners in Mali to be kidnapped south of the River Niger, demonstrating the expanding capability of the group. In an attempt to stop the militants from taking the hostages to their base in the north of the country, the Malian government sent military vehicles and security personnel to Hombori, but with no success. The two abductees were reported to be geologists working for a cement producing company. Military sources said the Europeans were taken away by men wearing turbans and driving four wheel drive vehicles. The French Foreign Ministry has since confirmed the kidnapping of the French nationals.

AQIM was also implicated in the 25 November 2011 abduction of three foreigners in Mali. According to Malian security sources, three tourists were abducted and one was killed in the city of Timbuktu in northern Mali by an armed gang of

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kidnappers believed to be members of AQIM. Two of the hostages are Dutch, the third is a South African and the dead man is reported to be German. The attack is the first of its kind in which foreigners have been abducted in Timbuktu.

These recent kidnapping bring the number of French nationals kidnapped in the region to six. Four others were abducted in neighboring Niger in 2010 in addition to the two Spaniards, two Italians, two Dutch and the South African. French soldiers have joined Mali's army in the hunt for the French pair kidnapped in Hombori. Some hostages held by AQIM were killed after failed negotiations or unsuccessful rescue efforts, while others were released, apparently after ransoms were paid.

A statement by the government of Niger announced that its army had clashed with a convoy carrying weapons from Libya to Mali on 6 November 2011. The statement said that three militants in the convoy were killed and several people were arrested while the army had seized a large quantity of weapons, including rockets, assault rifles, machine guns and ammunition. The army also found a *Thuraya* satellite phone and seized six trucks. Niger's Defense Minister, Mahamadou Karidio, said that some of Niger's soldiers were killed and that four had been injured in the incident. Analysts subsequently claimed that traffickers were heading to Libya to obtain arms and to sell them in the southern region where AQIM is active.

Days after the UN Security Council passed Resolution 2017 on 31 October, unanimously urging Libya and its neighbors to safeguard their arsenal of weapons so that they did not fall into the hands of terrorists, AQIM claimed that it had benefited from the Libyan crisis as it had acquired weapons from Gaddafi's arsenal. According to military sources, the weapons among others include some 20,000 portable surface-to-air missiles.

The prominence, capacity and outreach of AQIM have grown significantly in recent years. Being active in a large, unsecured, ungoverned region with porous borders and countries with weak security capabilities, the group has an effective safe haven for its operations. The recently gained weapons and money from Libya may further embolden the group

while its alliance with *Boko Haram* could serve to increase its continental profile, thereby making it a very serious source of insecurity and instability in the region and beyond. There is also a growing fear that a possible partnership between AQIM and *Al Shabaab's* militia in Somalia could create a chain of terrorist cells stretching from the west through the Sahel to the east tip of Africa.

Key Issues and Internal Dynamics:

On 14 November 2011 the Algerian government announced the closure of around 900 mosques and prayer halls throughout the country, stating that they were being used for meetings by suspected Islamic terrorists. Algerian officials say that AQIM, which originated in Algeria, was particularly active in places of worship, where meetings among militants take place in secret. The number of places of worship that have been closed by the government is demonstrative of the active grass root activities of AQIM in Algeria. However, the group is no longer merely a national problem. It is now a regional security threat.

At the end of October 2011 the armed forces in Mauritania, a country suffering from AQIM terror attacks, announced that it had launched air strikes against an AQIM base in Mali's Wagadou forest. A statement by the military authorities stated that the attack which was planned on the basis of 'very specific military intelligence' destroyed two vehicles allegedly packed with members of AQIM. The attack which was the second of its kind to be carried out by the Mauritanian army also killed one of Mauritania's most wanted terrorists, Teyib Ould Sidi Ali. According to military experts, there are about 300 AQIM fighters in the vicinity of the Wagadou forest.

The group changed its name in 2007 from the Salafist Group for Preaching and Combat (GSPC), a fundamentalist conservative movement, following its official partnership with *Al Qaeda*. In an official statement that changed the dynamics of the movement in September 2006, the GSPC announced it had joined forces with *Al-Qaeda*. (Subsequently, in January 2007 it announced that it had changed its name to *Al-Qaeda* in the Islamic Maghreb (AQIM) to reflect its new allegiance. The news

was welcomed by the leadership of *Al-Qaeda*. On 11 September, 2006 the then second in command of *Al-Qaeda*, Ayman al-Zawahiri, an Egyptian who is now the leader of the group, approved the merger and described the group as 'a source of chagrin, frustration and sadness' for Algeria's authorities and called the merger a 'blessed union'.

Initially AQIM tried to portray international Muslim solidarity in its statements and actions. It seemed that the group had shifted from its initial national objective of seeking to overthrow Algeria's secular military government and establish an Islamic caliphate toward a global jihad supporting *Al-Qaeda* and Islamic extremists in the Palestinian territories, Afghanistan, Iraq, Somalia, and Chechnya. In 2009 the group condemned China, following suppression of the Uighurs in Xinjiang province and has more recently also been a fierce critic and enemy of France because of its banning of the burqa. Hatred for France is clearly evident in the claim of responsibility for the suicide attack against the French embassy in Nouakchott and in blaming France for perceived hostility towards Islam and Muslims.

However, recent years have shown that AQIM does not have a clear ideology and structure and is one of the least coherent of such groups in the world. Analysts argue about its commitment to global jihadism, whether the group is based upon ideology or is simply another criminal gang looking to make money through violent means. There are reports that the group's alleged deep involvement in various kinds of trafficking, particularly in drugs, have compromised its Islamic agenda and role in the so-called global Jihad promoted by *Al Qaeda*. Some reports claim that although AQIM still technically remains an affiliate of the global network of *Al Qaeda* it has not pledged loyalty to *Al-Qaeda's* current leader, Ayman al-Zawahiri, and no longer has active ties with *Al-Qaeda's* Afghanistan-Pakistan central command. Others are of the opinion that the group is losing its focus and have referred to its activities as 'gangster jihadism' as it operates in an area used by smugglers to transport Latin American cocaine to Europe. The AQIM leadership has dismissed allegations of drug trafficking as deliberate propaganda against the group to deform its image.

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The Libyan crisis has had a direct and negative effect on the security of the Maghreb and the Sahel. AQIM leadership recently told the media that the organization had acquired some of the thousands of powerful weapons that went missing in the chaos of the Libyan uprising. The head of AQIM, the Algerian Mokhtar Belmokhtar, said on 9 November 2011 that his group was one of the main beneficiaries of the revolution taking place across the Arab world. He said: 'As for our benefiting from the [Libyan] weapons, this is a natural thing in these kinds of circumstances.' The confirmation has raised tension in the region as it clearly raises the capacity of the group and its ability to mount further terror attacks and abductions.

Currently, the group is active in Chad, Niger, Mauritania, Algeria and Morocco. Since January 2007 there have been more than 250 attacks or incidents involving AQIM. Kidnapping is still clearly the most preferred *modus operandi* and is expected to continue in an attempt to attract necessary media attention, but also to raise funds for further terrorist acts. AQIM has offered money to any group that provides them with Western hostages. The threat of AQIM also lies with the activities associated with the group's more decentralised cell structures beyond its immediate area of control.

The most significant development in the past few months regarding AQIM has been the speculated connection of the group with the radical sect from Nigeria *Boko Haram*. The two groups have been gaining prominence in recent years and analysts in recent months have been warning that possible collaboration between the two groups could lead the Maghreb, Sahel and West African regions to another level of instability and chaos. At the end of October 2011, a spokesperson for *Boko Haram* confirmed these links. Beyond its actual operational impact on the activities of the two groups, the partnership is a threat to the region and the continent as it sets a very dangerous trend of future alliances between the various rebel and terrorist groups. Analysts fear that AQIM may take the danger to another level by extending cooperation to the *Al Shabaab* group in Somalia, thereby creating a web of connected terrorist groups stretching from the west to the east end of the continent.

Geo-Political Dynamics:

Pan-African and RECs Dynamics:

The Sahel is an eight-million-square-kilometre (3.1-million-square-mile) area on the edge of the Sahara desert. Countries in the region have raised concerns over controlling their large borders as they struggle against the influence of AQIM. Effective cooperation between countries affected by the group requires high level political cooperation in addition to timely information sharing and coordination of operations.

Foreign ministers from the Sahel countries of Algeria, Mali, Mauritania, Niger, Nigeria, Burkina Faso and Chad are scheduled to hold a meeting in Nouakchott in December 2011 to discuss regional security. Among topics of discussion will be ties between AQIM and the Nigerian radical sect *Boko Haram*, which translates as 'western education is dangerous'. The ministerial meeting is also believed to pave the way for the second Sahel security meeting, scheduled for January 2012. The first meeting was held in Algiers in September 2011.

The recent kidnappings have once again shown that the organisation's reach extends to a large area of land in the region. There is a persistent push for the transformation and increased effectiveness of the Committee of the Operational Joint General Staff (CEMOC), which includes the army chiefs of the four countries most affected by AQIM's activities, Algeria, Mali, Niger and Mauritania. The CEMOC, based at Tamanrasset in southern Algeria and with an intelligence centre in Algiers, was set up in April 2010 to coordinate the fight against AQIM. It meets every six months, but has not yet launched joint cross-border operations.

Absence of a strong regional organisation is one of the glaring weaknesses in the fight against AQIM. A comprehensive regional response has been compromised because of the differences and disagreements between the states concerned. The regional blocs of the area have also been weak in addressing the challenge. Mauritania has been putting militants on trial, has made efforts to secure its desert borders and has refused to negotiate with AQIM over hostages. This policy is in stark contrast

with that of Mali, a country that has previously released prisoners accused of links to al-Qaeda, in order to secure the release of hostages. The action of releasing criminals in order to secure the release of hostages has been strongly condemned by Mauritania and Algeria as some of the released prisoners were on their wanted lists. The fact that Mali was not consulted before the Franco-Mauritanian raid in July 2010, even though the raid took place on Malian soil, was another manifestation of lack of co-operation, collaboration and coherence in the fight against terror in the region. The lingering conflict over the future of the Western Sahara, claimed as sovereign territory by Morocco, but still subject to a UN-backed popular referendum to determine its status, has compounded the sour relations between Algeria and Morocco and seriously compromised a regional approach and initiative to combat the terrorist threat.

Recently a number of reports have identified links between AQIM and some elements of the POLISARIO Front (*Popular de Liberación de Saguía el Hamra y Río de Oro*) or Popular Front for the Liberation of *Saguia el-Hamra and Río de Oro*, following the 23 October abductions of foreigners from the Sahrawi refugee camp in Tindouf, western Algeria. Western Sahara's Algerian-backed POLISARIO Front, which is fighting for its territory's independence from Morocco, has denied the alleged links with AQIM.

UN Dynamics:

The United Nations Security Council unanimously adopted Resolution 2017 at the end of October 2011, calling on Libya and its neighbors to secure its weapons, including some 20,000 portable surface-to-air missiles before they fall into the hands of terrorists. The resolution specifically mentioned AQIM as a dangerous potential beneficiary of these weapons.

Wider International Community Dynamics

The United States is the major international actor actively supporting the fight against AQIM in the region. The U.S. recently announced that it was increasing its annual counterterrorism financial support to the region to \$150

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million. The U.S. supports such activities through the Trans-Sahara Counterterrorism Partnership (TSCTP), a multi-faceted, U.S. government program under the US Africa Command (AFRICOM), aiming at defeating terrorist organisations and strengthening regional counterterrorism capabilities. The initiative also aims to enhance the indigenous capacities of governments in the Pan-Sahel region (Mauritania, Mali, Chad, and Niger, as well as Nigeria and Senegal) to confront the challenge posed by terrorist organisations in the region and facilitate cooperation between the Pan-Sahel countries and Maghreb partners (Morocco, Algeria, and Tunisia) in combating terrorism.

France, whose citizens and facilities are often targeted by the group, is also militarily active in the region. According to a diplomatic cable published by WikiLeaks a senior French diplomat told U.S. officials that AQIM was France's No. 1 security priority in Africa.

Scenario Planning:

Given the regional crisis caused by the growing prominence of AQIM the following is a list of potential scenarios:

Scenario 1:

The terrorist network of *Al Qaeda* could continue to grow, especially with the fragility of the region in addition to the conflict in Libya, where some weapons arsenals remain unprotected. The continued AQIM attacks and abductions could lead to more insecurity in the region.

Scenario 2:

Effective coordinated regional action, together with external support, could limit the AQIM's

sphere of activity. Focused regional integration and determined partnership amongst the countries of the region that practice collaboration and cooperation in intelligence and security measures would enhance the likelihood of success against the terrorist scourge.

Scenario 3:

The growing threat of terrorism in the region could spread to neighboring countries and regions of the continent causing instability and threatening human security in Africa. The merger of AQIM with *Boko Haram* and its possible link with *Al Shabaab* could multiply the magnitude of the security threat.

Early Response Options:

Given the above scenarios the following options could be considered by the PSC to improve security and stability in the region:

Option 1:

The PSC could continue to urge strong regional cooperation between countries of the region and could assign a special envoy to coordinate and oversee continental efforts in the fight against AQIM.

Option 2:

The PSC could coordinate its efforts with the UNSC and other international players to develop a joint response anti-terrorism strategy which would be based on a close partnership with UN missions in the affected countries.

Option 3:

The PSC could hold an exclusive meeting focusing on terror in the Maghreb and Sahel to raise continental and international

awareness on the issue and it could also assign a special envoy to enhance regional cooperation that could lead to a comprehensive and collaborative approach to help combat terrorism.

Option 4:

The PSC, in tandem with the UNSC and in accordance with the UN counter terrorism strategy, could support the capacities of countries of the region that are most vulnerable to acts of terrorism and the threat of terrorism.

Option 5:

The PSC, in accordance with the AU border security declaration, could facilitate support for countries of the region that would enable them to develop more effective border patrol and security measures.

Documentation:

Relevant AU Documents:

Press Release by the Chairperson of the African Union Commission, 31st October 2011

Press Release by the Chairperson of the African Union Commission Kampala, 27 July 2010

UN Documents:

Resolution 2017 (2011) Adopted by the Security Council at its 6644th meeting, on 31 October 2011

PSC Retrospective: The PSC's Partnership with ECOWAS on Peace and Security

At the end of November 2011 ECOWAS announced that it would not send observers to the presidential elections in Gambia. On 23 November 2011, ECOWAS stated that the preparations and political environment for the election were not too conducive to the conduct of free, fair and

transparent polls and its fact-finding mission found intimidation and an unacceptable level of media control by the ruling party. The regional bloc subsequently condemned the results of the elections that favoured the incumbent President, Yahya Jammeh, and declared the process illegitimate.

In a clear divergence between ECOWAS and the AU in terms of standards and practices, observers from the African Union did, however, monitor the poll and said the election process was 'satisfying'. Samuel Fonkam, the chairperson of the African Union (AU) poll

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observer mission, monitoring Gambia's presidential election, said his team was positively impressed with the organization of the poll and the conduct of the voters. The head of the monitoring unit said that members of the group had not seen any incidents of violence or intimidation in the run up to the election. President Yahya Jammeh seized power in a coup in 1994 and has since won three widely criticised elections. Mr Jammeh's government has also been criticised by international human rights groups for its suppression of civil liberties, especially freedom of the press.

The case of Gambia is not the first instance where the African Union and a Regional Economic Community has differed in their perception and responses to various conflict, human rights, governance and democratic issues on the continent. The most prominent of the five RECs on the continent, ECOWAS, has been in the spotlight in recent years for its progressive and assertive stance on the issue of democracy, elections and conflict resolution, which at times puts it at odds with the AU. Besides the Gambian case, which demonstrated a mismatch between regional and continental standards and legislation, the two organizations have also differed in their understanding, and response towards crisis situations in Niger and the Ivory Coast.

In July 2007, during a retreat held in Dakar, Senegal, the Peace and Security Council discussed the implementation of Article 16 of the PSC protocol on relations between the Council and Regional Economic Communities (RECs) and Regional Mechanisms (RMs) on issues pertaining to conflict prevention, management and resolution (CPMR). It subsequently presented its Conclusions in a briefing **PSC/PR/2(LXXXIII)** given on 30 July 2007.

The working relationship between the PSC and the RECs/RMs is stipulated in Article 16 of the Protocol Establishing the African Union Peace and Security Council. The Article states that RECs/RMs are part of the overall African Peace and Security Architecture (APSA). It also notes that while the AU has the

primary responsibility for promoting peace, security and stability in Africa, it should harmonize and coordinate its activities with the RECs/RMs on peace and security initiatives in order to ensure consistency with the objectives and principles of the African Union.

The relationship between the PSC and the RECs/RMs is also defined by the 'Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa' signed in Algiers on June 2008. The AU recognizes eight RECs, including the Arab Magreb Union (UMA), the Community of Sahel-Saharan States (CEN-SAD), the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Inter-governmental Authority on Development (IGAD) and the Southern Africa Development Community (SADC). The AU also recognizes the East Africa Standby Brigade Coordination Mechanism (EASBRICOM) and the North Africa Regional Capability (NARC) as Regional Mechanisms that represent the regional configurations of the African Standby Force (ASF) in East and North Africa respectively. EASBRICOM and NARC are not managed by Regional Economic Communities, but constitute autonomous mechanisms of the AU.

The Report of the Chairperson of the AU, **SP/ASSEMBLY/PS/RPT(I)**, tabled at the Tripoli Summit, held on 30-31 August 2009, identified the MoU between the AU and RECs/RMs as one of the five main pillars of the African Peace and Security Architecture (APSA). This MoU requires the PSC and the RECs/RMs to ensure regular exchanges of information, foster closer partnership and enhance coordination between their activities. The MoU further acknowledges the role and responsibilities of the RECs/RMs in their areas of jurisdiction and it outlines the contributions they can make towards the promotion and maintenance of peace, security and stability in other regions of the continent, including through the

deployment of peace support missions.

In terms of the MoU, the PSC and the RECs/RMs can work together on a range of issues, including the prevention, management and resolution of conflicts; humanitarian action and disaster response; post-conflict reconstruction and development; arms control and disarmament; counterterrorism and the prevention and combating of trans-national organized crime, border management; capacity building, training and knowledge sharing; resource mobilization; and any other areas of shared priorities and common interest as may be agreed to by the parties.

ECOWAS leads the other regional blocs on many aspects. On 15 November 2011, ECOWAS announced that it was in the process of finalising the ECOWAS common external tariff which would lead to the establishment of a common customs union as part of the region's efforts towards the realisation of financial and monetary integration. Mr Jean De Dieu Somda, Vice President of the ECOWAS Commission, said progress had also been achieved in the integration process with the effective take-off of the ECOWAS multilateral surveillance mechanisms and the adoption, in 2009, of the road map for the introduction of an ECOWAS single currency, the *Eco*, by 2020.

On realizing the various components of the APSA, ECOWAS also recently held its Command Post Exercise (CPX) to evaluate aspects of the main component of the ECOWAS Standby Force (ESF). The exercise was opened at the Kofi Annan International Peacekeeping Training Centre, Accra, on 19 November 2011. The week-long exercise, which was part of the ESF roadmap, evaluated the operational framework of the force, one of the pillars of the regional security architecture. The ESF comprises Stand-by Multi-purpose Modules (civilian and military) in their countries of origin, ready for immediate deployment. The roadmap is centered on the development and validation of the ESF Task Force, composed mainly

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of military and police personnel, while the ESF Main Force is all-encompassing, involving three components (civilian, military and police) to ensure comprehensive planning and effective conduct of Peace Support Operations.

The Mechanism relates to cases of aggression or conflict in any Member State, or the threat thereof, and includes conflicts between two or more Member States as well as internal conflict. The ESF-specified missions relate to observation and monitoring, peacekeeping and the restoration of peace, humanitarian intervention in support of humanitarian disaster, and enforcement of sanctions and embargoes. Other activities include policing, the control of fraud and organized crime, peace building, disarmament and demobilization, preventive deployment and any other operations mandated by the Mediation and Security Council.

ECOWAS was established in 1975 with the purpose to "promote cooperation and integration, leading to the establishment of an economic union in West Africa in order to raise the living standards of its people, and to maintain and enhance economic stability" and development, and respect for human rights. Meeting in Lagos on 22 April 1978, ECOWAS Member States had earlier adopted a Protocol Relating to Non-Aggression (PNA) which enjoined Member States to "refrain from the threat and use of force or aggression" against one another.

The ECOWAS revised its initial treaty of 1993, extending the economic and political co-operation among member states, designating the achievement of a common market and a single currency as economic objectives, and providing for a West African parliament, an economic and social council and an ECOWAS court of justice to replace Tribunals and enforce Community decisions. The treaty also formally entrusted the REC with the responsibility of preventing and settling regional conflicts. The move was a progressive measure, especially compared to the non-interference policy of the African Union's predecessor, the Organization for African Unity (OAU).

West Africa experienced a number of violent conflicts in the 1990s. ECOWAS activities were increasingly dominated by its efforts to secure peace in Liberia, in particular through the involvement of ECOMOG (ECOWAS Cease-Fire Monitoring Group) which was dispatched to Liberia in August 1991. The ECOWAS regional mechanism for conflict resolution provides a framework for regional intervention in member states in political crises, with ECOMOG as the appropriate regional intervention force. Subsequent security-related agreements include the ECOWAS Conventions on Mutual Assistance in Criminal Matters and on Extradition, signed in Dakar on 29 July 1992 and in Abuja on 6 August 1994, the Declaration concerning the Moratorium on the Importation, Exportation and Manufacture of Light Weapons, adopted by the ECOWAS Heads of State in Abuja on 30-31 October 1998, and the Programme for the Co-ordination of Assistance for Security and Development (PCASED), held in Bamako on 24 March 1999. Meeting in Abuja on 9 July 2001, ECOWAS heads of state and government extended the moratorium for a further 3 years.

The Economic Community of West African States (ECOWAS) preempted the continental initiative by adopting its own Protocol on Democracy and Good Governance, in 2001. The ECOWAS Protocol has been invoked to impose sanctions on Togo and Guinea Bissau for digressions from the norms and principles of democratic governance. In August 2006, ECOWAS deployed an electoral mission to the Gambia, followed by similar missions to Guinea in February 2007, Nigeria in April 2007, and Mali in April 2007. ECOWAS also upheld its commitment to its principles by condemning irregularities in the April 2007 Nigerian elections and appealed for significant electoral reforms in the country.

The AU adopted the Charter on Democracy, Elections and Governance on 30 January 2007 in Addis Ababa. The Charter has four main areas of focus, namely:

- democracy, human rights and the rule of law;
- elections and democratic institutions;
- political, economic and social governance; and

- unconstitutional changes of government;

The Charter promotes a culture of constitutionalism, predicated on respect for the values and principles of democracy and human rights. It also re-articulates the principle of transparency and accountability in government and advocates the independence of the judiciary, the legislature, the executive and the administrative branches of government. The provisions of the Charter outline the AU's commitment to a transfer of power premised on regular, free, fair and transparent elections conducted by competent, independent and impartial national electoral bodies. The Charter seeks to bring about a change in political culture which will help to reinforce democratic governance through the institutionalisation of participatory democracy.

On 18 March 2010, **Assembly/AU/Dec. 147 (VIII)**, the AU convened a technical and expert level meeting in Banjul, Gambia, with Regional Economic Communities (RECs) and other stakeholders to assess the African Charter on Democracy, Elections and Governance. The session was presided over by the AU Commissioner for Political Affairs, Mrs Julia Dolly Joiner, and sought to assess the 'popularisation and ratification' process of the Charter since it was adopted three years previously, and to establish a strategy to enhance the pace of the ratification of the document. However, there is still an existing gap in interpreting the continental framework and lack of harmonization of the various documents at the AU level in terms of regional documents and practices. Given their collective responsibility for the preservation of peace and security on the continent, the AU and its central peace and security organ, the Peace and Security Council, still have much to do in order to facilitate closer collaboration with the RECs and reduce, as far as possible, opportunities for misunderstandings and conflicting practices.

COUNTRY ANALYSIS

Burundi

Previous AU/PSC Communiqués and Recommendations:

No Previous PSC and AU Communiqués and Recommendations have been issued.

Crisis escalation Potential

Following the 2010 elections in Burundi, the security situation in the country can hardly be described as stable. There have been attacks on civilians, fights between security forces and unidentified gunmen, and allegations of politically motivated arrests and killings. While not a month has gone by, from January to November 2011, without reports indicative of levels of insecurity, the increasing severity of these incidences is cause for concern. Until August these events comprised a series of separate attacks primarily targeting security personnel and political actors, but in September and November there were two major incidences with 39 and 18 casualties respectively. These attacks are believed to be of a retaliatory nature between government security forces and armed supporters of the opposition, with the exception of the September attack on civilians. The context of the current security situation includes a recent history of civil war, an electoral boycott by most of the opposition in 2010, the subsequent exodus of key opposition leaders, allegations of political violence and rumours of new rebellions. It is likely that this security situation, if unchecked, will degenerate due to the limited options available to key actors. In addition, the regional dynamic from changing security situations in neighbouring countries, such as DRC, will also affect the state of Burundi's security.

President Pierre Nkurunziza's invitation in June to the opposition for dialogue was a welcome departure from the political stalemate. However, pre-existing conditions may impede this prospect. First, there is the absence of key opposition leaders who claim that they fled Burundi in fear for their lives and would not be willing to return unless their security is guaranteed. Yet, their participation

is crucial to lend legitimacy and credibility to the dialogue process. Second, the opposition has preconditioned their participation on the Government's withdrawal of the law passed in April that includes a residency requirement which essentially disqualifies absent opposition leaders from their positions. Third, recent suspected politically motivated attacks on opposition politicians have created a sense of uncertainty surrounding the climate in which the call for dialogue is being made. Related to this condition is the uncertainty surrounding the security of exiled opposition leaders were they to accept the invitation to dialogue and return to Burundi. Fourth, the perception of limited political space in Burundi due to the large extra-parliamentary opposition has also potentially impacted the involvement of civil society in reconciliation activities. These, and other variables, have created a situation of uncertainty surrounding the usefulness of the call for dialogue hence almost five months have elapsed since the invitation to dialogue without any meaningful progress to date.

Key Issues and Internal Dynamics

The major players in the Burundi situation may be seen as either pro-government or pro-opposition. When the opposition boycotted the elections it gave the ruling party, the National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD), over 75% of the seats in the National Assembly. The opposition who boycotted the elections then regrouped into what is now known as the Alliance for Democratic Change (ADC-Ikibiri). The emergence of ADC-Ikibiri has created a united front for the opposition enabling them to recoup some political space. However, the new law banning political party coalitions outside of the campaign period now threatens its existence. In addition, with key leaders in exile and limited political space, the persistent armed attacks on security forces have been linked to opposition supporters now suspected of organising new rebellions to challenge the status quo. In particular, the Forces for National Liberation (FNL) have been linked with the political violence, both in the capacity of victim and perpetrator.

The 2010 elections in Burundi created an unfortunate situation

with the opposition inadvertently excluding themselves from governance institutions by boycotting the polls. With the elections being widely judged as credible, the Government rightly assumed power, but is now faced with security challenges as a result of the persistent attacks on security officers and civilians, thereby undermining their internal security capacities. Apart from the attacks on government forces, there has also been a high incidence of what is officially being referred to as armed banditry with the example of the 21 November killing of 18 armed bandits in Canzuko by government forces. The FNL have accused the government of extrajudicial killings of their demobilised fighters while the National Independent Human Rights Commission, established in June, has urged the government to ensure swift investigations of the same. The strength of the government proponents lies in their legitimacy through the 2010 electoral process and the President's invitation to dialogue, which indicates an openness to resolve the security crisis. However, Nkurunziza has emphasized that a precondition for the dialogue is that the results of the 2010 elections are not brought into question. This precondition means that the opposition must abandon their position, accept the 2010 electoral results as legitimate and engage in dialogue for peace, not for political negotiation.

The extra-parliamentary opposition also faces additional challenges. The new law that ultimately disqualifies exiled leaders of opposition parties on grounds of residency also illegalises ADC-Ikibiri by banning coalitions entered into beyond the electoral campaign period. With increasingly few options for political engagement, the opposition has to now redefine their political influence. Through ADC-Ikibiri they have conveyed dialogue as a preferred way to resolve the crisis, and want the Government to withdraw the new political parties law and guarantee security for exiled leaders to return, among other conditions. Violent attacks such as the one of 18 September that killed 39 civilians have sustained the perception of a potential rebellion supported by members of the now alienated opposition. Although not substantively proven, it is purported that some of these attackers have

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identified themselves as supporters of opposition parties such as the FNL. The strength of the opposition lies in their acknowledgement of dialogue as an acceptable way out of this crisis and their capacity to maintain a collective voice through ADC-Ikibiri.

Geo-political dynamics

Pan-African and RECs Dynamics

The situation in Burundi has not yet elicited considerable initiatives or pronouncements by relevant RECs, and the AU and its bodies, apart from a response to the 18 September attack in Gatumba. The International Conference on the Great Lakes Region (ICGLR) issued a statement condemning the attack and conveying condolences to the victims' families and the country. With both sides now expressing openness to the concept of dialogue, initiatives at this time would be timely in preventing an escalation of violence and deterioration of democracy.

UN Dynamics

The December 2010 UN Resolution 1959 that scaled down the former United Nations Integrated Office in Burundi (BINUB) to create the United Nations Office in Burundi (BNUB) made mention of concerns at reports of extrajudicial killings and torture, and restrictions on civil liberties. In a May 2011 briefing to the UN Security Council, Karin Landgren, Special representative of the Secretary-General and Head of BNUB, noted that BNUB had documented nine cases of extrajudicial killings between January and March 2011 in addition to the earlier eleven cases documented from August to November 2010. The Government of Burundi and the appointed Commission of Inquiry was urged to act fast to establish the facts of these cases.

Wider International Community

Following the 18 September attack, the European Union issued a statement condemning this act of political violence and conveying condolences to families of victims. International groups working on human rights and violence prevention have highlighted in recent reports the security situation in Burundi, expressing concerns about alleged politically motivated

violence and a perceived shrinking of political space.

Civil Society dynamics

The climate of uncertainty and perception of limited political space has not been conducive to active civil society engagement. Following the 18 September attack, the government issued a 30-day media ban, preventing journalists from covering the story in a bid to influence the investigations. A media ban contributes to the climate of uncertainty in restricting information flow and subsequently affecting the capacity of civil society to respond effectively and in a timely way. The Government can be credited with opening up political space, and the January reversal of the ban on the Forum for the Strengthening of Civil Society (FORSC), an umbrella organisation coordinating civil society activities, will hopefully contribute to the more robust involvement of civil society in consolidating peace and democracy in Burundi. Of note is the recent claim by a civil society coalition in Burundi, Government Action Observatory (OAG), that 300 supporters of the opposition and former rebel groups were killed covertly in the last five months by government operatives. The Government has denied this allegation and accuses the OAG of repeating this claim, initially from ADC-Ikibiri, without proof.

Scenario Planning:

Given the above analysis, the likely scenarios include, but are not limited to the following:

Scenario 1:

The dialogue option goes unheeded due to unrelenting positions on both the government and opposition sides. This stalemate may result in increasing tensions and a possibility of escalating violent attacks in response to limited political options. The increase in violent attacks may create a climate of insecurity conducive to new rebellions.

Scenario 2:

The dialogue takes place through the intervention of an independent and acceptable third party country or regional mechanism. If preconditions and positions are sufficiently negotiated, the outcome may provide for the creation of

some political space that promotes freedom for political parties to operate and produce a suitable climate for exiled leaders to return.

Early Response Options:

Given the above scenarios, the following options could be considered by the PSC to improve security and stability in the country:

Option 1:

The PSC could request the Panel of the Wise to undertake a mission to Burundi to assess the security situation and explore the possibilities for dialogue and submit recommendations to the PSC on the required policy options and courses of action for preventing the tension from escalating into full-scale violence.

Option 2:

The PSC may issue a press statement expressing its support for the dialogue process and offering to assist in providing a forum for engagement by the key actors in Burundi.

Option 3:

The PSC could identify a country in the region that, through the auspices of the AU, should take the lead in convening a forum for dialogue to provide a neutral space that would be acceptable to the Burundian government and the opposition. This would be in consideration of the uncertain climate that creates security concerns for exiled opposition leaders.

Documentation:

Relevant UN Documents:

SC/10254, Briefing of the UN Security Council by Head of the United Nations Office in Burundi (BNUB), 17 May 2011

S/RES/1959 (2010), UN Security Council Resolution establishing BNUB

Important Forthcoming Dates

1 December: World AIDS Day

9 December: International Anti-Corruption Day

10 December: Human Rights Day

Country	Election	Date
Côte d'Ivoire	Legislative	11 December
Gabon	National Assembly	17 December
Guinea	Legislative	29 December

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