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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 March

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC) for the month of March is Mali. 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. From 1 April 2012 Angola, Cameroon, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, the Gambia, Guinea, Kenya, Lesotho, Libya, Nigeria, Tanzania, and Zimbabwe will be represented on the Peace and Security Council.

BIO DATA: H.E. Mr Boubacar Gouro DIALL

Current posts: Mali's Ambassador to Ethiopia, Permanent Representative to the AU and Chair of the PSC

Senegal

The ongoing crisis in Senegal, a country that was often held up as an African model state, could threaten the democratic process. The lack of trust in the courts and the election commission could also complicate the post-election period.

In a press conference on 28 February 2012, President Wade declared he had received little more than 32 percent electoral support while Sall received just over 25 percent. Wade further acknowledged that he had fallen short of a majority and would have to face a run-off with his main rival, Macky Sall. As Wade's former prime minister, Macky Sall, is

expected to have the support of several of the other candidates, who vowed solidarity against Wade in February. The alliance of the "anyone but Wade" coalition during the second round effectively could change the political landscape of Senegal.

Mali

Mali is scheduled to hold a presidential election in April 2012. The Tuareg rebellion, if not resolved shortly, stands to derail the electoral process. Notwithstanding continued military operations against the rebels, President Touré has stated that his government still plans to hold presidential elections scheduled

for 29 April. The MNLA is not an ordinary Tuareg rebel group. It is very well armed, with very sophisticated heavy weapons. The National Movement for the Liberation of the Azawad or *Mouvement national de libération de l'Azawad* (MNLA) is also a rebel movement whose ranks are bolstered with personnel having significant military experience.

This means that at least in the short term, the fighting can be expected to escalate, with all the attendant security and humanitarian consequences.

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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

Egypt

The tension and differences of opinion that exist between the Supreme Council of the Armed Forces (SCAF), Egypt's de facto government, and the Islamist and secular liberal groups seeking power and change, is unlikely to be resolved soon. The occasion for elections in November 2011, further

manifested the deep rooted mistrust, suspicion and disagreements among the major parties when scores of protestors were killed and thousands were wounded on the eve of the elections. The Port Said incident and the subsequent claims and counter claims about conspiracy theories and plots, either against SCAF or the Egyptian people, further exhibited the deep rooted distrust

and suspicion within Egypt's political environment at this time.

COUNTRY ANALYSIS

Senegal Post-Election

Previous AU/PSC Communiqués and Recommendations:

In a press release dated 21 February 2012, the Chairperson of the Commission of the African Union, Dr. Jean Ping, expressed his concern about the developments surrounding the presidential election in Senegal which was held on 26 February 2012. The Chairperson called on the Senegalese political actors and all other stakeholders 'to demonstrate utmost restraint and to refrain from any action likely to heighten the current tension'. He further urged the actors to show a high sense of responsibility, as demanded by the circumstances, in order to guarantee a peaceful and free and fair electoral process that will consolidate the remarkable democratic achievements made by Senegal in the past decades.

The AU has sent a mission led by former Nigerian President Olusegun Obasanjo and Mrs. Chinery Hesse, member of the AU Panel of the Wise, to resolve the crisis and help Senegal overcome its present difficulties.

Crisis Escalation Potential:

The controversy surrounding the candidature of the incumbent, President Abdoulaye Wade, was the single most important issue that defined the presidential election that took place at the end of last month. Protests broke out in January after the country's highest court ruled that Mr Wade could stand for a third term and banned the popular singer, Youssou N'dour, from standing for election. In the country's capital and surrounding suburbs, Senegal's security forces clashed with protesters opposing the decision by the court in the weeks following the verdict. Protestors in Dakar set fire to tires, smashed car windows and barricaded roads near the presidential mansion. Several protesters were injured as police

responded with teargas, rubber bullets and rocks. Six protestors were killed by security forces. Senegalese music icon and opposition activist, Youssou N'dour, was also injured after being hit by a projectile at a banned rally in Dakar. However the protests had little impact in influencing the decision of the incumbent Wade from pursuing a third term of office. He previously won the presidential elections in 2000 and 2007.

On 20 February the government announced that one of the presidential contenders had recruited a militia in a bid to instill chaos and make the country ungovernable. Serigne Mbacke Ndiaye, spokesman for President Abdoulaye Wade, who refused to identify the candidate, said that authorities would reveal the extent of the plot in the coming days. He said that the unnamed candidate had appointed a retired army colonel to recruit a militia, made-up of 200 former soldiers.

The ongoing crisis in Senegal, a country that was often held up as an African model state, could threaten the democratic process. The lack of trust in the courts and the election commission could also complicate the post-election period.

Key Issues and Internal Dynamics:

Abdoulaye Wade, who is both a lawyer and economist, was the most prominent leader of opposition politics in Senegal for almost 30 years, fighting against the one-party system that had been in place since the country's independence from France in 1960. He was elected as president in February 2000 with around 60% of the votes. Following concessions by Abdou Diouf, who was president from 1981 to 2000, Senegal was hailed as a model for democracy in West Africa and still remains the only country in the region never to have experienced a military coup. Wade is credited by his supporters for a wide-ranging modernisation programme that included building schools and health facilities, improving access to drinking water and launching an ambitious agricultural program in Senegal.

However, he also has strong critics who accuse him of megalomania and autocracy. Wade was under fire for his decision to commission a 50m high bronze monument from North Korea to honour the African Renaissance. His government was also accused by the opposition of corruption and nepotism as allegations surfaced that he had plans to secure a dynastic presidential succession on behalf of his son, Wade Karim. Known as a 'super minister,' the forty-three year old Karim holds an influential position in his father's administration, overseeing the energy, international co-operation, air transportation and infrastructure departments of government.

A referendum took place in January 2001 which reduced the presidential term from seven to five years. This constitutional amendment was to take effect after Wade had completed his seven-year term in 2007. However, the 2001 Constitution was revised by Wade just a year after his 2007 re-election. Consequently, the former seven-year mandate was re-introduced at the expense of the short-lived five-year term. Another constitutional amendment the President introduced was a two-term presidential limit. The December 2011 announcement by President Wade that he would seek a third term was therefore received with anger and surprise. Wade argued that he needed more time to complete the work he had started. His subsequent references to non-retroactivity argued that, since the constitutional limit was only introduced in 2008 after his previous re-election, he was eligible to serve another two seven-year terms from 2012.

Public dissent has been gaining ground since June 2011, when Mr Wade tried to have the constitution amended yet again, to lower the threshold for winning a presidential election to 25% of the votes. The proposal to implement an American-style presidential ticket where a president and vice presidential candidate could run on a single ticket was also faced with stiff opposition as many thought that it was a plan to groom his unpopular son for the presidency in the event of Wade's

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Many Senegalese are concerned that Wade is too old to continue leading the country. Senegalese say it is time for their octogenarian president to retire gracefully, although he ignores all hints that it is time to go. The *T'Y'en a Marre* "we are fed up" youth movement was sparked by Mr Wade's high-handed decision to try to lower the threshold for a presidential candidate to win an election in the first round to 25%.

The Court has cleared another thirteen candidates to contest the presidential election, including two women. These include Macky Sali, former prime minister, Ousmane Tanor Dieng, Alioune Tine and Moustapha Niasse. Youssou N'Dour was prevented from contesting the election on the grounds that he allegedly failed to garner the proper number of valid signatures to support his petition. Reacting to the court's verdict barring him from participation, N'Dour contends that the government is scared of his candidature. N'Dour, endorsed Alioune Tine, the leader of the opposition movement popularly known as 'M23'

Analysts claim that Wade's wide support in the rural areas of the country might help him to win the elections. While Wade's popularity is at a low point, opposition activists have also started to frustrate the general population because their protests often degenerate into vandalism and disrupt daily commerce. The opposition is divided on whether to contest or boycott the presidential polls. Whereas some opposition candidates have indicated their intentions to contest the election as a strategy to dislodge Wade from power, others remain committed to revoking Wade's candidacy. The opposition appears

There is concern that possible post-election political and security instability could have an effect on the long-running, low-level separatist war in the southern Casamance region that has claimed hundreds of lives. The conflict broke out over claims by the region's inhabitants that they were being marginalised by the Wolof, Senegal's main ethnic group. The government and the rebels signed a peace pact at the end of 2004, raising hopes for reconciliation.

Geo-Political Dynamics:

The African Union has deployed an Observer Mission to Senegal, which arrived in Dakar on 18 February 2012. The Mission is headed by M. Olusegun Obasanjo, former Nigerian president. The AU Observer mission is composed of members of the Pan African Parliament, leaders of National Independent Electoral Commissions, members of the AU Permanent Representatives Committee (PRC), representatives of Human Rights organizations and members of African civil society organisations. On 23 February, Obasanjo met with five of the thirteen opposition candidates, including Cheikh Tidiane Gadio, Moustapha Niasse, Ousmane Tanor Dieng, Idrissa Seck and Ibrahima Fall, as well as the leaders of M23.

Following the pre-electoral violence in Senegal, the current AU Chairperson, M. Thomas Yayi Boni, called upon “all political actors and stakeholders to remain calm”. He exhorted them to “start an inclusive political dialogue in order to ensure a peaceful and transparent electoral process to consolidate the remarkable achievements of Senegal during its contemporary period as well as its path towards democracy”.

UN Dynamics:

Wider International Community Dynamics

The EU observers arrived in Senegal on 20 January and have been following the tense electoral process closely. The European Union (EU) expressed its concern about the pre-election violence in Senegal and urged the government and opposition to hold talks, but kept silent about Wade's controversial bid for re-election. The European Union observer mission in Senegal has urged the Electoral Affairs Ministry to ensure more transparency in the distribution of voter cards to lend greater credibility to the presidential election process. The EU mission subsequently recommended that the ministry periodically publishes the number of voter cards issued.

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Civil Society Dynamics

Civil society in Senegal has been a leading force in organizing the opposition against Wade's decision to run for a third term. The validation of Wade's third term bid was immediately followed by nationwide protests organised by opposition and CSOs groups. These groups oppose a third term, arguing that it is against the 2001 constitutional amendment, which set a limit of two terms for presidential office. The court's ruling was subsequently described as a 'constitutional coup d'état'. It is charged that the court, which is staffed by five judges appointed by Wade, is biased towards the incumbent president.

Scenario Planning:

The situation in Senegal could take a number of courses based on the actions taken by the various parties involved in the crisis in the coming months. These are the possible scenarios:

Scenario One:

The continuation of the opposition against President Wade could further raise tensions in Senegal, leading to further instability.

Scenario Two:

Irregularities in the second round of the elections could damage the reputation of Senegal's democratic system and the legitimacy of the new government, thereby negatively affecting the economy and leading to further violence. Such a scenario could also ignite the separatist war in the southern Casamance region of the country.

Scenario Three:

Peaceful and credible elections, followed by negotiations and compromises from the different parties, could further consolidate the democratic system and restore stability.

Early Response Options:

Given the above scenarios the following options could be considered:

Option 1:

The PSC in tandem with ECOWAS and the UN Secretary General's special envoy to West Africa could continue to monitor the second round elections in Senegal.

Option 2:

The AU head of the Observer Mission to Senegal could continue to facilitate a meaningful dialogue between the political actors in Senegal to prevent further violence in the post election period.

Option 3:

The PSC could put Senegal on the agenda for discussion and debate and release a communiqué on the conduct of the election process, based on the earnest reports of the AU elections observation team.

Documentation:

Relevant AU Documents:

Press Release (21 February 2012).
THE AFRICAN UNION REITERATES ITS APPEAL TO THE SENEGALESE STAKEHOLDERS FOR A PEACEFUL, FREE AND FAIR ELECTORAL PROCESS

COUNTRY ANALYSIS

Mali

Previous PSC and AU Communiqués

In a number of its communiqués, the PSC expressed its concern over the regional implications of the crisis in Libya. In a communiqué, **PSC/MIN/COMM(CCXCIV)**, adopted at its 294th meeting held on 21 September 2011, the PSC reiterated its deep concern 'with the proliferation of weapons originating from Libyan military depots, and their impact on regional security and stability'. Similarly, in a communiqué, **PSC/PR/COMM/2.(CCXCVII)**, adopted at its 297th meeting, the PSC expressed similar concern. One of the risks that the PSC wished to avoid was the high potential of the proliferation of weapons and arms to trigger latent conflicts in countries of the Sahel, particularly those with a history of *Tuareg* rebellions such as Mali and Niger. This fear has now been born out by the armed rebellion that the *Tuareg* launched in northern Mali. This is a major consequence of the Libyan crisis.

On 18 January 2012, the AU Commission issued a press release condemning 'in the strongest terms' what it called 'attacks perpetrated by

armed groups in northern parts of Mali'. While expressing support for the efforts of the Malian government to restore peace and security in the affected areas, in the release the commission underscored that '[t]hese serious incidents highlight the importance and urgency of enhancing regional cooperation and coordination among the concerned Member States to more effectively address the security challenges in the Sahelo-Saharan belt.'

Crisis escalation potential

On 17 January 2012, conflict broke out when a *Tuareg* rebel group known as the National Movement for the Liberation of the Azawad (*Mouvement national de liberation de l'Azawad*) (MNLA) launched an armed attack in Northern Mali against government security posts. The most serious fighting to date took place in Alguelhoc, some 750 kms north-east of the capital, Bamako, starting on 18 January. In the following days, dozens of soldiers and fighters were killed in clashes between the Malian armed forces and MNLA fighters.

The MNLA is not an ordinary *Tuareg* rebel group. It is very well armed, with very sophisticated heavy weapons. The MNLA is also a rebel movement whose ranks are bolstered with personnel having significant military experience. This means that at least in the short term, the fighting can be expected to escalate, with all the attendant security and humanitarian consequences.

The region where the rebellion broke out is also an area that has been affected by the activities of *Al-Qaeda* in the Islamic Maghreb (AQIM). It is feared that the *Tuareg* conflict might give AQIM an opportunity to expand its terrorist operations in the region.

The fighting has also prompted rioting and violence in Mali's capital, Bamako and other nearby towns. On 1 and 2 February, families of soldiers fighting the *Tuareg* rebellion in the North protested against what they believed was a weak government response. Heightening fears of divisions between other Malians and the *Tuareg*, the protestors also attacked homes and property of *Tuareg* members.

Tens of thousands of people have already been displaced from their homes and fled to neighbouring countries such as Mauritania, Niger, Burkina Faso and Algeria. This has created a serious humanitarian problem and is likely to worsen an already dire humanitarian situation facing the region, due to the food crisis affecting the Sahel. Humanitarian groups are already

expressing concern that the fighting in Northern Mali is presenting a challenge for their on-going humanitarian operations in the region.

Key issues and internal dynamics

As indicated in our earlier reports on the crisis in Libya, a major security risk of the crisis for the Sahel region was the proliferation of weapons and the return of large numbers of combatants to neighbouring countries. Primary targets of NATO's bombings in Libya were armed depots. The bombings together with rebel attacks forced Libyan government forces to flee ammunition sites leaving no one to protect and secure such sites. Consequently, the ammunition sites were subjected to heavy looting. Smugglers and mercenaries along with regular civilians, had uncontrolled access to a vast range of arms, from small arms to rockets and artillery shells. Caches of weapons continue to be discovered in Libya to this day.

Although the AU and individual countries of the region have expressed grave concern over the situation, and did so from early on, the risks were also subsequently acknowledged by others in the international community. On 6 October, the UK's ambassador to the United Nations, Mark Lyall Grant, stated that his government was concerned about the proliferation of Libyan weapons into other African countries. The weapons included surface-to-air missiles and anti-aircraft guns, which, according to Human Rights Watch (HRW), were left in various unprotected places. Andrew Shapiro, the U.S. assistant secretary of state for political-military affairs, said on 14 October that he believed that Libya had about 20,000 shoulder-fired surface-to-air missiles in its arsenal before the civil war began in March. Earlier, on 3 October 2011, NATO Secretary-General, Anders Fogh Rasmussen, reiterated concerns over surface-to-air missiles missing from the regime's weapons stockpile.

In our earlier reports we indicated that, for countries with a recent history of rebellion, particularly Niger and Mali, the changes in Libya and the proliferation of arms into the region, presented a medium to long-term danger of resurgence of *Tuareg* insurgency. Indeed, among those who helped themselves to the large quantity of arms left unprotected were members of the *Tuareg* who, after the 2009 rebellion, had joined the Libyan army and were fighting on the side of Gaddafi in the Libyan civil war. Following Gaddafi's downfall, they returned to Mali, many of them with stolen weapons. This influx

of large numbers of well-armed and well-trained fighters served to re-energize the long-simmering *Tuareg* insurgency against the Malian government.

Upon return to Mali, the *Tuareg* established the MNLA in October 2011 with the aim of creating an independent homeland for the *Tuareg*. The MNLA's website notes that the group is composed of remnants of former *Tuareg* opposition movements such as the United Fronts of Azawad, which led the uprising in the 1990s, and the *Tuareg* Movement in Northern Mali, led by Ibrahim Ag Bahanga, who spearheaded the 2007-2009 rebellion. The current MNLA leader is former Libyan army Col. Ag Mohamed Najem, who hails from the Ifogha tribe, at present the most radical tribe of the *Tuareg* opposition in Mali.

The *Tuaregs* are a semi-nomadic people who inhabit the interior of Africa's Sahara region, including parts of Mali, Algeria, Niger and Libya. While the *Tuareg* themselves claim to total more than 3 million, governments in the region estimate their numbers to be in the range of 1.5 to 2 million people. Among the countries with the largest concentration of *Tuareg*, it is estimated that some 750,000 *Tuareg* live in Niger, while about 650,000 live in Mali. Although they are descendants of indigenous people of the region, the *Tuareg* have longstanding grievances, on account of their political, socio-economic and cultural marginalization, in many of the countries where they now reside. This has resulted in *Tuareg* insurgencies in Algeria, Mali and Niger. In Mali, major *Tuareg* rebellions occurred from 2007 to 2009 and from 1990 to 1995.

During these earlier rebellions, *Tuareg* militants typically exploited their mountain bases in Mali's northeast to launch hit-and-run guerrilla attacks against military targets across Mali's vast northern region.

It appears that the recent rebellion in Mali is different from the earlier cases in some significant ways. For instance, unlike the previous rebellion the movement is now very well armed. The sophistication of the MNLA's armaments means that the rebellion could be very difficult to defeat militarily as occurred in earlier *Tuareg* rebellions. According to Mali's Foreign Minister, Soumeylou Boubeye Maiga, these militants have access to anti-tank and anti-aircraft weapons as well as small arms to be able to put up a strong fight against the Malian army. Additionally, the presence of experienced officers has significantly boosted the movement's military strength. Apart from the MNLA leader, Najem, others with

significant military experience include defectors from the Malian army, including Lt. Col. Ag Mbarek Aky and Col. Ag Bamoussa. The presence of experienced military leaders gives the MNLA an increased ability to organize and mobilize its units across a broad swath of territory in northern Mali.

The on-going rebellion is also different from the earlier ones in some other respects. While the focus of earlier rebellions was on rectifying *Tuareg* marginalization and achieving autonomy, the MNLA's current objectives include establishing an independent homeland for the Azawad nation. According to the group's website, its long-term demands include the liberation of the Timbuktu, Gao and Kidal regions of northern Mali. Previous *Tuareg* opposition movements have demanded reforms including decentralization and regional military integration.

It was on 16 and 17 January, that the MNLA began the latest armed rebellion by attacking government security posts in the northern regions of Mali. In the offensive, MNLA militants attacked a government military barracks and a national guard base in Menaka, in the Gao region. On the morning of 17 January, the MNLA attacked the north eastern cities of Aguelhoc and Tessalit in the Kidal region. Unable to withstand the surprisingly robust attack by the rebel forces, government troops temporarily lost control of some of these towns. On 20 January the Malian government released a statement indicating that the three towns of Menaka, Aguelhoc and Tessalit had been reclaimed. Subsequently, rebels returned with reinforcements to Aguelhoc and, after cutting off government supply convoys for nearly two days, launched an assault on the city forcing the Malian army into retreat. This assault also prompted the Malian army to undertake airstrikes against *Tuareg* positions, using jet fighters like Russian MIG 21s, thereby reportedly destroying some 40 rebel vehicles and killing dozens of *Tuareg* fighters.

Expanding its area of operation, the MNLA continued its attacks, targeting other towns as well. On 26 January, MNLA forces attacked the towns of Anderamboukane in the Gao region and Leré in the Timbuktu region. On 31 January, the MNLA also reportedly attacked Niafunke, in the Timbuktu region, in the far west of northern Mali. On 8 February, MNLA fighters said they had captured a north eastern town called Tinzawaten.

On 10 February, heavy fighting started again between government forces and the MNLA. On 14 February, supported by attack

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On 21 February, Malian news media reported that the MNLA had taken control of Leré, along the border with Mauritania, and seized Inhilil on the border with Algeria. This was a further illustration that the rebel group was in a position to put up a fight strong enough to seriously challenge the Malian army, at least in the short term.

The Malian government responded to the armed attacks by sending the army to the affected areas. Apart from the ground operation aimed at repelling the MNLA attacks from the areas that MNLA forces were trying to seize, the government also undertook airstrikes against MNLA positions. There were reports of government forces being forced to retreat and losing control of territories. Some Malians complained that the government response was not strong enough and took to the streets, calling for stronger government action.

the president urged the people of Mali not to attack civilian *Tuaregs*. He said '[t]hose who attacked some military barracks and towns in the north must not be confused with our fellow *Tuaregs*, Arabs, Songhoi, Fulani, who live with us'. He also assured people that the army was being provided with all the necessary supplies. 'The army has all that it needs to secure the safety of all our people. We will continue to send weapons and ammunition.'

Apart from its military response, the government also urged the rebels to end their armed operation and start negotiations for a peaceful resolution of their grievances. On 24 January, Malian Foreign Minister Soumeylou Boubeye Maiga said that the government was ready to negotiate with the *Tuareg*. 'The Malian state is ready to listen, but it will not accept actions which threaten the country's security and stability. Mali's unity and indivisibility is guaranteed'. He even told journalists about recent government plans to 'create new regions' and 'increase the representation of different northern communities in the institutions' of the country.

In response to the influx of Malian returnees from Libya, the presidency in 2011 introduced an emergency programme to specifically address the situation in its northern regions. The Programme for the Peace, Security and Development of the North (*pour la paix, la sécurité et le développement au nord*) is comprised of security and development pillars. It aims to provide concrete assistance in terms of improving infrastructure and public services in the northern impoverished and isolated areas. It also aims to establish a permanent military and security presence. Unfortunately, the level of involvement of the local communities has been reportedly very weak. There has also been no dialogue between the government and the *Tuareg* communities in northern Mali, or among different *Tuareg* communities.

Mali is scheduled to hold a presidential election in April 2012. The *Tuareg* rebellion, if not resolved shortly, stands to derail the electoral process. Notwithstanding continued military operations against the rebels, President Touré has stated that his government still plans to hold presidential elections scheduled for 29 April. According to Dioncounda Traoré, the president of the National Assembly and himself a candidate in the April elections, '(the president has committed himself) to putting everything in place to retire on 8 June 2012 in line with the constitution, after organising credible and transparent elections.'

In the meantime, opposition parties

have called for dialogue. Leaders of Mali's political parties have called on the Malian authorities to contact the governments of Algeria, Burkina Faso, Mauritania and Niger for assistance in opening a dialogue with the rebel groups. In early February, the government held talks in Algiers with one of the *Tuareg* rebel groups, known as the May 23 Alliance. Foreign Minister Maiga also took part in the talks on the side of the government of Mali. Following these talks, both parties called for a ceasefire. MNLA leaders in Mali rejected the talks and declared that they were not bound by the outcome of the talks. Abdel Kerim Ag Matafa, president of the revolutionary council of the MNLA said, in an interview with a private news agency in Mauritania, that 'a[ll] negotiations with Bamako must be based on the principal of self-determination for our people and must take place on neutral territory, in Burkina Faso, Mauritania or Switzerland for example, with the direct involvement of the United Nations'.

Although the number of fatalities is not known, the most recent fighting is believed to have caused over one hundred deaths among both government and rebel forces. Most importantly, the fighting resulted in the displacement of large numbers of civilians from their homes. According to UN and ICRC reports, by the end of February more than 100,000 people had fled their homes. The ICRC reported that more than 60,000 people had been displaced within Mali itself and were living in extremely precarious conditions. More than 44,000 people have also crossed over into Mauritania, Niger and Burkina Faso. Apart from the resultant humanitarian crisis that the armed rebellion has caused, the fighting has created serious concerns that it will undermine the humanitarian effort to alleviate the unfolding food crisis and the resultant humanitarian crisis.

There have also been reports of serious human rights violations in northern Mali involving the summary execution of soldiers, which the government blamed on the MNLA fighters. According to Colonel Idrissa Traore, head of the Malian army information service, soldiers and civilians were summarily executed during a *Tuareg* offensive in the town of Aguelhok. French Development Minister Henri de Raincourt, who visited Mali at the time, told RFI radio that ‘there was absolutely atrocious and unacceptable violence in Aguelhok. There were summary executions of soldiers, civilians.’

The short-term prospect for the conflict is that the MNLA will continue to carry out its armed attacks in the region. The weaponry

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Others, most notably Russia, India and South Africa, highlighted the role of the international community's handling of the Libyan crisis for the insecurity of the Sahel and the related responsibility of the international community. Noting that the countries of the region were forced to contend with 'the impact of half a million returnees and an influx of large numbers of weapons', the Indian representative, recalling that 'the African Union was sidelined' in resolution 1738 (2007), noted that Africa was suffering as a result. The lesson to be learned was clear: the United Nations must integrate its plans with African Union efforts and better support regional and sub-regional organizations.' Similarly, Ambassador Baso Sangqu of South Africa said 'the report confirmed his country's view that Council resolution 1738 (2007) had been implemented in a way that would have dire consequences — such as the proliferation of arms — that could exacerbate terrorist activity. The international community should take responsibility and not allow the countries of the Sahel to take on all such problems alone, he said, agreeing with the Secretary-General's recommendation that the international community, coordinated by the United Nations, must support the region's nations and organizations in their efforts to cope.'

The PSC could commend ECOWAS for its response to the humanitarian crisis that ensued from the outbreak of the conflict and urge countries in the region and others in the international community to urgently

Given the regional dimension of the conflict and its potential consequences for the peace and security of the region, the PSC could call on the AU Commission to work in collaboration with ECOWAS and affected countries in establishing a regional platform for a coordinated response to the *Tuareg* problem and all the associated security and humanitarian problems and challenges of proliferation of arms in the region.

UNSC Doc. S/2012/42 (18 January 2012) Report of the (UN) assessment mission on the impact of the Libyan crisis on the Sahel region

PSC Spotlight: PSC Elections

Elections of the members of the PSC

With the number of elections dominating the January 2012 AU summit, it may be remembered as the most notable year in the history of the African Union. Apart from the highly contested election for the position of Chairperson of the AU Commission, a number of other elections took place at the January 2012 AU summit. These included the elections for the position of the Deputy Chairperson

of the AU Commission, the eight commissions of the AU Commission, the Chairperson of the Union and, last but not least, 10 members of the powerful Peace and Security Council of the AU. While the focus of many analysts was on the elections for the various positions of the African Union Commission, an important election that received less attention was the election for membership of the Peace and Security Council of the AU.

The terms of ten members of the PSC (Burundi, Chad, Djibouti,

Rwanda, Mauritania, Namibia, South Africa, Benin, Côte d'Ivoire, and Mali) all elected in January 2010 expire in March 2012. Following the communication from the AU Commission on the election of new members to the PSC for a two year term, scheduled for the January 2012 AU summit, the regions submitted their lists of candidates for the ten seats. The table below shows the consolidated list of candidates from the different regions.

Region	Available Seats in the 2012 Election	States Running	Years Previously Served on the Peace and Security Council
Central Africa	2	Cameroon and Congo	Both countries served for two years each for two consecutive terms starting from the inauguration of the PSC (2004 and 2006)
Eastern Africa	2	Djibouti, Eritrea, Ethiopia, Tanzania and Uganda	Djibouti served once for two years (2010), Ethiopia served for three years each for two consecutive terms (2004 and 2007), Uganda served for two years each for two consecutive terms (2006 and 2008), and Eritrea and Tanzania never previously served on the Council.
Northern Africa	1	Egypt	Egypt served for two years each for two consecutive terms starting from the inauguration of the PSC (2004 and 2006).
Southern Africa	2	Angola and Lesotho	Angola served once for three years (2007) and Lesotho served for two years in the inaugural Council (2004).
Western Africa	3	Côte d'Ivoire, Ghana and Guinea	Côte d'Ivoire served for two years (2010), Ghana served for two years in the inaugural Council (2004), and Guinea never previously served on the PSC.

Although Ghana was among the original list of Western African countries seeking election, it subsequently withdrew from the list in favor of the Gambia. Since Nigeria's three-year term will end next year, Ghana might be opting for the three-year term membership of the PSC taking the place of Nigeria in 2013. Clearly, during the 2012 elections, competition for the two seats was high in the Eastern African region.

Of all the countries competing for membership in the PSC, three (Eritrea, Guinea and Tanzania) never previously served on the Council. While Cameroon, Congo, Egypt and Uganda served for two terms previously, Djibouti, Angola, Lesotho, Côte d'Ivoire and Ghana

served at least once. Ethiopia served for two three-year terms before its replacement by Kenya.

The procedures for the election of members of the PSC are set out in the Protocol that established the Peace and Security Council of the AU (PSC Protocol). Article 5 of the PSC Protocol states, that the Council's membership is to be decided according to the principle of 'equitable regional representation and rotation'. The regional representation of the fifteen (15) members of the PSC is as follows: Central (3), East (3), North (2), South (3) and West (4). Additionally, Article 5 stipulates that one of the criteria for membership in the PSC is 'respect for constitutional governance, in accordance with the

Lomé Declaration, as well as the rule of law and human rights'.

Experience so far shows that there is some tension between the requirements for regional representation and rotation on the one hand and respect for constitutional governance, rule of law and human rights on the other. AU member states seem to give preference to the requirement of regional representation and rotation over the latter.

The table below shows the members of the PSC that were elected during the 18th AU Summit for two-year terms. They will assume their seats in the PSC as of 1st April 2012.

Region	States elected in January 2012
Central Africa	Cameroon and Congo
Eastern Africa	Djibouti and Tanzania
Northern Africa	Egypt
Southern Africa	Angola and Lesotho
Western Africa	Côte d'Ivoire, Gambia and Guinea

Of the newly elected members, two retiring states were re-elected (Djibouti and Côte d'Ivoire), and six returned to the PSC after a period of absence (Cameroon, Congo, Egypt, Gambia, Angola and Lesotho). Out of the three countries that sought election to serve on the PSC for the first time, Guinea and Tanzania were successful.

With the addition of these two states, 37 of the 54 AU member states will have served on the PSC since 2004. Both the interest and number of AU member states that served on the PSC illustrate the particular political weight that the PSC is increasingly commanding on the continent. The change in the membership of the PSC is

proof that the rule about regional representation and rotation is functioning optimally. While there are a number of countries that served on the PSC for a long period of time since its inception came in 2004, Nigeria is the only country that has served continuously on the PSC from 2004 to date.

COUNTRY ANALYSIS

Egyptian update

Previous AU/PSC Communiqués and Recommendations:

At its 299th meeting held on 22 October 2011, the Peace and Security Council of the African Union received a briefing from the Commissioner for Peace and Security, Ambassador Ramatne Lamamra, and the Permanent Representative of Egypt on the situation in Egypt. The subsequent press statement **PSC/PR/BR.(CCXCIX)** by the Council expressed serious concerns over the violent incidents and loss of lives, and requested maximum restraint from the various parties involved, especially the transitional authorities and the security forces.

In a press statement **PSC/PR/BR.3(CLXVIII)** dated 23 March 2011, the Council reaffirmed its recognition of the 'profound aspiration of the Egyptian people, especially the youth, (for) change and the opening of the political space in order to be able to democratically elect institutions that are truly representative and respectful of fundamental freedoms and human rights'. The Council further urged all forces in Egypt to work jointly toward successfully completing the transitional period for democracy in a way that satisfied the aspirations of the Egyptian people, and called for consensus on how and when to hold the elections. The Council also requested the Chairperson of the AU Commission and the Panel of the Wise to continuously monitor the developments in Egypt and to provide every possible support to facilitate the completion of the transition to democracy.

Crisis Escalation Potential:

A year after the forced resignation of Hosni Mubarak, Egypt is still far from stable. On 11 February 2012, the April 6 Youth Movement which led the uprising a year earlier called on Egyptians to use civil disobedience as a weapon to achieve the rights promised by the revolution. However the call for strikes and civil disobedience to mark the first anniversary of President Hosni Mubarak's overthrow did not proceed as the organisers had planned. The call for further protests, despite its failure, showed that both the liberal and Islamic youth factions were opposed to the Supreme Council of the Armed Forces (SCAF).

The Supreme Council of the Armed Forces (SCAF) has repeatedly argued that 'plotter' are trying to undermine the Egyptian state and has warned that they would bring chaos and destruction to Egypt. The Council, which initially pledged to hand over power after presidential elections in June, subsequently rejected the call to transfer power to a civilian body and declared that it would speed up the transition process. The generals warned that Egypt was facing plots against the nation that aimed to undermine the institutions of the Egyptian state, to topple the state and usher in anarchy.

The rage against the SCAF reached its peak following an incident at a football match in Port Said that took the lives of Seventy-four people and injured more than a thousand spectators on 1 February, 2012. Many of those who died were supporters of the Cairo football club *al-Ahly*. Many observers have accused SCAF of allowing the killings to take place. They claim that the authorities wanted revenge because the hardcore fans of *al-Ahly* were among those battling the police during the 2011 revolution that ousted Hosni Mubarak. Deadly clashes and violent demonstrations followed the news of the Port Said incident as anger over the deaths, combined with widespread frustration at the pace of reforms, increased. Protesters also clashed with police outside the interior ministry in Cairo, resulting in injuries to more than a thousand protesters and fifty four members of the security forces. One protester and a soldier were also killed.

The unrest spread across the country following the news of the football pitch incident. Protestors have claimed that many middle-ranking officers loyal to the former president were still in charge at the ministry and were 'conspiring against revolution.' The protesters' demands for the restructuring of the ministry of the interior and for officers responsible for the attacks against civilians to be brought to trial, fell on deaf ears.

According to statistics by the state-run *Al Ahram* newspaper, Egypt has witnessed an unprecedented rise in violent crimes since the revolution as a result of prison breakouts and inadequate numbers of security forces. The paper also claimed that there were 2,774 killings and 2,229 kidnappings during 2011. The effect of the ongoing insecurity has continued to negatively affect the Egyptian economy which seems to be heading towards a major financial and economic crisis. According to some reports, the country is losing about \$1bn (£638m) a month in foreign currency reserves and the Egyptian pound has fallen to new lows. The economic downturn will

unfortunately further intensify the existing political grievances.

The Muslim Brotherhood has also voiced its strongest criticism yet of SCAF, saying it was failing to deal with crises in security and the economy, and reiterating a call for a new national unity cabinet. The divisions between the Islamic parties and other political forces in Egypt are increasing over time. Polarized views dominate the public, political and media spheres and the major parties do not trust one another. They differ fundamentally about values and how to begin building a future democratic Egypt. In the absence of meaningful dialogue and compromise, such differences could further destabilise the country.

Key Issues and Internal Dynamics:

On 20 February, 2012 the chief prosecutor in the trial of Hosni Mubarak announced in his closing remarks that the former president should be given the death penalty for the killings of protesters in the 2011 uprising. Around 850 people were killed in the crackdown from 25 January to 11 February 2011. However, Egypt and its various political actors, struggling for power and influence are faced with a much bigger challenge than the court's verdict and the eventual sentencing of the former-dictator.

The tension and differences of opinion that exist between the Supreme Council of the Armed Forces (SCAF), Egypt's de facto government, and the Islamist and secular liberal groups seeking power and change, is unlikely to be resolved soon. The occasion for elections in November 2011, further manifested the deep rooted mistrust, suspicion and disagreements among the major parties when scores of protestors were killed and thousands were wounded on the eve of the elections. The Port Said incident and the subsequent claims and counter claims about conspiracy theories and plots, either against SCAF or the Egyptian people, further exhibited the deep rooted distrust and suspicion within Egypt's political environment at this time.

On 3 February 2012, two days after the Port Said incident, the head of SCAF, Field Marshal Hussein Tantawi, accused some groups of plotting 'to destabilise Egypt' and warned of serious punishment for such actions. However, the Muslim Brotherhood, which received majority support in the recent democratic legislative elections, assumed a different stance and claimed that there was 'invisible planning' behind the 'unjustified

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On 19 February 2012, the judicial committee supervising Egypt's first presidential election announced that it had yet to finalise a date for the vote, although an election official said it would be take place in the first

Several hopefuls have already announced their intention to run for office, including former Arab League chief, Amr Moussa, and ex-Muslim Brotherhood member, Abdel Moneim Abol Fotoh. The current Arab League Secretary General, Nabil Elaraby, who was considered a possible consensus candidate, has denied such plans. Many analysts see Moussa as the front-runner, but say much will depend on what kind of support he can secure from the Muslim Brotherhood, which emerged as the biggest bloc after the November 2011 parliamentary vote. Following comments by Mohamed Badie, head of the Muslim Brotherhood that the group wants a president with an 'Islamic background', Amr Moussa's hope of receiving support from the group has dimmed. The Brotherhood's capacity to mobilise voters will be an asset for the Islamists in Egypt's first competitive presidential race. The Freedom and Justice Party, the Brotherhood's political wing, announced that it will not propose its own candidate for the race. Nobel laureate and former head of the International Atomic Energy Agency (IAEA), Mohammed El-Baradei, stepped away from the race, announcing that he had no intention to run for the presidency.

On 19 February, Syria recalled its envoy in Cairo following Egypt's decision to withdraw its ambassador from Damascus. The decision by the Egyptian government followed the Arab League's call to halt diplomatic cooperation with Syria.

The President of the United Nations General Assembly had a discussion in February 2012 with Egypt's Foreign Minister in Cairo on the state of the country's democratic transition. Nassir Abdulaziz Al-Nasser met with Mohamed Kamel Amr as well as Essam El Erian, the chairman of the Egyptian foreign relations committee at the People's Assembly. Mr. Al-Nasser commended the Egyptian leadership for the success of the recent parliamentary elections.

On 29 December, Egyptian security forces and judicial investigators raided some seventeen offices belonging to several Egyptian and US non-governmental organisations (NGOs) suspected of 'conspiring against the state.' Many analysts believe the lawsuit is merely a "stunt" by Egyptian authorities aimed at pressuring Washington to maintain its annual aid package to Egypt. The incident has nevertheless raised concerns about the future of the role of civil society in Egypt.

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Scenario Planning:

The situation in Egypt could take a number of courses, based on the actions taken by the various parties to the crisis in the coming months. These are the possible scenarios:

Scenario One:

Continuing mistrust and tension between polarised Egyptian political parties could lead to further unrest, thereby damaging the economy and the country's security. Failure to reach an agreement to form a unity government could raise tensions even further, with the potential to derail the process. Such a scenario could prompt the SCAF to extend its control of the state.

Scenario Three:

Exclusion of the liberal and secular elements of Egyptian society, the under representation of minorities and women in the drafting of the new constitution and their under-representation in the government could widen existing grievances, leading to further unrest and instability. Such measures could also

lead to the international isolation of Egypt.

Scenario Four:

An attempt by the SCAF to undermine the powers of a democratically elected parliament could pose a significant threat to the transition.

Early Response Options:

Given the above scenarios, the following options could be considered by the PSC to support the democratic transition in Egypt:

Option 1:

The PSC could follow the developments in Egypt more closely and, in collaboration with the Egyptian government, send members of the Panel of the Wise to help facilitate the transition in the country.

Option 2:

The PSC could urge the SCAF to request an independent inquiry into the violence that resulted in the deaths and injuries of peaceful

protesters in the Port Said incident.

Option 3:

In the wake of the popular uprisings in North Africa, the PSC could assign a special envoy to follow up the various transitions toward democracy in the region.

Documentation:

Relevant AU Documents:

PSC/PR/BR. (CCXCIX) (22 October 2011) press statement on the situation in Egypt

PSC/PR/COMM. (CCLX) (16 February 2011) Communiqué on the situation in Egypt

PSC/PR/BR.3 (CLXVIII) (23 March 2011) press statement on the situation in Egypt

PSC Retrospective: The transformation of the Pan-African Parliament (PAP)

The treaty establishing the African Economic Community relating to the Pan African Parliament (PAP) states that five years after the entry into force of the protocol, the protocol, operation and effectiveness of the parliament shall be reviewed in order to check the fulfillment of its objectives. Accordingly, the PAP held its Sixth Ordinary Session in Addis Ababa, Ethiopia on 16-20 January 2012, under the theme 'Transformation of the Pan-African Parliament into a Legislative Organ' continuing on the review process that was launched in 2009 by the decision of the AU Assembly. The issue of transformation of the PAP was also on the agenda of the recently convened 18th Ordinary Session of the African Union.

The Pan African Parliament which held its inaugural session on 18 March 2004 is based in Midrand, South Africa. The organ which aspires to be the legislative body of the African Union, currently only exercises oversight and consultative powers. Officials of the PAP began lobbying at the 18th AU summit in support of the view that the PAP needs to be transformed to enable

the organisation to make binding decisions. Members of the PAP have expressed the view that the required transformation will result in a growing role for the parliament on diverse issues, including peace and security.

PAP was established by Article 17 of The Constitutive Act of the African Union, as one of the nine Organs identified in the Treaty Establishing the African Economic Community, signed in Abuja, Nigeria, in 1991. The Parliament was created to promote popular participation and representation of the people of Africa in decision-making, good governance, oversight, accountability and transparency. At present, 47 national parliaments have ratified the PAP protocol and are represented in the parliament through the five representatives that each of these countries has sent from their respective national parliaments.

Article 2 (3) of the Treaty establishing the African Economic Community relating to the PAP, signed in 2001, declares that the ultimate aim of the Pan-African Parliament shall be to evolve into an institution with full legislative powers, whose members

are elected by universal adult suffrage. However, at present its influence is limited to consultative and advisory powers and its members are nominated by the national parliaments of the AU member states that have ratified the Protocol.

The initial objectives of the PAP included:

- facilitating the effective implementation of the policies and objectives of the OAU/AEC and, ultimately, of the African Union;
- promoting the principles of human rights and democracy in Africa;
- encouraging good governance, transparency and accountability in Member States;
- familiarizing the peoples of Africa with the objectives and policies aimed at integrating the African continent within the framework of the establishment of the African Union;

- promoting peace, security and stability;
- contributing to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery;
- facilitating cooperation and development in Africa;
- strengthening Continental solidarity and building a sense of common destiny among the peoples of Africa; and
- facilitating cooperation among Regional Economic Communities and their Parliamentary forums.

According to Article 3(5) of the PAP protocol, the promotion of peace, security and stability is one of its objectives. The PSC Protocol (2002) also recognizes the possible role of the PAP in continental peace and security issues under Article 18 and requires the PSC to maintain close working relations with the Parliament. The same protocol also states that the PSC shall, whenever so requested by the PAP, submit, through the Chairperson of the Commission, reports to the Parliament, in order to facilitate the discharge by the latter of its responsibilities relating to the maintenance of peace, security and stability in Africa.

In compliance with Article 11 (5) of the PAP Protocol, the Parliament, through its Committee on Cooperation, International Relations and Conflict Resolution, is responsible for issues of peace and security on the continent, and should to this effect liaise and regularly hold briefings with, or receive reports from, the PSC. This approach would require a formal reporting mechanism, joint briefings and the submission of reports, among other requirements, in order to facilitate genuine information sharing aspects which are visibly absent. At present, the PAP does not have a visible and clearly defined role in continental security affairs and the African Peace and Security Architecture (APSA).

Nonetheless, steps were taken to consolidate the working relations with the PSC. In this regard, the Council was briefed at its 148th meeting PSC/PR/BR (CXLVIII) on 22 August 2008 by the then President of the Pan-African Parliament (PAP), the Hon. Gertrude I. Mongella, on PAP efforts towards peace

building in Africa. The briefing was considered as a first step towards the implementation of the provisions contained in article 18 of the PAP Protocol, regarding the role of the PAP in the furtherance of peace, security and stability in Africa, as well as the relationship between the PSC and the PAP. The briefing also marked the beginning of closer collaboration between the PSC and the PAP, as called for in the Conclusions of the Retreat of the PSC, held in Dakar in July 2007.

So far the PAP's involvement in issues of peace and security has been mainly manifested through the numerous missions the parliament has sent out across the continent. Consequently, the PSC, at its 148th meeting (PSC/PR/BR) (CXLVIII) also paid tribute to the PAP for its efforts towards election monitoring and observation, as well as towards the resolution of election-related disputes on the continent.

The PAP has sent fact-finding missions to Darfur, Rwanda, Sierra Leone, Côte d'Ivoire, Mauritania and Chad. The Parliament also dispatched election-observation delegations to the Democratic Republic of Congo (DRC) in 2006, Kenya in 2007 and to Zimbabwe and Angola in 2008 which later resulted in recommendations and resolutions on peace and security issues. The Bureau of the PAP is mandated to forward such decisions to all relevant bodies including the PSC. However, there is little evidence that the PSC has taken the Parliament's decisions into consideration in situations where the PAP has no capacity to enforce, or formally follow up on, any of its decisions sent to the PSC. Unfortunately the Peace and Security Council itself, also has no formal mechanism and practice that would enable it to deal with the PAP regularly and seriously.

The recommendations of the Sixth Ordinary Session in Addis Ababa requested more legislative powers. The final document of the meeting also announced a more visible role for the PAP's implementation of the African Union Charter on Democracy, Elections and Governance, which has now been ratified by 15 member countries and which entered into force on 15 February 2012. The Parliament pledged to exercise an oversight mandate to ensure compliance with national texts and popularization of the Charter within all the countries of the AU. The Session also announced that it would work to coordinate the implementation of the Charter with the PSC, the African Court of Justice, the commission for Human

Rights and The Economic, Social and Cultural Council as well as the various Regional Economic Communities.

However, in terms of the bigger plan, to get the blessing from the Assembly to acquire legislative powers for the PAP, much remains to be achieved. Ghana's former president and an ambassador of the PAP, Jerry John Rawlings, noted a number of difficulties in transforming the PAP into a proper legislative body. He said that the process would be difficult as 'some member states believe the continent is not ready for a powerful pan-African parliamentary body with full or even limited legal power'. The meeting of Ministers of Justice of member states which was scheduled to take place on 22-26 February was intended to accelerate the review process.

This latest setback means the PAP is now compelled to resort to lobbying at various levels in its quest to champion the transformation process and ensure that it is not derailed. The achievements of the Parliaments of the various Regional Economic Communities (RECs) in past years could be used as a basis for further lobbying at the AU. The regional parliaments of the Southern African Development Community and the Economic Community of West African States (ECOWAS) have indicated their intention and desire to transform themselves into Assemblies with legislative powers. The PAP also needs to consider the realization of the practice of direct elections by universal adult suffrage to enhance its legitimacy and enable it to demand more powers and a greater role in debating and resolving continental peace and security matters.

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Important Forthcoming Dates

- 12-16 March: Sixth World Water Forum Partnership for Strengthening Water Security in Africa, Marseilles, France
- 1 May: South Sudan Mine Ban Treaty enters into force.
- 9-11 May: World Economic Forum on Africa: 2012, Addis Ababa, Ethiopia (Accelerating Quality Growth, Creating Shared Opportunities)

Country	Election	Date
Lesotho	National Assembly	May 2012
Guinea-Bissau	Presidential	18 March 2012
The Gambia	National Assembly and Local	29 March 2012
Mauritania	Senate, National Assembly, Regional and Local	31 March 2012
Mali	Presidential 1st Round	13 May 2012
Algeria	Legislative and Local	12 May 2012
Burkina Faso	Legislative and Municipal	May 2012
Seychelles	National Assembly	May 2012
		May 2012

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