

# Peace and Security Council Report

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Current members of the Peace and Security Council: Angola, Cameroon, Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, the Gambia, Guinea, Kenya, Lesotho, Libya, Nigeria, Tanzania and Zimbabwe

## 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 February 2013

During February preparations will be underway for the coming elections in Kenya (see country analysis). Unresolved issues and events in Mali (see country analysis), Central African Republic, Egypt, Libya, Madagascar,

Somalia, Eastern DRC and Sudan also require monitoring and attention, in addition to ongoing issues of terrorism, displacement and forced migration.

### ► Current PSC Chair

**Bio data:** H.E. Mr Lebohang Fine Maema  
**Current posts:** Kingdom of Lesotho's Ambassador to Ethiopia, Permanent Representative to the AU and Chair of the PSC

## Kenya

Kenya's 2007 general elections recorded the worst post-election violence in the country's history with more than 1300 losing their lives and 600,000 being displaced. It is because of the events around that last election that the forthcoming one (on 4 March 2013) is raising both optimism and apprehension. Optimism because the vote will be

politically defining as it will be embedded in transitional processes that are likely to drastically change Kenya's political landscape and apprehension because of the fear that violence that accompanied the previous election might recur. Currently, the political scene is pervaded with campaign fever as various politicians jostle for political space and advantage.

## 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.

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## Mali

The military offensive against terrorist groups occupying Northern Mali concretized the risk of reprisal not only for Mali, but also for countries participating in this war in one way or another. The spectacular attack and taking of hostages at the Amenas gas site, in South-East Algeria, and the attack against a Nigerian army convoy clearly illustrate the risks taken by participating countries. This situation is all the more troubling due to the lack of experience and capacity of several West African states that have contributed troops to AFISMA in order to help cope with such a threat.

# Country Analysis

## KENYA

### Previous PSC and AU Communiqués

Following the 2007/08 presidential poll dispute and election-related violence, the African Union (AU) and AU Peace and Security Council (PSC) issued a number of Communiqués relating to Kenya (See ISS PSC Issue 38 of September 2012). These include the 10th Ordinary Session of the Assembly of the AU held from 31 January to 2 February 2008, in Addis Ababa, which adopted decision Assembly/AU/Dec.187(X) that, inter alia, reflected on the Kenyan contested election, but significantly too stressed the need to initiate a collective thinking on the challenges linked to electoral disputes in Africa. At its 109th and 115th meetings held on 21 January and 14 March 2008 respectively, and devoted to the situation in Kenya, the AU PSC underscored the same concerns raised earlier by the AU on the increasing phenomena of election related violence on the continent and the need to find remedial measures.

In response to the foregoing concerns, and as part of its work programme for 2008 endorsed at its 3rd meeting (held on 18 February 2008), the AU Panel of the Wise (hereafter used interchangeably with the Panel), decided to devote that year to focusing on the problem of election-related conflicts. Subsequently, the PSC at its 191<sup>st</sup> meeting held on 5 June 2009, received the draft report (PSC/PR/2(CXCI) of the panel of the wise on strengthening the role of the AU in preventing, managing and resolving election-related disputes and violent conflicts in Africa. The report proposed a five pronged approach for the AU, underscoring the need for (a) Early Warning and Preventive Diplomacy; (b) Election Observation and Monitoring; (c) Post-Election Mediation; (d) Technical

and Governance Assistance; and (e) the Post-Conflict Reconstruction and Development (PCRD). The draft report also urged the PSC to give particular attention to election related crises. At the 13<sup>th</sup> ordinary session of the AU Assembly held from 1-3 July 2009, the Panel of the Wise submitted an advisory report (AU Assembly/ AU/6 (XIII), that, among other measures, called for a review of the technical capacity of electoral organs in Africa, a re-examination of the registration of voters, campaigns, political party financing and access to media, and their impact on the conduct of elections.

Subsequently, with a mediated Coalition government in place in Kenya, the AU and PSC lessened their focus on Kenya. In early 2013, however, the Panel of the Wise, together with the Committee of Elders of the Common Market for Eastern and Southern Africa (COMESA), the Intergovernmental Authority on Development (IGAD), and the AU Commissioner for Political Affairs, in line with the January 2008 Memorandum of Understanding (MoU) on Cooperation between the AU and the Regional Mechanisms in the area of Peace and Security, embarked on a pre-assessment mission to Kenya, from 16 to 23 January 2013 ahead of the 4 March, 2013 General Elections. This visit was also meant to launch a renewed AU Long-term Elections Observation Mission in line with the AU Peace and Security Council call for more in-depth, thorough and comprehensive long-term observation missions on the Continent.

### Crisis escalation potential

Kenya's 2007 general elections recorded the worst post-election violence in the country's history with more than 1300 losing their lives and 600,000 being displaced. It is because of the events around that last election that the forthcoming one (on 4 March 2013) is raising both optimism and apprehension.

Optimism because the vote will be politically defining as it will be embedded in transitional processes that are likely to drastically change Kenya's political landscape and apprehension because of the fear that violence that accompanied the previous election might recur. Currently, the political scene is pervaded with campaign fever as various politicians jostle for political space and advantage. The last few months have witnessed the creation of new alliances as the political race heads into the home stretch. The main coalitions include the Coalition for Reforms and Democracy (CORD), whose presidential candidate is the incumbent Prime Minister, Raila Odinga, and the Jubilee Coalition, whose Presidential Candidate is the Deputy Prime Minister, Uhuru Kenyatta. Odinga and Uhuru have been deputised by Vice President Kalonzo Musyoka and former Minister William Ruto respectively. There is also the Amani (peace) coalition, dubbed the "third force" and headed by another Deputy Prime Minister, Musalia Mudavadi.

Looking at the forthcoming election, there is little doubt that it will be closely contested and probably quite polarizing if, as expected, politicians turn their campaigns into emotional outbursts that distract attention from the real issues. So far, the contest nationally and even at county level is shaping up along ethnic lines. Indeed, in the recent past, there have been cases of ethnic related conflicts and violence that have left dozens dead and tens of thousands displaced in places such as the North Eastern town of Moyale and in the Tana Delta. It has been variously argued that some of the incidences have been politically instigated. Some of these regions have previously been affected by conflicts over resources (water, pasture and cattle rustling), but there are those who argue that the political and economic stakes in these and other regions have been raised by the country's new constitution that provides for a devolved system of

government. The point is that this has triggered competition for leverage and conflict over positions at county government levels.

A major security concern for Kenya, however, is the possibility of retaliatory attacks by Al-shabaab and/or their sympathizers in Kenya during the elections. In late 2012, there was a spate of such attacks, especially in the Eastern town of Garissa and parts of Nairobi. Although these have subsided since early this year, the concern is that if such attacks were to occur on the Election Day, they could seriously undermine the electoral process.

There is also the anxiety relating to the complexity of the forthcoming poll and the ability of Kenya's Independent Electoral and Boundaries Commission (IEBC) to hold free and fair elections. The 4 March poll will see Kenyans voting for a President, senators, Members of Parliament, governors, woman representatives and members of county assemblies. There is no doubt that this is going to be the most complex vote in Kenya's history. Interestingly, Former United Nations Secretary General and mediator of the current Coalition, Kofi Annan, passed a vote of confidence in the electoral reforms undertaken so far, when he travelled to Kenya to assess the preparedness of the IEBC on 8 October 2012. Annan and his team, however, noted that the issuance of Identity Cards needed to be expedited, as they feared it could exclude many youths from voting. The fact that the forthcoming presidential election is likely to be closely contested also raises the possibility of heightening tensions, especially relating to the vote count.

Overall, as the country heads into another competitive general election, an assortment of issues presents a potential escalation threat to Kenya, but it remains, debatable whether or not any such challenges would lead to a serious threat to the integrity of the state, as was the case in the aftermath of the last election.

A number of factors could indeed militate against such extreme forms of violence. These include, the deterrence effect emanating from Kenya's experience with the International Criminal Court (ICC), the reform of the electoral body and the judiciary, among others.

### Key issues and internal dynamics

With incumbent Mwai Kibaki not eligible to contest the presidency, there is the certainty that there will be a change of guard at the State House. Recent opinion polls have put Prime Minister Raila Odinga in the lead, although they also point to a close contest between him and Deputy Prime Minister Uhuru Kenyatta. Odinga is the son of Kenya's first vice president and later doyen of opposition politics, Jaramogi Oginga Odinga, while Kenyatta is the son of Kenya's first post Independence President, Jomo Kenyatta. Given the new constitutional requirements that a president has to garner 50% plus one of the votes cast and not less than a quarter of the votes in at least 24 of the 47 counties, to be declared validly elected, the presidential vote, given the current ethnic alignments, might be won by a slim margin or most probably go into a run-off. In the event of a run-off, it will be between the first and the second-placed candidates and will be determined by a simple majority.

The issues that are forming the agenda for debate include the implementation of the new constitution, with Raila Odinga casting his main opponents, Uhuru Kenyatta and William Ruto, as non-reformers who would scuttle the constitution implementation process. His opponents have, however, been playing the "age card," casting Raila Odinga, who is 68, and his Deputy, Kalonzo Musyoka, 60, as too old to lead and have asked them to retire with President Kibaki. Kenyatta and Ruto have been indicted by the ICC in relation to the 2007/08-post election violence. Interestingly, other than a few

references here and there, neither of the two leading coalitions has made the issue of the ICC's intervention in Kenya (whether it is good or not for Kenya) as a key plank in their campaigns, probably because of the risks of it being turned into a propaganda tool. Some of Kenyatta's supporters have been made to believe that Odinga took their candidate to the ICC. On the flipside, a Kenyatta presidency (where he would be expected to attend ICC proceedings) generates the fear of the unknown among some Kenyans. As a result, both parties would probably not want to reinforce these and other prejudices that would easily hurt their candidature. The issue however, remains divisive and a subject of debate among Kenyans. Those against a Kenyatta and Ruto presidential ticket argue that their election would not only complicate Kenya's foreign relations and make the country a pariah state, but would also lead to an economic disaster, especially if sanctions are slapped on the country and particularly if the two use the presidential poll results (if they win) to insulate themselves against the ICC proceedings. This school also argues that it would present the two with the serious challenge of governing the country while being expected to spend substantial time at the ICC hearings in the Hague. Uhuru and Ruto and their supporters, however, argue that Kenyans have a right to make political choices and their election would mean a vote of confidence in them and a rejection of the direction taken by the ICC. They have also advanced the idea of sovereignty and the right of Kenyans (not foreigners) to choose the leaders that they want. Kenyatta, and Ruto are expected to start attending hearings from 10 April 2013, the day of a possible run off.

Overall, the election is expected to witness a high turnout, especially of Members of Parliament whom many Kenyans accuse of being more concerned with their own selfish interests and preserving their huge

pay packages, than with the plight of ordinary citizens. This was evidenced during the party primaries held in mid January where a number of key politicians lost their seats. On a positive note, however, the IEBC and the judiciary, respectively, have stated that they are ready to handle the election and the related disputes.

Nonetheless, it is important to understand that election-related violence in Kenya has been a function of the decay in socio-economic and political order where marginalisation, the sharing of resources, and historical grievances, among other factors, have become agenda issues that are sometimes violently contested during elections. This calls for addressing the broader structural challenges relating to governance, to ensure a sense of justice and fairness that addresses the diversity of Kenyan society. The new transformative constitution, if implemented to the letter and spirit, would be a good departure point for resolving these historical problems.

## Geo-political dynamics

### Africa and RECs

On 30 May 2012, the East African Community (EAC) Secretariat announced its intention to deploy a team of observers to monitor Kenya's general elections. EAC Secretary General Dr Richard Sezibera said that EAC member states had been managing their general elections poorly, something that the EAC would work to change. He said local leaders had acted above the law, and the EAC was working to close loopholes relating to the rigging of elections. On 31 October 2012, Dr Sezibera together with the international community launched an ad hoc initiative called "The East African Friends of Kenya for Peaceful Elections – 2013" in Berlin, Germany. According to Dr. Sezibera, the initiative is aimed at promoting the idea of peace and tolerance among all political players and encouraging Kenyans to vote peacefully. He noted that the impact that the 2007/08 post-election violence had on the

EAC was a big lesson to the community. In mid November 2012, the EAC held a meeting to review the draft EAC principles for Election Observation and Evaluation with the Electoral Chiefs of the member countries, where they counselled Kenya to uphold the principles of democracy for credible elections on March 2013. The EAC also promised to send a joint East African observer mission to Kenya from December 2012 for a four-month visit.

### United Nations

In March 2011, the Kenyan government failed to get the support of the United Nations Security Council (UNSC) for deferring the prosecutions of individuals indicted by the ICC for masterminding post-election violence in 2007-2008.

In July 2012, United Nations (UN) human rights experts called on Kenya to denounce the climate of impunity that still shields the suspects of the 2008 post election violence. The UN experts also urged Kenya to pursue all cases of post-2007 election violence to ensure that the perpetrators are brought to justice and that victims are adequately compensated.

On 16 October 2012, at a United Nations Foundation/UNA-USA Global Leadership Dinner in New York, the UN Secretary General Ban Ki Moon lauded his predecessor Kofi Annan for his efforts at bringing peace and stability to Kenya.

### International community

Several members of the international community have, variously, maintained the need for Kenya to hold credible elections. For instance on 4 August 2012, United States Secretary of State Hillary Clinton, during her tour of Africa, visited Kenya and warned Kenyans not to repeat the deadly violence experienced in 2008. According to unconfirmed reports, Clinton also hinted about sanctions if any of the Kenyans indicted by the ICC were elected president. The British High Commissioner in Kenya, Christian

Turner, also subsequently urged Kenya to ensure credible and peaceful polls. Mr Turner has indicated that his Government supports the ICC process to ensure that victims of the 2007/2008-post election violence received justice. Against this background, the US and Britain have renewed calls for integrity, transparency and legitimacy in the 4 March polls and a possible re-run on 10 April. The European Union (EU) Ambassador to Kenya, Mr Lodewijk Briet, has also urged Kenyans to pursue credible elections. The EU is funding activities on civic education in a number of volatile areas in the country and also funding its Election Observation Group (ELOG).

### Civil society

Civil society in Kenya continues to play the fundamental role of checking attempts to dilute the implementation of the country's new constitution. Civil society organisations have variously approached the courts to challenge decisions by the executive and parliament that seemed to undermine the constitution. Kenya's civil society has also held demonstrations and extensively used social media to rally Kenyans into holding the legislative and executive branches of government accountable to ensure free and fair elections.

### Scenarios

#### Scenario 1

Elections take place on schedule, with minimal challenges. One candidate marginally gains the 50% plus one or misses out with a slim margin. For the latter case, elections proceed to a run-off and one of the candidates is declared the winner in a free and fair election. There is no violence and the process is hailed as exemplary both locally and internationally.

#### Scenario 2

As the voting day approaches, the political campaigns experience intermittent incidents of marginal

violence that do not, however, undermine the electoral process and outcome. Like in the first case, one candidate marginally gains the 50% plus one or fails to do so by a slim margin, requiring a run-off where the election is closely contested. A winner is declared and although there are political statements faulting the process, the outcome is said to be generally acceptable, both domestically and internationally.

### Scenario 3

The political process is accompanied by vicious though erratic violence, including Al-shabaab reprisal attacks. The election is closely contested with no clear winner and goes to a run-off. One of the contestants indicted by the ICC and his deputy are locked out of the campaigns by the ICC proceedings. The second round goes

ahead, but the outcome creates serious political fault lines and is contested through the Courts. The winner, however, manages to serve out his term.

### Options

#### Option 1

The AU PSC should increase its engagement on Kenya and be proactive in publicly underscoring the importance of a violence-free electoral process and urge the key political actors to exercise political tolerance.

#### Option 2

The AU/AU PSC should consider giving a role to the AU's Panel of Eminent Personalities that mediated the coalition government, especially in regard to working with the rest of the international community toward

possible coordinated responses in the event of violence, a disputed presidential vote or an undesirable political consequence of the Presidential run off as a result of the ICC hearings.

#### Option 3

The AU/AU PSC need to start evoking the African Charter on Democracy, Elections and Governance to promote adherence by State Parties and encourage those states that have signed, but not ratified, like Kenya, to do so, in order to institutionalise electoral democracy and promote the universal values and principles of democracy and constitutional order.

## PSC retrospective

### WOMEN, CHILDREN AND OTHER VULNERABLE GROUPS IN ARMED CONFLICT

In press statement PSC/PR/COMM. (CCXXIII), adopted at a meeting held on 30 March 2010 on Women and Children and Other Vulnerable Groups in Armed Conflict, the African Union (AU) Peace and Security Council (PSC) announced its decision to devote an open session each year to the theme of women, children and other vulnerable groups in armed conflicts. The PSC is expected to convene its annual open session during the first half of 2013.

The PSC has noted that despite the existence of a comprehensive human rights architecture that is meant to address issues concerning women and children in situations of armed

conflict, women and children continue to be disproportionately affected by conflicts and violence.

Despite clear recommendations that categorically call for the AU Commission (AUC) to submit a report outlining the strategies that have been adopted at continental and regional level to deal with violence against, and abuse of, women and children, their implementation by the AUC has not been forthcoming. Several factors may explain why issues pertaining to women and children are not taken more seriously at the highest strategic level of the AUC.

From a conceptual perspective and drawing on objective analysis, arguably a new category of human beings has been produced called 'women-and-children', with children being merely an extension of women and not having the agency of participating in decision making and policy design that affect their own lives. This stereotyping has perpetuated the perceived role of women as caring and nurturing

mothers, loved in the private realm and not having any opportunity of moving into the public space and engaging as active agents for peace, thereby limiting their roles in rebuilding societies and communities torn apart by conflict, a requirement that is outlined as being critical in the draft African Post-conflict Reconstruction and Development policy framework. Women's peace-building roles are largely seen as an extension of their domestic chores and are therefore not taken seriously. At the same time, children's insecurity on the continent has increased, as evidenced by ongoing hostilities in the Central African Republic, Mali and Sudan.

Arguably, the situation of the insecurity of African children in particular is largely symptomatic of the missing link between the African Peace and Security Architecture (APSA) and the African Governance Architecture, where clear and robust leadership and agenda setting take a back seat. The persistent insecurity of children in particular raises serious questions about how far African

leadership has committed itself to its global and continental responsibilities and why its theoretical commitment to such responsibilities has not been translated into effective strategies to find ways to improve the security of children.

The increasing insecurity experienced by children in conflict situations in Africa needs to be addressed from the perspective of viewing children as active agents. Currently, the standard portrayal of children in African security terms is that of victims or perpetrators, which is not representative of their interests and does not value their crucially important roles in peace and conflict management.

Fundamentally, the lens through which children's security is seen is rather blurred. Generally, children are not considered to be useful to the state and while it is the moral responsibility of the state and its institutions to guarantee the security of children, it is often these self-same institutions that violate children's rights. Furthermore, children do not feature as positive factors in the peace and security architecture, but rather as destabilising elements. It is necessary to break this cycle of perceptions that hinders positively engaging and seeking out the active and meaningful participation of children and youth in African peace-building endeavours. A longer-term perspective has to be taken seriously in order to limit peace spoilers on the continent, in particular individuals and armed groups that use children as combatants and recruits for militias and terrorists as a result of extremism and radicalisation. While this concern is soundly articulated in the AU policy framework for Post-conflict Reconstruction and Development (sec. V, para. 24), which calls for a secure and safe environment where the safety of the African population is assured, the concept of security is largely seen from a state-centric perspective where national security is paramount.

Primarily, the issue that accentuates the insecurity of children in Africa is the fundamental lack of protection of their rights and, in some cases, the violation of their fundamental rights and freedoms. At the heart of this governance-insecurity nexus is the crucial fact that the very same states that are seen as perpetrating human rights abuses are mandated under international human rights law to respect the rights of individuals, particularly in terms of their security organisations being prohibited from abusing the human rights of their citizens.

In terms of the AU, it is important to effectively deal with the insecurity of children by embracing real and durable solutions that can realise practical safeguards against the involvement of children in situations of risk that increase their vulnerability and exposure to abuse, harm and violation. Therefore, it is critical that the AU should critically undertake a searching self-evaluation to identify how the implementation of its decisions is being hampered by a lack of consensus on the conceptual underpinnings of the issues of gender and children's insecurity. To date, its efforts have resulted in uncoordinated responses, and thus the AU now needs to integrate and implement bold policies that go beyond convening annual open meetings that may have extremely limited impact on the lives of millions of African women and children.

If we turn to particular examples on the continent, the current insecurity experienced by children and youth in the Democratic Republic of Congo (DRC) is a result of the country's lack of ability to secure the safety of its population due to a false disjuncture between high and low politics, and rhetoric and reality. Consequently, human security needs in the DRC have been impeded and children's security in particular has been undermined, resulting at least partially from the negligible inroads being made regarding children's

security in the APSA, which initially held out some promise for the promotion of children's rights.

Currently the potential success of the APSA in dealing with children's security needs must be seen through an objective lens that attempts to deal with the underlying causes of such insecurity. One key challenge that the AUC faces is the tendency to categorise issues thematically. This compartmentalised approach fails to address the broader security and protection needs of women and children, and other vulnerable groups. As a result, this approach also has an effect on resource allocations at the AUC and risks diverting attention from a broader range of concerns that may put children at greater risk of harm. In addition, these thematic issues are usually portrayed as being technical, which in the planning process limits the number of actors prepared to address them

Within the current structure of the AUC, the issue of child protection is not a stand-alone topic and is being dealt with at several levels by various AU departments. For example, a Committee of Experts on the Rights and Welfare of the Child is located within the Department of Social Affairs, which has the mandate to develop policies and follow up on the implementation of the African Charter on the Rights and Welfare of the Child (1990/1999) with its four pillars:

- acting in the best interests of the child
- non-discrimination
- the right to life, survival and development
- child participation

Within the ambit of its work, the Committee of Experts examines state reports and, when necessary, undertakes investigative missions to gather information on the situation regarding the rights of the child in the territory of a state party. These visits allow the Committee to document violations and are critical

to gaining first-hand knowledge of abuses. Following such a visit, the Committee compiles a mission report that details the investigation and makes recommendations to the state party concerned. The AUC sends this report to the Executive Council, the Permanent Representatives' Committee and the AU Assembly, and it is published only after the AU Assembly has adopted it. Thus, a series of AU institutions is involved in the process, which can easily become bogged down or sidelined at any one of these stages.

As recommended in a previous Peace and Security Council report (see Issue 33, April 2012), an area of particular concern is that of developing a framework for mainstreaming the issue of women and children in situations of conflict into all aspects of the work of the Executive Council on conflict prevention, management and resolution, and post-conflict reconstruction and development.

Specifically in terms of the situations in the DRC and Uganda, community-based child protection mechanisms are in place and a network of individuals at the community level work in a coordinated manner toward child protection goals. In

Uganda, the early warning radio network was introduced to warn communities about anticipated attacks by the Lord's Resistance Army (LRA) and to inform them about the rehabilitation of rescued children and the progress made toward apprehending the LRA leader. In general, however, most African states and regional actors (ECOWAS, SADC, IGAD, etc.) do not have specific early warning mechanisms directed toward the mitigation of the abduction and recruitment of child soldiers.

Unfortunately, the impact of the community-based child protection system implemented in the DRC has not been felt in its troubled eastern region. According to Human Rights Watch, child soldiers are still being used by both the DRC and Rwanda in their border region, and even serve as frontline fighters. The DRC in particular has clearly not shown appropriate consideration for the security of children in the region. The country's community-based child protection programme has not been made strong enough or sufficiently well structured to be able to effectively address the issue of child soldiers in the region and more action is needed in this regard.

Children and youth should be an integral part of community security and must be accorded a high level of attention through a strong partnership between the government and civil society.

Regarding the situation of children and security in the current crisis in Mali, the ECOWAS early warning mechanism is more geared towards malnutrition and the humanitarian crisis in general than towards the needs of children in particular.

Thus, it can be generally stated that the early warning systems used by regional, national and continental actors are not well structured towards mitigating the human rights abuses of child soldiers and child displacement. But instead of expecting the United Nations to deal with the problem of persistent violations of the rights of African women and children, the AUC should instead take the lead in critically examining why matters relating to women and children are so poorly dealt with at the strategic level within the APSA. If it fails to lead in this regard, the AU risks losing its credibility as the guarantor of African peace and security.

## Country analysis

### MALI

#### Previous PSC and AU communiqués

On 29 January 2013, on the fringes of the Summit of Heads of State and government that took place in Addis Ababa, the African Union (AU), in collaboration with ECOWAS, organized a donors' conference to raise funds for the trust fund voted in terms of UN Security Council Resolution 2085. The fund is to support the African-led International Support Mission to

Mali (AFISMA) with logistical, human and financial resources as well as for the Malian defense and security forces. The budget of the AFISMA, which is known in French as MISMA (Mission internationale de soutien au Mali sous conduite Africaine), amounts to 460 million US Dollars for one year. The Malian armed forces' needs are estimated to be 326 million US Dollars. This conference succeeded in raising 455 million US Dollars.

During its meeting on 25 January 2013, held at the level of Ministers of Foreign Affairs, the African Union Peace and Security Council took the following decisions. Regarding the

strength of AFISMA, the PSC asked for a review of the concept of operations with a view to increasing AFISMA's capacity. Such an increase will facilitate the inclusion and integration of troops contributed by Chad and other contingents under preparation so as to better address the field requirements. The PSC also requested the Chairperson of the Commission to proceed immediately with the appointment of the Special Representative as Head of AFISMA. President Pierre Buyoya was designated on 30 January 2013 to serve as the Special High Representative of the Commission's Chairperson for the Sahel. Furthermore, the PSC invited

the AU and ECOWAS Commissions to deploy civilian observers to oversee the human rights situation in the liberated areas and assist the Malian authorities to restore conditions for sustainable reconciliation between the different components of the Malian population as well as for peace-building within the framework of AFISMA.

Next, on the issue of financial and logistical support, the PSC urged all Member States of the AU to offer the required financial and logistical support to AFISMA and the Malian defense and security forces during the donors' conference, which subsequently took place on 29 January 2013 in Addis Ababa. The PSC further recommended that part of AFISMA's budget should be covered by the mandatory contributions of AU Member States.

While recalling its request for the establishment of a financial and logistical support module funded by the United Nations, the PSC requested the UN Security Council to authorise the immediate setting up of temporary financial arrangements to enable AFISMA to be deployed promptly and accomplish its mission efficiently.

Finally, for the purpose of coordination, the PSC requested the AU Commission, along with ECOWAS and the United Nations, to immediately put in place the Integrated Task Force on Mali (ITFM), to ensure the coordinated strategic management of the implementation of the relevant resolutions and decisions of the three organizations on the situation in Mali.

In a communiqué on 19 January 2013, the Chairperson of the Commission condemned the terrorist attacks in Amenas, Algeria, which took place after Algiers opened its airspace to French military aircraft participating in operations in Mali.

During its 350th meeting, held on 14 January 2013, the AU PSC firmly

condemned the attacks waged by groups of armed terrorists and criminals against the town of Konna, in the Mopti region, on 10 January 2013. While acknowledging the assistance of France at the request of the Malian authorities, and within the framework of the United Nations Security Council resolution 2085(2012), the Council underscored the "importance of close coordination with the core countries to facilitate the conclusion of the current efforts".

### Potential for crisis escalation

On 10 January, the attack by groups of terrorists and Islamists against the town of Konna was the triggering factor of France's Operation Serval (named after a species of African wildcat) to support a struggling Malian army and aimed at restoring Mali's territorial integrity. This military intervention, which was initially by air and then by land, was conducted as an emergency operation by France in support of the Malian armed forces, which would later be supported by AFISMA, thus leading to an expression of support and joy in Mali and in many other African countries. However, this military action could result in terrorist reprisals, inter-community violence, a deterioration of the humanitarian situation and, above all, collateral damage inflicted upon civilian populations.

The military offensive against terrorist groups occupying Northern Mali concretized the risk of reprisal not only for Mali, but also for countries participating in this war in one way or another. The spectacular attack and taking of hostages at the Amenas gas site, in South-East Algeria, and the attack against a Nigerian army convoy, clearly illustrate the risks taken by participating countries. This situation is all the more troubling due to the lack of experience and capacity of several West African states that have contributed troops to AFISMA in order to help cope with such a threat.

### Key issues and internal dynamics

The resultant French military action, codenamed Operation Serval and the build up of the AFISMA force raise a number of issues and create new dynamics in the North and South of Mali.

In the South, the circumstances of the forced resignation on 11 December of Prime Minister Cheikh Modibo Diarra, and the appointment of Diango Cissoko, deemed more consensual, provide confirmation of the key role that was still being played by the junta on the political scene before military action was initiated by France. However, the arrival of foreign forces to support Mali, including in Bamako, resulted in a new dynamic not only in terms of the relationship between the President and the Prime Minister, but also between civilian and military authorities. Indeed, the arrival of combat units in the field is likely to marginalize certain members of the Kati junta who had invoked the liberation of the North as a key issue in the discourse of justifying the coup.

A new development was also noted within the armed forces with the release of the Red Berets on 31 January. The Red Berets had allegedly participated in an attempted counter coup on 30 April 2012. However, on 18 January, the investigating judge ordered the conditional release of 29 out of 48 of the accused. This decision contributed to appeasing the tensions between the Green Berets (most of whom were members of the junta that led the original coup) and the Red Berets (most of whom were members of former president Amadou Toumani Toure's security force).

With respect to the situation in the North, two developments should be noted. Firstly, with the attempted occupation of the town of Konna by the Islamists, the positions of the various terrorist groups became more clear. The occupation attempt also exposed the limitations of

compartmentalised mediation attempts such as those attempted by Burkina Faso and Algeria. In this respect, the attack against Konna helped to clearly identify the groups to be targeted militarily by AFISMA and French forces, thus making Ansar Dine (which roughly translates as 'defenders of the faith') a group with whom no possible negotiation could be envisaged.

Furthermore, the offensive waged by the Islamists against the town of Konna gave the impression that Ansar Dine, the Movement for Uniqueness and Jihad in Western Africa (MUJWA) and Al Qaeda in the Islamic Maghreb (AQIM) pursued common objectives, even if there were doubts about the level of cohesion existing between these groups. The counter offensive could indeed lead to a splitting of the coalition or a division strategy conducive to a return to the negotiation table. It was also reported that on 24 January a break-away movement of Ansar Dine, the Islamic Movement of Azawad (MIA), was created under the leadership of Ighabass Ag Intalla. This group claims to be open to dialogue for a peaceful settlement of the crisis in Northern Mali and asserts having distanced itself from the other Islamist groups. It claims that it aspires to self-determination and not independence of the Azawad.

## Geopolitical dynamics

### *Africa and RECs*

While awaiting the formation and deployment of the Malian forces, supported by ECOWAS and its partners, in the third quarter of 2013, the town of Konna fell under the control of Islamist forces, followed by the initiation of France's Operation Serval and the precipitated deployment of AFISMA. This took place while several important issues were still under discussion, particularly the rehabilitation of the Malian armed forces, the final state envisaged by AFISMA and the funding of these endeavours. In spite of the decision to have the

Malian armed forces and African troops lead the operation, the fall of Konna hastened the entry of France upon the scene, a country whose military interventions in Africa are often considered to be an expression of neo-colonisation. However, contrary to past experiences, the French military intervention to stop the progress of the Islamists advancing toward the South came in the nick of time. To date, France has received almost unanimous support for its intervention from the African continent and the international community.

Indeed, the deployment of AFISMA as planned in the initial Concept of Operations (CONOPS) requires an estimated budget of around 460 million US Dollars for 3 300 troops for a year. The increase in the number of troops to almost 8 000 after the PSC meeting of 25 January and the meeting of ECOWAS Chiefs of Defense Staff the following day, could increase the budget to almost a billion US Dollars per year. The European Union has pledged an amount of 50 million Euros. As for the United Nations, they have authorized the deployment of troops under Resolution 2085, but without defining the funding mechanisms beyond the creation of a Trust Fund to which member States could make core or non-core contributions to AFISMA or to the training and equipment of Malian Defense and Security forces. So far, the United Nations have been reluctant to support the operation using the statutory contributions of the organisation, as requested by the AU and ECOWAS, fearing that such a support could "affect the organization's credibility". However, the latest ECOWAS and AU meetings enabled both organisations to address issues about political and military command and control facilities.

As a matter of fact, an absence of coordination, along with competition between the AU and ECOWAS, glaring differences at the beginning of the crisis, seem to be

less problematic now. Real cooperation based on the comparative advantages of different organisations aligned with the processes of the African Peace and Security Architecture and international procedures will be necessary to assist Mali to achieve peace and stability. The issue of coordination between AFISMA, the Malian forces, Operation Serval and the European Union Training Mission (EUTM) should also be given special attention, but does not seem to have been adequately discussed yet.

Cooperation between the core countries is also an indispensable aspect of the framework concerning the ongoing military action. At the outset, Algeria which was in favour of dialogue and had discarded any idea of intervention, closed its borders and authorised the French military aircraft to fly over its airspace. As for Mauritania, although it has not committed troops to Mali, the country has stepped up security at its borders so that terrorists do not seek refuge in Mauritanian territory.

In addition to the contributions of several ECOWAS member states, such as Benin, Senegal, Burkina Faso, Niger, Nigeria, and Togo, Chad also committed 2000 troops at the request of the interim President of Mali. In fact, Chad's contribution is the second largest national force deployment after France. Countries that are not members of the ECOWAS such as Rwanda, Burundi and Equatorial Guinea, have also expressed their interest and availability to assist Mali.

### *United Nations*

On 15 January, the UN Security Council held a public debate during which it insisted that in order to "counter, weaken, isolate and neutralize the terrorist threat", it was indispensable to adopt "a global and monitored approach, based on the active participation and collaboration of all the States and regional and international organizations". The Council also asserted in a presidential statement

that “armed or security forces, collective measures or intelligence activities alone would not suffice to overcome terrorism” and that it was important to “address conditions which bolster terrorism, in particular, to do everything to prevent long term conflicts or settle them through peaceful means and promote the rule of law, protect human rights and fundamental freedoms, good governance, tolerance and openness (as well as) inclusiveness”. During these discussions, the UN Secretary General, Ban Ki-moon, insisted on “the importance of efforts made in the framework of the UN Global Anti-terrorism Strategy, adopted by the General Assembly in 2006 and based on four pillars: elimination of conditions conducive to the spread of terrorism, prevention of and fighting against terrorism, capacity building of all States and the role of the UN and human rights”.

### **International Community**

The take-over of Konna by terrorist groups on 10 January accelerated the mobilization of the international community in order to liberate Northern Mali, which had been under Islamist occupation for the previous nine months. At the request of interim President Dioncounda Traoré, France intervened on 11 January to stop the advance of the terrorists towards the South. According to France's President, François Hollande, this intervention fell under United Nations Security Council resolution 2085. Furthermore, the French Defense Minister reiterated four objectives of France's intervention. The first objective was to prevent the progress of terrorist groups by means of air strikes or by ground support to Malian forces. The second mission was to destroy the rear bases of the terrorists. The third objective was to ensure the security of Bamako, that of the institutions, the population and the French nationals. The fourth aim was, to prepare and assist in structuring and organising the Malian forces to

enable AFISMA to regain control over all Malian territory.

In support, the European Union accelerated the deployment of its training mission in Mali (EUTM-Mali). During a meeting of Foreign Ministers on 17 January 2013 that was convened to develop an action plan for Mali, it was decided to offer diplomatic support to Mali in all international negotiations, then to provide financial support to the Malian Government as well as to humanitarian efforts undertaken in the region and, finally, to lend financial assistance to the International Mission to support Mali (50 million Euros). Furthermore, Catherine Ashton, the High Representative of the European Union for Foreign Affairs and Security Policy, condemned the terrorist attack against the Amenas gas site in South-Eastern Algeria. Several other countries, including China, Russia and even Iran offered their political, diplomatic and financial support to Mali. It is crucially important that all these actions and initiatives are adequately coordinated and coherent so as to avoid any further confusion.

Finally, following the destruction of cultural sites in areas of Northern Mali that had been declared World Heritage Sites by UNESCO and the numerous executions and human rights violations, an investigation was officially ordered by the Prosecutor of the International Criminal Court (ICC), Fatou Bensouda, on 17 January 2013, into alleged crimes against humanity that have been committed in Mali.

### **Civil society**

The management of the transition in Mali, since the overthrow of the democratically elected government, has created deep divisions between the Malian political class and civil society. Indeed, as Mali was about to wage a war against terrorist groups to restore its territorial integrity, a fringe movement within civil society demanded the immediate

convening of national consultations and the departure of the interim president, Dioncounda Traore. On 8 January 2012, the establishment of a “platform of the coalition for immediate sovereign national consultations and for change in Mali” highlighted persistent differences within Mali's driving social and political forces. This platform brings together political parties and civil society organisations such as COPAM (la Convergence patriotique pour le Mali, or the Patriotic convergence for Mali), IBK 2012 (headed by former Prime Minister Ibrahim Boubacar Keita), the Patriotic Front for Mali, MP22 (Mouvement Patriotique du 22 mars, or the Patriotic Movement of 22 March), the RPM (Le Rassemblement pour le Mali or the Rally for Mali), and the Djoko ni maya Association considered to be pro-junta. National consultations should enable the adoption of a roadmap for transition after an open and all-inclusive dialogue aimed at fully establishing constitutional order and national unity after the organisation of presidential and legislative elections.

The creation of this platform was followed by demonstrations in Bamako until the takeover of Konna which activated Operation Serval. The declaration of a state of emergency subsequently made any attempted demonstrations impossible. The coalition demanded the immediate convening of national consultations and the departure of the interim president, Dioncounda Traoré, and asserted its determination to oppose by all legal means any attempt at passing the bill at the parliament which no longer had the people's support. However, the roadmap was adopted by the parliament on 29 January and the coalition did not exhibit any public reaction.

### **Scenarios**

Given the above analysis, there are three possible scenarios that could occur in Mali:

### Scenario 1

The deployment pace of African forces is accelerated in the framework of AFISMA, and all measures are taken to address issues related to funds, logistics and coordination between Operation Serval, Malian troops and AFISMA. The rehabilitation of the Malian Defence and Security Forces is stepped up with the support of the European Union Training Mission (EUTM-Mali). With the support of external partners, the regions of the North progressively return under government control. At the same time, the roadmap for political transition is supported by all stakeholders in Mali with clearly defined objectives for a return to constitutional normalcy. Mali then creates conditions for free and fair elections, which confer the required legitimacy to the national authorities.

### Scenario 2

In spite of the general current consensus around the necessity to intervene, international commitment runs out of steam and funding and contribution pledges are not made concrete as promptly as required. The transfer of control of operations from the French to the African troops supporting the Malian armed forces takes place without sufficient coordination and guarantees as to their capacity to take over. In this context, Mali struggles to achieve stability and the armed terrorist groups withdraw to relatively inaccessible regions such as the Adrar mountains of the Ifogha. In addition, in spite of the security measures in place in Bamako, insurgent elements commit acts of terrorism in Bamako as well as in the capitals of countries supporting the operation. International consensus diminishes and the situation becomes bogged down. This situation could worsen against a background of deepening political antagonism in Bamako.

### Scenario 3

Military victories are achieved in the northern regions of Mali, Islamist

groups are weakened and the armed forces and the administration progressively restore the State's authority. Internally displaced persons and refugees return to their regions of origin. However, Mali's military forces lack adequate means to ensure the security of the regions conquered and the political situation in Bamako remains unstable, with constant disagreements about the transition's objectives, uncertainties about national dialogue and an absence of consensus between the main stakeholders, particularly on the issue of future elections. Such a situation could plunge the country once again into political instability and disarray in spite of positive progress in the military field.

### Options

Given the above scenarios, the following options could be considered by the PSC to support efforts to restore peace and stability to Mali:

#### Option 1

The PSC's decision of 25 January recommending the establishment of an Integrated Task Force on Mali (GTIM) has the potential to mitigate the inherent risks of a hastened military action and the absence of coordination due to competition between organizations. This task force which aims at the coordinated implementation of relevant resolutions and decisions of the three organizations on the situation in Mali should include the AU, ECOWAS, the United Nations and the relevant troop contributing countries. The PSC should ensure that this task force is established promptly.

#### Option 2

The Donors Conference held in Addis Ababa on 29 January mobilised pledges of 455 million dollars. This continental and international generosity needs to be commended, but the experience of the African Union Mission in Somalia (AMISOM), has shown that it is difficult to sustain a field operation without

predictable, sustainable and flexible funding. The most appropriate modality capable of ensuring this type of funding is support from United Nations statutory contributions. In this regard, the PSC should maintain pressure on the United Nations to meet this request for support in addition to the effective implementation of its decision to fund part of AFISMA's budget from mandatory contributions of AU Member States as announced during the conference on 29 January.

### Option 3

The ongoing military action in Mali should contribute to the restoration of the State's authority throughout Mali's national territory. However, the military intervention should be part of a longer term approach and should not overshadow the importance of ongoing political processes, namely issues related to the implementation of the roadmap adopted on 29 January; the convening of national consultations or a Malian dialogue; the organization of elections on the basis of a new, credible and secure electoral list now that the liberation of the North has started; and the pursuit of negotiations so as find a sustainable solution to the political and security crisis. The Peace and Security Council, through the Special Representative of AFISMA, President Pierre Buyoya, is well placed to ensure progress on these issues in collaboration with ECOWAS and the Malian authorities.

### Documentation

#### AU Documents

- PSC Communiqué PSC/AHG/ COMM/2. (CCCLIII), 353th meeting, 25th January 2013
- Solemn Declaration of the Conference of the Union on the situation in Mali, 28th January 2013
- Declaration of Paul Kagamé, President of Rwanda, 28th January 2013

- Declaration of Dioncounda Traoré, Interim President of Mali, 28th January 2013
- Press release of the Chairperson of the Commission of 19th January 2013
- PSC Communiqué PSC/PR/BR.2 (CCCL) 350th meeting, 14th January 2013, Addis Ababa
- Press release of the Chairperson of the Commission of 21st December 2012
- PSC Communiqué PSC/PR/COMM.1 (CCCXLVIII) 348th meeting, 13th December 2012, Addis Ababa
- PSC Communiqué PSC/PR/COMM.2 (CCCXLI), 341st meeting, 13th November 2012, Addis Ababa

### **ECOWAS Documents**

- Communiqué of the Extraordinary Session of the ECOWAS Conference of Heads of State and Government, 19th January 2013, Abidjan

### **UN Documents**

- Security Council SC/10882, 6900th session, 15th January 2013

### **Other Documents**

- OCHA: Mali Humanitarian overview, 14th January 2013
- UNHCR, "UNHCR steps up its staff and resources for Mali", Dakar, Senegal, 18th January 2013 <http://www.unhcr.fr/50f97425c.html>

- FIDH, "Exactions by the Malian military: the urgency of an independent investigation committee", 23rd January 2013, <http://www.fidh.org/Exactions-des-militaires-maliens-I-1278>
- HRW, "Mali: Islamists should release child soldiers", 15th January 2013, <http://www.hrw.org/fr/news/2013/01/15/mali-Islamists-should-release-child-soldiers>

## **PSC retrospective**

### **POST SUMMIT ANALYSIS**

The 20<sup>th</sup> summit of the AU Assembly of Heads of State and Government took place in Addis Ababa Ethiopia on 27 and 28 January 2013. With 2013 marking the golden jubilee of the establishment of the OAU, the summit was held under the theme 'Pan-Africanism and African Renaissance'. At the opening ceremony of the summit, Dr Nkosazana Dlamini Zuma, AU Commission Chairperson, highlighted the progress that Africa has made in the past decade in the areas of economic development, democratic governance and peace and security. She noted the impressive growth that many countries on the continent have registered, including six of the fastest growing economies in the world. With respect to democratic governance, apart from commending the countries that recently held successful democratic

elections, such as Ghana and Sierra Leone, she observed that 33 African countries have participated in the African Peer Review Mechanism. The Chairperson stated that close to 90 per cent of African countries have continued to enjoy stability over the past decade.

Apart from and as part of the theme of the summit, there were a number of peace and security issues that attracted a significant amount of time and attention of the summit, including meetings held on the margins of the summit. At a general level, concern was expressed over the resurgence of the resort of rebel groups to armed violence to achieve political objectives. Accordingly, while the Chairperson of the AUC underscored the need to accelerate the APSA to respond promptly to existing and newly erupting conflicts, the AU Assembly in its decision on the Report of the PSC urged 'the AU Commission to submit concrete recommendations on ways and means to deal with the scourge of armed rebellion and that of secession claims'. In its communiqué of 25 January 2013 on Mali, the PSC,

in calling for the speedy operationalization of the African Standby Force Rapid Deployment Capability, requested the Commission to submit a report 'on progress made and challenges encountered, ahead of the 21<sup>st</sup> Ordinary Session of the Assembly of the Union'.

The major country situations that the Assembly and the side meetings of Heads of State considered at length included Mali, the DRC, Guinea-Bissau, Somalia, and Sudan-South Sudan.

The crisis in Mali, as expected, received the most attention at this summit. In this regard, apart from the political and humanitarian issues, the major subjects of discussion included the on-going military operation in northern Mali, the deployment of the African led International Support Mission in Mali (AFISMA) for supporting the operation and the mobilization of the required resources from Africa and other members of the international community to achieve these objectives.

In the communiqué issued after its 353<sup>rd</sup> meeting at the level of Heads of State and Government, the PSC took a number of decisions, including the revision of the concept of operation so as to increase the force size of AFISMA, the immediate appointment of the AU Chair Special Representative to head AFISMA, and the speedy deployment of the Malian Integrated Task Force. While calling on Malian political actors to achieve national consensus and adopt a political roadmap for resolving the crisis, the PSC expressed its determination 'to take measures against all individuals, civilian and military, undermining the conduct of the Transition and the military chain of command.'

Most significantly, the PSC took the unprecedented step of recommending to the AU Assembly that part of the budget of AFISMA be covered from assessed contributions of AU member states.

As part of the mobilization of support to AFISMA, the PSC reiterated its request to the UN for 'the establishment of a support package funded by UN assessed contributions, as well as of a Trust Fund to support the Malian Defense and Security Forces'. While the Secretary General submitted to the UNSC options for funding AFISMA, the UNSC has yet to determine what kind of support it would provide to AFISMA.

On 28 January 2013, the AU Assembly unanimously adopted a Solemn Declaration on the Situation in Mali. In moving to adopt the Declaration, Rwanda's President Paul Kagame reminded his peers that the summit should live up to the expectations of the people of Mali and of Africa, by extending to Mali the AU's total solidarity and unreserved support through taking concrete acts to muster the political will and mobilise the requisite resources. In the solemn declaration, the Assembly fully endorsed the communiqué of the 353<sup>rd</sup> session of the PSC. Importantly, 'stressing

Africa's responsibility to extend utmost solidarity with Mali in the context of the celebration of the Golden Jubilee of the OAU/AU and in furtherance of Pan-Africanism and African Renaissance, the Assembly decided 'that the AU shall contribute a total amount of \$50 million, out of the budget for AFISMA'.

On Tuesday 29 January 2012, the AU and the Economic Community of West African States (ECOWAS) co-chaired a pledging conference on Mali. The total amount that ECOWAS requested for full deployment of 8000 AFISMA troops was \$950 million. A number of African countries, including Benin, Burkina Faso, Burundi, Côte d'Ivoire, Chad, Ethiopia, Equatorial Guinea, the Gambia, Ghana, Guinea, Niger, Nigeria, Sierra Leone and South Africa responded positively by pledging to contribute to AFISMA's budget and logistics. While most of these countries are from ECOWAS, the major contributions included \$ 10 million by South Africa, \$ 5 million by Nigeria, \$ 5 million worth of logistical support by Ethiopia, \$ 3.5 million by Equatorial Guinea and \$ 3 Million by Ghana. Apart from France, major international pledges towards the military operation and humanitarian efforts included \$ 120 million by Japan, \$ 96 million by the US, \$ 30 million by Canada, \$ 20 million each by Germany and Sweden and £ 13 million by the UK.

Clearly, apart from achieving consensus, both African countries and other members of the international community expressed their support for Mali by mobilizing a significant amount of resources amounting to over \$ 450 million. While the AU and ECOWAS welcomed the success being registered in dislodging the militant armed groups from key parts of northern Mali, there is recognition that Mali still faces multiple challenges. Apart from the on-going effort for the full restoration of government authority in northern Mali, there is a need for a political process to restore full constitutional

order, establish a legitimate and representative civilian authority, reform the Malian defence and security forces and address the political and economic grievances of all sections of the people of Mali. Additionally, steps should be taken to cater for the humanitarian needs of Malians that have been displaced and who have fled to neighbouring countries.

The crisis in the eastern DRC is another major country situation that was considered during the summit. During its deliberations about the Report of the PSC, apart from extending its full support to the efforts of the International Conference for the Great Lakes Region (ICGLR), the Assembly emphasized the need for 'the rapid deployment of the International Neutral Force (INF), on the basis of a linkage with the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO), whose mandate should be revised to be more coercive'. To anchor the deployment of the INF on a political strategy, the UN developed a political framework agreement envisaged to address the underlying governance, socio-economic and regional issues. As part of this effort, the UN Secretary General held summit level meeting for the signing of the political framework by regional countries. Although it was expected that eight countries from ICGLR and SADC (DRC, Rwanda, Burundi, Uganda, Angola, Republic of Congo, South Africa and Tanzania) would sign the political framework agreement, lack of adequate consultation with SADC countries in the preparation of the document led to the postponement of the signing of the political framework.

This would unfortunately slow the momentum towards the deployment of the International Neutral Force, to be made up of troops from Tanzania, Angola and South Africa. Although the UN Secretary General emphasized in his press briefing that there was no objection on the

content of the political framework agreement, there are differences on decision-making processes and the role and mandate of MONUSCO as it relates to the INF, which will operate as a rapid intervention brigade undertaking peace enforcement operations. Secretary General Ban Ki-moon admitted that there are some 'incorrect perceptions about the mandate and function of MONUSCO'.

The summit also devoted attention to the case of Sudan-South Sudan. Although the two countries signed a number of agreements on post-secession issues on 27 September 2012, disagreement over the implementation of security arrangements, including the establishment of the demilitarized border zone, the temporary administration of Abyei and the on-going conflict in the 'two areas' of Blue Nile and South Kordofan states, continued to impede progress. With respect to the implementation of the security arrangements, the parties disagreed about the geographical definition of the length of the 14 Mile Area, which is one of the five disputed border areas whose status is currently under consideration by a Team of Experts. On Abyei, the process towards the full establishment of the Abyei administrative bodies stalled following disagreement over the number of persons each State may appoint to the Abyei Area Council.

At the summit level meeting held on 25 January, the PSC expressed its concern over the persistent differences in the implementation of the agreements of 27 September and the tense situation on their common border. With respect to the establishment of the Safe Demilitarized Border Zone (SDBZ), the Council 'stressed that disagreement on any particular part of the SDBZ should not prevent its establishment, and the resolution of any disagreement should be pursued within the framework of the Joint Political and Security Mechanism (JPSM)'. While expressing its

disappointment at the delay in the establishment of the Abyei administrative bodies in accordance with the 20 June 2010 agreement, the PSC urged the Parties to complete the establishment of the relevant bodies. Additionally, the PSC reaffirmed 'the Proposal submitted by the African Union High Implementation Panel (AUHIP), on 21 September 2012, on the Final Status of the Abyei Area, (which) represents a fair, equitable and workable solution to the dispute'. The Council requested the AUHIP to report to the Council, in March 2013, on the Parties' progress in the negotiation on the final status of Abyei. After extending the mandate of the AUHIP to 31 July 2013, the Council requested the AUHIP to submit its final report on the activities it has undertaken since 2009, at the meeting to be held in July 2013.

Although UN Security Council (UNSC) resolution 2046 envisages the imposition of sanctions on the parties for failing to make progress with respect to these outstanding issues, the PSC opted not to refer the matter to the UNSC. In a speech delivered at the opening of the AU summit on 27 January, UN Secretary-General Ban Ki-moon said that the two governments 'should make more progress in meeting their agreements'. In an effort to give new impetus to the effort of the AUHIP to help the two countries achieve consensus on all outstanding issues and pursue the full implementation of the 27 September agreements, the new AU Chairperson, Ethiopia's Prime Minister, Hailemariam Desalegn, convened a meeting of the Presidents of Côte d'Ivoire, Nigeria and South Africa with the presidents of Sudan and South Sudan. President Bashir and President Kiir expressed to the meeting their commitment to work hard to implement the agreements signed on 27 September and to observe the outcome of the PSC meeting held on Friday 25 January 2013.

In its decision adopted after debating the report of the PSC, the

AU Assembly stressed 'the need and obligation of the countries to scrupulously implement the commitments made' under the 27 September 2012 agreements and the outcome of the summit between President Bashir and President Kiir, held on 4 and 5 January 2013 in Addis Ababa, Ethiopia. The Assembly encouraged the AUHIP and Ethiopia, as Chair of IGAD, to continue their efforts for achieving full settlement of all disagreements between the two countries.

With respect to Guinea Bissau, the AU held a consultative meeting on 26 January 2013 with concerned organizations, namely ECOWAS, the Community of Portuguese Speaking Countries (CPLP), the European Union (EU), and the United Nations. The meeting considered the situation in Guinea Bissau and the outcome of the joint assessment mission of the AU-ECOWAS-CPLP-EU-UN, undertaken from 16 to 21 December 2012. The partner organizations continued to have differences over the level of progress that Guinea-Bissau had made towards the restoration of constitutional order. In its communiqué, the AU participants expressed their recognition that 'there (were) still challenges to be overcome'. The communiqué also expressed the interest of the different organizations to 'promote convergence in their appreciation of the progress made and enhance prospects for coordinated contributions to the resolution of the crisis in Guinea Bissau'. The partner organizations also agreed, in principle, on the need to undertake a second joint assessment mission after the adoption of a transition roadmap that is under consideration by Guinea-Bissau's parliament.

While considering the report of the PSC, members of the AU Assembly also debated the situation in Guinea Bissau. Arguing that Guinea Bissau had made satisfactory progress towards achieving constitutional rule, ECOWAS countries urged the Assembly to lift the sanction

imposed on the country. Others, most notably SADC countries, maintained that adequate progress had not yet been achieved in restoring constitutional order and cautioned against lifting the sanctions imposed on Guinea-Bissau's authorities. While noting the progress made so far, the Assembly, in its decision on the report of the PSC, emphasized 'the need for unity of action between the members of the international community'.

On 25 January 2013, the meeting of the Core Group on Somalia was held at ministerial level. With respect to the current state of affairs in Somalia, while noting that significant progress in both the political and security spheres has been achieved, the meeting acknowledged that 'a number of complex challenges [are] facing the country'. On the political front, the new government faces the challenge of achieving reconciliation between all sections of the people of Somalia and establishing state institutions as well as providing services to the public at all levels. On the security front, apart from consolidating the gains achieved in controlling most parts of south and central Somalia, there is a critical

need to establish and transform security institutions in Somalia.

During the discussion about international support for Somalia's security forces, some countries expressed concern over the agreement that Turkey had signed with Somalia for building a strong military force. In this context, emphasis was put on the need for aligning support for Somalia within existing frameworks. The meeting also concluded that international support 'must ensure Somalia's ownership and leadership while ensuring that the necessary support is delivered in an appropriate and timely manner'.

The meeting also considered the outcome of the UN review of its engagement in Somalia and the AU Strategic Review of the nature and form of AMISOM's continued presence in Somalia. Although there was convergence in their assessment of the current situation and the needs of Somalia, the models of collaboration proposed in the two reviews showed significant divergence. This issue was discussed at the 6th UN-AU Joint Task Force (JTF) on Peace and Security. At the end of the meeting, the two sides

agreed to work together to finalize a joint letter to the Security Council, highlighting areas of convergence in the findings of the UN Strategic Review and the AU Review of AMISOM, in time for the Security Council's consultations on Somalia scheduled for 25 February 2013. In the mean time, the current arrangement will be kept in place.

After consideration of the report of the PSC and the peace and security situation of various countries, the 20<sup>th</sup> AU Summit concluded on 28 January 2013. The next summit is scheduled to take place alongside the 50<sup>th</sup> anniversary of the founding of the OAU/AU on 25 May 2013 in Addis Ababa.

## Important dates to diarise

|       |          |                                                                                                  |
|-------|----------|--------------------------------------------------------------------------------------------------|
| 6     | February | International Day of zero tolerance to female genital mutilation                                 |
| 8     | March    | International Women's Day                                                                        |
| 21    | March    | International Day for the elimination of racial discrimination                                   |
| 22    | March    | World Water Day                                                                                  |
| 19-27 | May      | 21st African Union Summit, Addis Ababa, Ethiopia (theme: Pan-Africanism and African Renaissance) |

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| Country           | Election                                    | Date *           |
|-------------------|---------------------------------------------|------------------|
| Cameroon          | National Assembly and Communes              | February 2013    |
| Djibouti          | National Assembly                           | 22 February 2013 |
| Côte d'Ivoire     | Local                                       | 24 February 2013 |
| Kenya             | Presidential, National Assembly and Local   | 4 March 2013     |
| Madagascar        | Presidential 1st Round                      | 8 May 2013       |
| Equatorial Guinea | House of People's Representatives and Local | May 2013         |
| Somaliland        | House of Representatives                    | May 2013         |

*\*could change, dependent on circumstances*

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