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Peace & Security Council Report

DRC's shady political alliance unravels

On 26 November President Félix Tshisekedi concluded a three-week presidential consultation with political, economic, trade union, corporate and religious stakeholders. His goal was to create a 'sacred union' to stabilise governance in the Democratic Republic of the Congo (DRC).

Tshisekedi – who will be chairing the African Union (AU) in 2021 – is also seeking allies to help free himself from the grip of former president Joseph Kabila and his *Front Commun pour le Congo* (FCC) coalition. The grouping controls the National Assembly and most of the country's provincial governorships.

The consultations follow several months of political turbulence in the Tshisekedi–Kabila alliance. The alliance is made up of two groupings: on the one hand, the *Cap pour le Changement* (CACH) composed of Tshisekedi's *Union pour la Démocratie et le Progrès Social* (UDPS) and Vital Kamerhe's *Union pour la Nation Congolaise* (UNC). On the other, the FCC under the 'moral authority' of Kabila and his *Parti du Peuple pour la Reconstruction et la Démocratie.*

> The secret deal was apparently made eight days before the Congolese electoral commission announced the results

Kabila has also had discussions within the FCC, leading to a resolution to counter Tshisekedi's plans. Both sides have embarked on a diplomatic campaign to garner regional, continental and international support for their respective camps.

The secret deal

Tshisekedi took office in January 2019 following widely disputed elections. Observers from the Catholic *Conférence Épiscopale Nationale du Congo* found that Martin Fayulu won the election. Tshisekedi and Kabila are believed to have signed a secret deal in January 2019 for a coalition government which has established a DRC with two centres of power led by each of them.

The arrangement has essentially allowed Kabila to retain power by ensuring his inclusion in key governance decisions through direct consultations with Tshisekedi. The FCC also chose the prime minister and some key ministers, in addition to controlling the National Assembly. The FCC and Kabila are criticising Tshisekedi for going back on this agreement and for allegedly violating the DRC's constitution in the way he appointed constitutional and appeal court judges.

The deal was apparently made after the presidential election and eight days before the Congolese electoral commission announced the results. It granted total immunity to Kabila and his closest allies, and established a Tshisekedi–Kabila co-management of the DRC, particularly on the appointment of ministers and senior public servants. The parties also agreed that Tshisekedi's UDPS would back an FCC presidential candidate in 2023.

The Tshisekedi–Kabila arrangement suggests that Tshisekedi wasn't the legal and legitimate winner of the polls. Had he been, he wouldn't have been obliged to sign any deal with Kabila and the FCC. And if, as some keen observers of DRC politics who asked to remain anonymous noted, the secret deal was made in return for Tshisekedi's presidential 'victory', this violated the election results.

Mounting tensions

Tensions between the FCC and CACH were exacerbated by Tshisekedi making important appointments in the army and courts without the endorsement of his FCC allies. He also failed to consult the FCC-chosen Prime Minister Sylvestre Ilunga Ilunkamba. The final straw for Kabila and the FCC was Tshisekedi's selection of three constitutional court judges, two of whom the FCC rejects.

This followed disagreements within the CACH–FCC coalition over the disputed appointment of Ronsard Malonda as head of Independent National Electoral Commission. Malonda, believed to be close to the FCC, was confirmed by the National Assembly, but his appointment has not been approved by Tshisekedi.

The FCC sees in Tshisekedi's manoeuvres an assertive desire to consolidate his power, extricate himself from the secret deal and prepare for his 2023 presidential election candidacy.

Faced with an FCC unwilling to budge, Tshisekedi is trying to reverse the balance of power in the National Assembly by creating new alliances and poaching members from other parliamentary groups including the FCC. This won't be easy as the FCC holds a large majority. New allies could support Tshisekedi if he decided to dissolve the National Assembly and organise early legislative elections.

To this end, the support of Lamuka, the alliance comprising key opposition leaders such as Moïse Katumbi, Jean Pierre Bemba and Martin Fayulu, will be crucial for Tshisekedi. Fayulu has, however, continued claiming his victory in the December 2018 presidential elections and didn't attend Tshisekedi's consultations. Both Katumbi and Bemba met with Tshisekedi, although it's unclear whether they will back him.

An untenable situation

Differences between CACH and FCC government ministers and between the prime minister and Tshisekedi have undermined the functioning of state institutions. The situation is untenable and unlikely to last until 2023. If Tshisekedi can't gain support in Parliament, he could opt to dissolve the National Assembly. He would be looking to his 'sacred union' to give him a parliamentary majority after early legislative elections, allowing him to govern unimpeded.

But the viability of the CACH (UDPS–UNC) alliance is in question, making Tshisekedi's task harder. The Tshisekedi–Kabila secret deal would challenge the Nairobi agreement signed in November 2018 between Tshisekedi and his former ally, Kamerhe. This agreement saw Kamerhe withdrawing from the presidential race to support Tshisekedi. Tshisekedi was meant to appoint Kamerhe as prime minister and then back a UNC candidate for the 2023 presidential election.

> New allies could support Tshisekedi if he dissolved Parliament and organised early legislative elections

Kamerhe, who became Tshisekedi's powerful chief of staff in the presidency, was arrested and sentenced to 20 years in prison in June 2020 for embezzling public funds. For many observers, this bodes well for Tshisekedi (and even Kabila) as a potential adversary in the 2023 presidential race has been removed.

As Tshisekedi moves to consolidate his power, he is also preparing to become the rotating AU chair in February 2021. To make a meaningful contribution in that demanding role, he'll need to resolve at least some of these domestic conflicts. But whether Tshisekedi is in any position to defend the AU's values, given the controversy surrounding his ascension to the DRC's presidency, is the real question.

Reality check: the AU's limited ability to respond to crises

During their annual summit in February 2021, AU heads of state will be reviewing the progress made in implementing its peace and security priorities for 2020.

By December 2020 the Peace and Security Council (PSC) had discussed nine of the 14 country-specific situations highlighted in the February 2020 AU Assembly decision, despite significant challenges posed by COVID-19. The PSC's planned field visits to the Lake Chad and Sahel regions were, however, cancelled owing to the pandemic.

The PSC's track record in responding to emerging crises in 2020 has been marginal. This is primarily because the AU's ability to intervene in crises is restricted by its principles of national sovereignty (non-interference) and subsidiarity, rather than being spurred by the principle of non-indifference set out in Article (4h) of the Constitutive Act.

These challenges were articulated by AU Commission (AUC) Chairperson Moussa Faki Mahamat in his reply to former South African president Thabo Mbeki, who had asked the AU to intervene in what he called the unconstitutional candidature of Côte d'Ivoire's President Alassane Ouattara. Ouattara ran for a third presidential term in October 2020.

> The PSC's track record in responding to emerging crises in 2020 has been marginal

The AUC chair, after acknowledging the lack of consistent implementation of the AU's legal and policy provisions, highlighted the inter-governmental nature of the AU, and that member states head all decision-making organs.

He also highlighted the limitations put on the AU by the principle of subsidiarity. This principle recognises the primacy of regional organisations in leading interventions in member states, thus limiting the AU's interventions in Mali, Burkina Faso, Guinea and Côte d'Ivoire.

If the AU is to overcome these challenges and implement its mandate, member states have to agree to limit the provisions of these principles, which is unlikely in the foreseeable future.

Therefore, even as the continent continues to grapple with peace and security challenges, the AU's own principles will continue to diminish its ability to prevent and respond to conflicts in 2021 and beyond.

This is a major reality check for Africans who expect the continental body to intervene in all crisis situations.

Crisis response and post-conflict reconstruction

The PSC, tasked with overall coordination and oversight of the implementation of peace and security-related Assembly decisions, has discussed the situation in the Democratic Republic of Congo, the Central African Republic, The Gambia, Somalia, Sudan, South Sudan and Libya. The AU is directly engaged in supporting these countries via different missions and representatives.

While the PSC also discussed the situations in Mali and Guinea-Bissau, it recognised the leading role of the Economic Community of West African States (ECOWAS) in finding a solution to the political and institutional crises in the two countries.

Mali had twice been on the PSC's agenda (in April and June 2020) before a military coup in August 2020 removed president Ibrahim Boubacar Keita from power. The PSC suspended Mali and held monthly situation updates until a civilian-led transitional government took over power in October, after which Mali was reinstated.

Political situations that were discussed by the AU Assembly in 2020 but were not tabled for discussion by the PSC included those in Burundi, Cameroon, Mozambique and Comoros. The first three countries are all members of the PSC, which significantly diminishes any chance of being included in its agenda.

The council nonetheless congratulated the four countries on organising peaceful elections when it met in July 2020 to discuss the state of elections in Africa.

With regard to Burundi, the AU Assembly had expressed concern over the challenges facing the Inter-Burundian Dialogue and preparations for elections in May 2020. The AUC chairperson also called for dialogue between political actors following the announcement of election results. However, the PSC did not table Burundi for discussion to follow up on these matters.

Mozambique is another PSC member the AU Assembly discussed in February 2020. The PSC is yet to deliberate on the threat the country is facing from terrorism and violent extremism, despite previous decisions and declarations highlighting the urgency of responding to terrorism in Africa. The PSC's oversight is underlined by the fact that it met four times to discuss issues related to countering terrorism and violent extremism.

The PSC is also yet to discuss the situation in Cameroon. In February the AU Assembly commended Cameroon for organising a national dialogue and asked the AUC chairperson to help find a lasting solution to the crisis. The PSC is yet to request a briefing from the AUC chair in this regard.

Conflict prevention and early response

The PSC did not discuss any crisis situation it had not already flagged in previous years. It is therefore difficult to say that it fulfilled its critical role in conflict prevention and early response, as per its mandate. The AU chairperson and the AUC chairperson played a much more pronounced role in drawing attention to potential crisis situations in 2020.

AU Chairperson President Cyril Ramaphosa of South Africa was instrumental in convening an extraordinary meeting of the Bureau of the AU to facilitate negotiations between Egypt, Ethiopia and Sudan on the Grand Ethiopian Renaissance Dam. While negotiations are ongoing, the AU's involvement has helped to de-escalate tensions that had run high following a failed mediation attempt by the United States.

Ramaphosa also appointed three former presidents – Joaquim Chissano, Ellen Johnson-Sirleaf and Kgalema Motlanthe – as Special Envoys of the AU to Ethiopia. Acting on a statement by Mahamat in November that expressed concern over the escalating military confrontation between the Ethiopian government and the regional administration of Tigrai, Ramaphosa tasked the three with helping to mediate between the parties.

The envoys met Prime Minister Abiy Ahmed and President Sahle-Work Zewde. While the Ethiopian government has invoked the principle of non-intervention, it is nonetheless an exceptional response to a potential crisis situation by the AU.

While in this instance the statement by the AUC chairperson managed to draw attention to a potential crisis and led to a high-level engagement by the AU chairperson, in most instances early warning by the AUC is overlooked by AU policy organs, including the PSC.

Why doesn't the AU intervene in crises?

The AU in general and the PSC in particular have the mandate to prevent potential conflicts and respond to crises. While this means that the PSC

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COUNTRIES DISCUSSED
BY THE PSC IN 2020

may put any issue on its agenda, it does not necessarily translate into an intervention by the AU.

The AU's and, in particular, the PSC's ability to intervene in a crisis is restricted by the principles of national sovereignty/ non-intervention and subsidiarity (both upwards with the United Nations and downwards with regional economic communities).

AU member states strongly defend the principle of sovereignty and non-intervention when confronted with potential involvement by the AU. In such instances, PSC members prefer not to put a country situation on the agenda if it is unlikely to lead to any support from the AU.

The PSC's ability to intervene in a crisis is restricted by the principles of national sovereignty and subsidiarity

PSC and AU member states in general are reluctant to discuss countries without their consent, lest it sets a precedent for interventions in their own countries. Ethiopia's explicit rejection of any external involvement in its internal affairs is the latest demonstration that any intervention by the AU is by the invitation or consent of member states, even when the AU tries to intervene at the highest political level.

The AU's principle of subsidiarity puts another restriction on its ability to intervene in crisis situations, as demonstrated by the situation in Mozambique. Having acknowledged the threat of terrorism and violent extremism in Mozambique, the AU is letting the Southern African Development Community (SADC) lead the response to the crisis. SADC's intervention has also been limited, as Mozambique did not formally ask for support.

The limitation that the principle of subsidiarity puts on the AU was also evident from its involvement in Guinea. The AUC chairperson, having acknowledged the controversy surrounding the electoral process, announced on 1 March 2020 that the AU election observation mission would be withdrawn from Guinea 'aligned by virtue of the principle of subsidiarity'. This followed the cancellation of ECOWAS's election observation mission.

Similarly, the chairperson highlighted the lack of consensus during Côte d'Ivoire's presidential election held in October 2020 and endorsed calls by international actors for political dialogue to preserve peace and stability in the country. Yet in the end, the AU, in line with ECOWAS's position, congratulated Ouattara on his re-election.

Thus, while different AU organs might try to discharge their duties as per their mandate, the AU is not at liberty to intervene in crises as it deems necessary, despite the provisions of Article 4(h). The principles of subsidiarity and national sovereignty/non-intervention will continue to dictate the AU's role in conflict prevention and response in Africa.

Article 4 (h)

PROVIDES FOR AU INTERVENTION IN MEMBER STATES

Revisiting the notion of 'Silencing the Guns'

Despite marginal achievements to date, Africa's declared intention to silence the guns is an ambitious endeavour, since the continent is nowhere near to being a gun- or conflict-free region in 2020, as the declaration envisioned.

As Wits University Prof. Gilbert Khadiagala rightly notes: 'The salient puzzle is why, despite considerable investment in preventive diplomacy, peacebuilding, and post-conflict reconstruction and development, some states and regions remain engulfed in endless wars.'

He asks why it is that, 'despite the proliferation of normative frameworks on democratic governance, popular participation, and the management of public resources, parts of the continent are mired in conflicts stemming from dual democratic and development deficits'.

Khadiagala says that 'the preliminary step to find means to silence the guns and end all wars' is for Africans to engage in 'honest dialogues' that 'acknowledge' and take 'ownership of [their] weaknesses'.

In Africa's efforts in this direction, the Silencing the Guns in Africa 2020 (STGIA2020) initiative has been laudable. However, its implementation has faced numerous challenges, including arriving at a common notion of what STGIA2020 actually means.

Conceptual issues

The differences in conceptions of the initiative and what it entails have caused enormous confusion in its implementation. STGIA2020 is referred to variously as a 'programme', 'project', 'campaign', 'initiative' and 'plan'.

Agenda 2063 calls it a 'flagship project' while top African Union (AU) officials have called it a branding, a slogan, a cliché, a buzzword and a catchphrase.

An AU division head interviewed for this study* said STGIA2020 was a 'slogan more than anything else, a slogan that has failed' to address threats such as terrorism.

Another official regarded it as 'a metaphor of ending violent conflicts'. Another questioned whether it really addressed the root causes of conflicts. Yet another saw it as a 'mere aspiration', while a prominent scholar called it a 'convenient fiction'.

STGIA2020 is meant to eliminate situational factors that affect the need for guns, such as weak policies and bad governance, rather than just reducing the number of guns in circulation. However, it is generally perceived as pursuing negative rather than positive peace.

Instead of 'silencing the guns', the AU, if really committed to ending violent conflict, should aim at 'burying the guns' or 'turning the guns into hoes'. STGIA2020 should be treated as a political solution rather than an operational initiative that seeks to disarm people and destroy weapons. Most actions involving arms are politically instigated.

Is a no-gun society a peaceful one?

There is a school of thought that 'violence is ingrained in human nature … and guns are by no means a prerequisite for conflict'. To illustrate this, some argue that the Rwandan genocide was carried out mainly without guns, but rather with machetes. Hence, armed violence will remain a feature of human life even if all guns were to be 'silenced' or eliminated from society.

They argue that just as humanity created weapons such as spears, swords and bows, so it will invent new forms of weapons for warfare even if all guns were completely eliminated.

> The AU should aim at 'burying the guns' or 'turning the guns into hoes'

It is thus not enough to address people's motives for acquiring and using guns, since they will use other types of weapons if necessary.

The High Representative for Silencing the Guns recognises that STGIA2020 cannot be only about stopping violence – it also needs to focus on youth and women's empowerment and structural conflict

prevention. His dream is to 'reach a point where there will be no bullet fired in Africa'.

Another crucial factor is the promotion of democratic elections and a culture of peace that will usher in 'civilised ways of resolving conflicts'.

Internal and institutional issues

Although the Peace and Security Council (PSC) developed 'a Master Roadmap of realistic, practical, time-bound implementable steps to silence the guns in Africa by 2020', the AU has faced operational and institutional capacity constraints in its implementation.

The conditions for attaining a non-violent Africa, including addressing the root causes of violence, do not currently exist. However, the AU has adopted mechanisms such as the African Peer Review Mechanism (APRM) to 'foster the adoption of policies, standards and practices that lead to political stability, high economic growth, [and] sustainable development'.

> ### The STG Unit handles STGIA2020 as a campaign while AUC departments view it as a pool of projects

Currently, not all the key response frameworks for addressing insecurity are operational. For example, the African Standby Force (ASF), established in 2003, has yet to be deployed. Likewise, structures such as the Panel of the Wise and the Continental Early Warning System still cannot meet their mandates of preventing conflict.

One of the reasons for this is the AU's growing preference for 'high-level panels' and 'ad hoc arrangements' to intervene in emerging conflicts. As a result, the Master Roadmap prioritises implementing the outstanding components of APSA, including the full operationalisation of the ASF. However, this has not yet happened.

Internal AU Commission structures also have not been aligned to implement STGIA2020. The STGIA2020 Unit seems to be facing challenges in working with other departments, AU organs and stakeholders such as civil society organisations (CSOs).

It may not be possible to fully implement the STGIA2020 Master Roadmap owing to AU departments' elbowing each other aside, as well as a lack of collaboration,

coordination and communication across divisions and departments with mandates to implement it.

Lack of a common approach

There is no common approach among the various actors currently implementing STGIA2020, resulting in different strategies being applied by different AU departments and stakeholders.

Aside from confusion over the relationships between the APSA, African Governance Architecture (AGA) and the STGIA2020 roadmaps, STGIA2020 is being handled by the STG Unit as a campaign while AU Commission departments view it as a pool of projects and it is conceptualised in Agenda 2063 as a programme.

If it is a project, then it is 'a temporary endeavour' undertaken to create 'a unique result' with a defined start and endpoint. However, if it is a programme it is a combination of 'related projects managed in a coordinated way to obtain benefits not available from managing the projects individually'.

If executed as a campaign, STGIA2020 is a planned course of action formulated to achieve defined objectives in eliminating violence in Africa.

This discrepancy is what has created the strategic and operational gap.

The initiative also lacks widespread involvement. Strategic partnerships with non-governmental entities and CSOs would allow them to take ownership of its interpretation and implementation at their levels.

The sense of strategic buy-in at the level of heads of state and governments has not been as strong as that of the New Partnership for Africa's Development (NEPAD) when it was launched in 2002. Its success would be better guaranteed if STGIA2020 had built in the widespread support of the African people.

The initiative needs African ownership, particularly by youth, women, researchers and scholars. It must be anchored in an African paradigm that guides the identification of the sources and causes of violence in Africa and prescribes appropriate solutions.

*   *This article is an extract from the ISS Monograph: Silencing the Guns by 2020 – Achievements, opportunities and challenges.*

Dealing with Africa's elections and crises in 2021

2021 is shaping up to be a challenging year for Africa: the continent, like the rest of the world, will be trying to recover from the disruptions brought about by the COVID-19 pandemic. This will entail dealing with various peace and security threats, as well as governance challenges that have persisted in parts of the continent.

Along with ongoing conflicts and threats, new conflict and instability hotbeds have emerged in 2020 and might be a cause for concern in 2021.

Elections could lead to political crises

There are no fewer than nine presidential elections planned for 2021 – in Benin, Cape Verde, Chad, The Gambia, São Tomé & Príncipe, Somalia, South Sudan, Uganda and Zambia.

Of these, South Sudan is in a state of active conflict and in the midst of a fragile political transition. Despite some headway having been made in the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed in September 2018, progress has again stalled.

According to a November report by the UN panel of experts on South Sudan, President Salva Kiir Mayardit 'has locked the opposition out of the Government's decision-making process', including First Vice-President Riek Machar Teny. South Sudan is thus not breaking the cycle, which undoubtably will not be conducive for the holding of elections.

> Zambia has historically had relatively peaceful elections, but after the events of the 2016 polls there are concerns

Planned for February 2021, the transparency and fairness of Somalia's presidential election are already being called into question by the opposition. The latter has rejected the election committees (the National Electoral Committee and the Electoral Dispute Committee) recently appointed by the federal government.

The opposition believes these committees are biased in favour of the government. It has threatened to conduct parallel polls should the government carry on with its current plans.

Tensions between the federal government and regional states are also high. This does not bode well for the country's precarious security situation, and could give al-Shabaab and Islamic State in Somalia an opportunity to wreak more havoc.

In Uganda President Yoweri Museveni, in power for 34 years and counting, is running for what would be his sixth consecutive term. Term limits were scrapped in 2005, while the age limit for presidential candidates was removed in 2017.

Uganda's civic space has been becoming more closed, particularly over the past couple of years, with crackdowns on public protests and targeting of opposition leaders. The arrest of opposition figure Bobi Wine, in November 2020, ignited protests in Kampala. These were repressed and led to dozens of deaths and arrests.

With elections scheduled to take place on 14 January, tensions are likely to rise even further and disputed election results is a likely scenario.

Zambia has historically had relatively peaceful elections, but after the events of the 2016 polls there are concerns that the same scenario – if not worse – could play out again.

President Edgar Lungu's government has undertaken a number of reforms, including revamping the voter's register, which has raised suspicions of impending fraud. Around 9 million voters are expected to be enrolled in 30 days.

The opposition scored a major victory in October 2020 when Lungu's constitutional amendment bid failed. The proposed bill sought to increase the president's chances of being re-elected through a new system of attaining the crucial 50%-plus-one-vote majority.

South Sudan, Uganda and Zambia will hold general elections – both presidential and parliamentary – and the outcomes of the parliamentary elections will be important for governance in these countries.

Benin is also scheduled to go to a much-anticipated election in April and May 2021. President Patrice Talon is expected to run for a second term. This comes after a tumultuous first term in office, where Talon undermined some of the key tenets of Benin's nascent democracy through reforms that substantially weakened the opposition. This is in addition to what the opposition has denounced as the targeting of key political adversaries, including former president Thomas Boni Yayi.

In Chad the die is pretty much cast. President Idriss Deby, who celebrated 30 years in power on 1 December 2020, will most probably be re-elected. A constitutional amendment passed in May 2018 allows him to remain in power until 2033, in addition to strengthening his presidential powers.

In August 2020, on the country's Independence Day, the National Assembly also awarded him the honorary title of Field Marshal, the highest military rank in Chad, thus adding an additional layer to his unfettered powers.

At the same time, the socio-economic vulnerabilities of the country are well known. The threat of rebellion cannot be ruled out, as evidenced by the attempted attack on N'djamena by rebels from the north of the country in February 2019.

> The conflicts in Somalia, South Sudan, Sudan, Libya and the CAR are likely to still feature on the agenda of the PSC

The Gambia's upcoming elections will be the first since president Yahya Jammeh lost power in 2017, thus setting the tone for future elections in the country.

President Adama Barrow's first term has largely been about undoing over 20 years of Jammeh's rule. This mammoth task requires reforming every sector of the country, not least of which the economy and the security sector, as well as finding avenues for the country's youthful population.

Parliamentary elections are also planned in Algeria, Côte d'Ivoire and the Central African Republic (CAR). Algeria has struggled to get rid of the tentacles of ousted president Abdelaziz Bouteflika's regime. These polls might be another opportunity to determine whether and what kind of reforms can be conducted in the country.

For Côte d'Ivoire, following the re-election of incumbent Alassane Ouattara to a controversial third term, parliamentary elections might constitute another *casus belli*, depending on how the opposition decides to approach them.

In the CAR, the legislative elections could also be crucial – the national assembly, in theory, is a critical element in the country's governance, including when it comes to approving state contracts for the exploitation of mineral resources. This follows presidential elections in the CAR at the end of December.

Conflicts and instability to watch in 2021

The protracted conflicts in Somalia, South Sudan, Sudan, Libya and the CAR are likely to still feature on the agenda of the AU PSC. They will have to be treated appropriately to try to break the eternal cycle in which they are seemingly stuck.

Meanwhile, more attention will have to be paid to the conflicts in northern Cameroon and northern Mozambique. The gruesome events of 2020 are a stark reminder that the continent needs to act speedily and decisively on early warnings of burgeoning conflicts.

Ethiopia's fragility has come to the forefront with the outbreak of an armed conflict in November 2020 between federal government forces and the Tigray People's Liberation Front (TPLF). Although the federal government seems to have regained control of the province, the conflict is likely to persist.

The country remains at risk of further conflict undermining both stability in Ethiopia and peace in the entire Horn of Africa region. General elections were postponed from August 2020 to sometime in 2021.

The Sahel region and West Africa are the other hotspots in need of continued attention, particularly with regard to terrorist threats. Democratic governance deficits have contributed to political tensions and instability.

Despite several ad hoc measures, the dynamic nature of the underlying causes of conflict and the various violent extremist groups will continue to present major challenges to peace and security in the region.

In 2021 the effects of the COVID-19 pandemic, including lower economic output, job losses and growing poverty, might lead to more demands for

social intervention from governments that already face protests over the inadequate provision of public goods. There is also a likelihood of continued popular protests in places such as Nigeria, Côte d'Ivoire and Uganda, as witnessed in 2020.

Overall, more robust African responses will be needed to tackle the many complex challenges. Plans for economic recovery from the COVID-19 pandemic will have to go hand in hand with addressing the governance issues that preceded the pandemic.

The PSC should be more proactive in tabling issues, while the AU Commission chairperson could mobilise resources such as preventive diplomacy and mediators. AU member states should also do more to adhere to continental norms and instruments such as the African Charter on Democracy, Elections and Governance.

The Democratic Republic of Congo will chair the AU in 2021, and will have to contend with these continental issues. This comes as President Felix Tshisekedi is trying to consolidate his position by breaking off his political alliance with former president Joseph Kabila and attempting to gain control of the national assembly and government.

Table 1: Elections in Africa in 2021

COUNTRY	ELECTION	DATE
Algeria	People's National Assembly	Late 2020 or early 2021
Benin	Presidential and local elections	11 April 2021
Burkina Faso	Local	Due 2021
Cape Verde	Presidential and National Assembly	March 2021
Central African Republic	National Assembly	Due Feb/Mar 2021
Chad	Presidential	24 Oct 2021
Côte d'Ivoire	National Assembly	Due 2021
Ethiopia	General	May/June 2021
The Gambia	Presidential	4 Dec 2021
Madagascar	Local and Senate (indirect)	Due 2021
Mauritius	Local	Due 2021
Morocco	House of Representatives, local Assembly of Councillors (indirect, after local)	Due Nov 2021
Rwanda	Local	Due 2021
São Tomé & Príncipe	Presidential	July 2021
Seychelles	National Assembly	Due Sep/Oct 2021
Somalia	Presidential (indirect)	8 Feb 2021
South Africa	Local	Due 2021
South Sudan	Presidential, National Assembly, local	Due 2021
Uganda	Presidential, National Assembly, local	14 Feb 2021
Zambia	Presidential, National Assembly, local	12 Aug 2021

PSC Interview: Mohamed El Hacen Lebatt – a new doctrine for African-led mediation

The AU played a critical role in ensuring a peaceful political transition in Sudan following the military ouster of Omar al-Bashir, who had ruled the country for 30 years.

The AU-led mediation secured a power-sharing agreement in July 2019, following months of altercations between the military and the civilians leading the weeks-long mass protests against the government. The agreement helped to end the political deadlock, averted a potential state collapse and paved the way for a peaceful political transition.

The role played by the AU in Sudan's political transition underscores the importance of its political and institutional mandate to resolve conflicts in Africa. This is underlined by the AU's mediation role, which has helped a number of member states to defuse potential crises and ensure a peaceful political transition through the years.

The *PSC Report* spoke to Prof. Mohamed El Hacen Lebatt, the AUC chairperson's principal strategic adviser and special envoy to Sudan. He recently authored a book entitled *Soudan: chemin de paix* (Sudan: a path to peace), highlighting the AU's mediation role in Sudan and the lessons that can be drawn from it.

What compelled you to write a book on the mediation process in Sudan soon after its conclusion?

First of all, I would like to express my gratitude to the Institute for Security Studies for providing me with this opportunity to contribute to better our collective understanding of African-led mediation processes.

There are three reasons I wrote the book on Sudan's mediation process. First, I saw the book as an extension of my mission. I wanted to document for the Sudanese and the rest of the world the challenges Sudanese have overcome in reaching a power-sharing agreement for a peaceful political transition, and why all stakeholders should do their best to maintain the momentum and safeguard this achievement.

The second reason is to highlight the lessons learned from a very successful African-led mediation process. I want to share this experience with African politicians, researchers, experts, academics and students, as a reference for future mediation processes and academic research into African-led mediation. I offer this book in French, Arabic and English so that it is available for all across the continent.

The third and last reason is that, though it is not an academic book, I have tried to offer a new African paradigm on mediation, fit for the African context. I discuss in the book the processes of contextualisation, ripening of the mediation process, sequencing and operationalisation of mediation, and ways of overcoming challenges in the future.

> We have to develop a mediation doctrine that will respect our originality and cultural context

My proposed paradigm is a result of my years of experience in African-led mediation processes, including the lessons I have learned working with African giants such as Mwalimu Nyerere and Nelson Mandela in Burundi and Ketumile Masire in the Democratic Republic of Congo (DRC).

I firmly believe African culture dictates how we carry out mediation. We might meet in the market, under a tree, in a mosque or church, during a wedding ceremony, or at cultural festivities. We may also use religious language and we raise customary practices depending on the situation. Each African-led mediation is unique and original. It is impossible to copy and paste a European mediation format in Africa.

Mediation is not a science for me, but an art. As such, mediators should be free to use their experience to innovate and create a unique process that fits the context. This is what makes a successful mediation process and a successful mediator. We have to develop

a mediation doctrine that will respect our originality and cultural context.

I hope the book will meet these aspirations.

You have led a very successful mediation process in Sudan. From your experience in mediation processes across Africa, what would you say are key conditions that lead to the success of mediations?

First of all, Ambassador Mahmoud Dirir, special envoy of the Ethiopian prime minister, and I worked together in Sudan. The success registered in Sudan was therefore a result of our collaborative effort.

There are four fundamental lessons that can be drawn from different mediation processes in Africa. They were outlined by the African mediation in Sudan. First, mediation processes should avoid external interference, which might lead to a multiplicity of approaches that inevitably results in failure.

This is not always easy, as there are many African and international actors that have an interest in a country, and they want to play an active role in any mediation process. Libya is a good example, where the multiplication of mediation processes led by actors that have a direct interest in the outcome has made it impossible to resolve the conflict.

It is therefore important to discuss with external actors, and reach an understanding that the AU will lead the process. For them to respect African-led mediation, it is important to guarantee that they will be informed and consulted at different stages of the mediation process. However, external actors should not be allowed to impose their approaches and interests.

The second important element in any mediation is to identify the mediation approach. It is especially important to align the approach when there are multiple mediators, as in the case of Sudan. Failure in this aspect creates rivalry and contradictions.

It took 10 days for Mahmoud Dirir and me to reach an agreement on the mediation approach for Sudan. This allowed us to work in synergy and add value to each other's efforts. This was tremendously helped by the friendship and goodwill between [Ethiopia's Prime Minister] Abiy Ahmed and [AU Commission Chairperson] Moussa Faki Mahamat, who led us towards unity rather than division.

The third important element is to earn the trust of the negotiating parties. A mediator, whether appointed by the UN [United Nations], AU or RECs [regional economic communities] cannot impose him/herself on negotiating parties. While these institutions may appoint a person, it is the negotiating parties that should endorse the nomination.

When I was appointed as an AU envoy to Sudan, I never called myself the mediator or facilitator during the 45 days I engaged the negotiating parties.

When it came to resolving the divergence between the parties over the Sovereign Council, I approached each actor and asked for their authorisation to table my proposal for the creation of the Sovereign Council. Only when they gave me permission to go ahead did I start to mediate between them and presenting them with options.

Therefore, the success of any mediation will depend on the extent of consultation with the parties and their consent to the mediation.

In this regard, we were also supported by the goodwill of local mediators. I encouraged the emergence of national mediators and we supported them. I learned the importance of working with local mediators from Ketumile Masire [former president of Botswana] during the inter-Congolese dialogue of 2001–2002.

> The success of any mediation will depend on the extent of consultation with the parties and their consent to the mediation

The fourth element is to take time to ripen the negotiation process for mediation. In Sudan we dedicated 45 days to preparing the ground for mediation. I have been criticised for 'losing time' in this process, which involved a lot of shuttle diplomacy to gauge different positions, interests and the acceptable level of compromise by each party.

If a mediator proposes options before the parties to the negotiation are ready to receive these, the whole mediation process will fail.

These four factors are the minimum to succeed. Of course, mediators should also have extensive knowledge of the history, culture, languages and aspirations of the society in which they are to mediate. It also helps that a

mediator has experience, especially under the mentorship of other mediators, and has a good track record in other mediation processes. These greatly enhance trust in the mediator's ability to lead a process to full fruition.

What are common challenges you have had to overcome during mediation processes?

Every mediation process faces formal and fundamental challenges. The first challenge relates to getting a correct understanding of all the actors and their priorities. Excluding some actors who may not be readily visible at the start of a mediation process is a major recipe for failure. These actors will never accept the mediator going forward.

The first challenge is therefore not to neglect relevant actors and their priorities from the start.

> If a mediator proposes options before the parties to the negotiation are ready to receive them, the whole mediation process will fail

The second challenge is softening the positions and reining in the ambitions of the negotiating parties so as to leave room for negotiation. In most cases, negotiating parties will have extreme positions that leave no possibility for compromise. The first instinct of parties is to exclude others.

The role of the mediator in this instance is to defuse the tension and hatred among parties. In Sudan, I tried to show the civilians that they are negotiating with Sudan's defence and security system, which is critical to the stability of the country. I argued that if there is a dispute among the armed forces, Sudan's outlook will be that of Libya and the Central African Republic.

Similarly, I argued with the military that the civilians are visionaries who yearn to see freedom, justice and peace prevail in the country. I appealed to both parties that the only way to preserve a stable nation is to put hand in hand and work together.

During negotiation processes I always repeat what Mandela told us. He said, 'The one who cannot master self-transcendence and vanquish the thirst for revenge and selfish gains does not deserve to lead a nation.'

The third challenge is overcoming the diversity and multiplicity of external interference that I have already mentioned. This is a challenge we have to overcome during every mediation process.

In your view, which African-led mediation processes offer the best practices and lessons to draw from?

According to my experience, the best experience in African-led mediation to learn from is the inter-Congolese dialogue led by Masire from 2001–2002.

I say this because the DRC is a country of more than 80 million people. It is almost a subcontinent, so vast that the country has different time zones in the

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eastern and western parts. At the time, the government controlled parts of the country while a number of armed groups controlled the rest.

External actors, including different African countries – Uganda, Rwanda, Angola, Zimbabwe and Zambia – supported various armed groups in the DRC. On top of that, there were hundreds political parties and thousands of civil society organisations involved in the political process. The country was therefore divided politically and militarily.

The multiplicity of political, social and military actors was unprecedented, and the history of lasting crisis and division in the DRC was completely different from any mediation I had been involved in before or since. I spent two years in the DRC supporting Masire. I led a mission in 19 cities and villages.

We had to overcome tremendous challenges in the process. The government rejected Masire when the Organization of African Unity first appointed him. That is why I stress the need for the parties to negotiations to accept the mediator.

> The success of Sudan's transition will depend on the progress made towards a democratic election

In the end we did succeed and reached an agreement at Sun City in South Africa, where we gathered 366 delegates from all regions and provinces of the DRC. To my knowledge, it is the most complicated, longest and most impactful mediation process in Africa.

How can the mechanisms and structures at the AU and RECs be strengthened to better support African-led mediations?

First and foremost, any AU-led mediation should have political support from member states. AU member states should try to avoid creating parallel initiatives that compete with or undermine AU-led mediation efforts. The implementation of political agreements that result from an AU-led mediation should also be fully owned and supported by all AU member states.

Second, when the AU decides to deploy a mediation mission, all required capacity should be made readily available for the mediation process. The necessary

resources and support mechanisms needed to accompany the process should also be organised.

All structures of the organisation, including the RECs, specialised organs and departments, should be geared towards supporting an AU-led mediation effort. This especially entails coordination among different relevant departments under the mediation support unit.

A mediation process is very complex. The AU should be ready to deploy all the necessary support to ensure it has a chance at success.

In addition to political and administrative support, there is a need to enhance awareness about mediation processes. The AU should elaborate on and popularise its own doctrine on mediation to support African-led mediations.

How can the AU safeguard the successes registered as a result of the mediation in Sudan?

There are three fundamental things we should ensure. First, we should never encourage Sudanese actors to be divided. As long as the military and civilian actors continue to work together, in the same governmental and political structure, they are on the right track to a peaceful transition.

External actors should avoid any actions or rhetoric that diminish any actors in Sudan's transition. The Sudanese themselves should also defend the agreement they have reached, and I strongly advise them to consistently safeguard the unity of the transitional authorities.

Second, the success of Sudan's transition will depend on the progress made towards a democratic election. A truly legitimate government can only come to power through free and fair elections.

Third, Africa should not accept any interference in the internal affairs of Sudan. Any form of interference will not lead to a positive outcome, no matter the declared intention behind the interference.

While external actors may support the political process, economic growth of the country, and the governance system, this should be done in total respect for the independence and sovereignty of Sudan. Sudan should have the freedom to deal with its own faith by its own children.

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