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SOUTH AFRICA, AFRICA, AND THE UNITED NATIONS SECURITY COUNCIL

Somerset West, South Africa, 13 and 14 December 2011

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Image source - icrtopblog.org
Photo - UN Photo/JC McIlwaine

Introduction

The Centre for Conflict Resolution (CCR), Cape Town, South Africa, hosted a policy advisory group meeting at Erinvale Estate, Western Cape, South Africa, from 13 to 14 December 2011 on "South Africa, Africa, and the United Nations (UN) Security Council". The policy seminar, which was held in partnership with the Centre for African Studies at Dalarna University, Sweden, was made possible through the support of the Open Society Foundation for South Africa (OSF-SA), Cape Town, and the Swedish Embassy in South Africa.

The meeting took place as South Africa approached the end of the first year of its second two-year term (2011-2012) as a non-permanent member of the UN Security Council. The seminar focused on: South Africa's role on the UN Security Council; the relationship between the African Union (AU) and the UN Security Council; and the politics and reform of the Council. It also considered the role of the Security Council in eight case studies: Liberia, Côte d'Ivoire, Burundi, the Democratic Republic of the Congo (DRC), Somalia, Sudan's Darfur region, South Sudan, and Libya.

1. South Africa and the UN Security Council

In January 2007, South Africa became a non-permanent member of the Security Council for the first time. In its first two-year term on the Council, it voted against draft resolutions on Myanmar and Zimbabwe which condemned the governments in those countries for suppressing legitimate opposition protests, on the grounds that the UN Human Rights Council was the more appropriate forum to discuss such issues. In January 2011, South Africa again became a non-permanent member of the Council. The two key issues before the Council in the early months of 2011 were Côte d'Ivoire and Libya. In each case, Tshwane (Pretoria), under AU auspices, attempted, and failed, to broker a settlement. In March 2011, South Africa voted for Security Council Resolution 1973, which sanctioned the use of "all necessary measures" against Colonel Muammar Qaddafi's government in Tripoli. However, Tshwane subsequently strongly criticised the Anglo-French-led North Atlantic Treaty Organisation's (NATO) use of force to remove Qaddafi's regime. Although South African diplomats argued that they had voted for Resolution 1973 because it was supported by the League of Arab States (LAS) and there was an immediate threat to civilians in Benghazi, critics alleged that Tshwane had failed to anticipate that NATO would use the resolution to bring about "regime change" in Libya. In Côte d'Ivoire, South Africa initially held out against recognising the electoral victory of the challenger, Alassane Ouattara, over the incumbent, president Laurent Gbagbo, before eventually recognising Ouattara as president in March 2011 when the Security Council mandated the UN mission to use "all necessary means" to protect civilians.

' South Africa strongly criticised the Anglo-French-led North Atlantic Treaty Organisation's (NATO) use of force to remove Colonel Muammar Qaddafi's regime in Libya '

SOUTH AFRICAN PRESIDENT, JACOB ZUMA, (RIGHT) WITH UN SECRETARY-GENERAL, BAN KI-MOON, AT A HIGH-LEVEL SYMPOSIUM HELD BY THE UN'S ECONOMIC AND SOCIAL COUNCIL (ECOSOC) IN NEW YORK IN SEPTEMBER 2011.

Image source - South African Consulate-General - New York
Photo - www.southafrica-newyork.net
http://www.southafrica-newyork.net/consulate/images/zuma.jpg

2. The UN Security Council and African Regional Organisations

Although Africa has no permanent representation on the UN Security Council (having three rotating two-year seats), more than 60 percent of the Council's deliberations are concerned with the continent. During its first term as a non-permanent member of the UN Security Council in 2007-2008, South Africa led discussions to establish a more effective division of labour on issues of peace and security between the UN and Africa's regional organisations, especially the AU. Though Africa has an extensive institutional architecture for peace and security, its organisations remain logistically and financially weak. Angered at what was seen as a disproportionate use of force by Western countries in Côte d'Ivoire and Libya, and the marginalisation of the AU in relation to Libya, South Africa argued on the Security Council, as its chair in January 2012, that African countries should take the leading role in dealing with conflicts on their own continent. The debate on the issue led to the passage of a Security Council resolution in January 2012 which called for the strengthening of relations between the UN Security Council and regional bodies, in particular the AU's Peace and Security Council (PSC), in the areas of conflict management and electoral assistance. The resolution also sought the improvement of regular interaction, consultation, and coordination between the two Councils on matters of mutual interest.

3. Reforming the UN Security Council

The 15-member UN Security Council has a global mandate to maintain international peace and security. It is the organisation's most powerful body and the only one whose decisions are legally binding on all 193 members. Although proposed as part of a system of *collective* security, the Council's open-ended conception and the inequities built into its founding rules for voting and decision-making mean that it has often been used as a tool for promoting security on a *selective* basis, particularly in support of the interests of the five veto-wielding permanent members of the Council (P-5) – the United States (US), China, Russia, France, and Britain. These countries often initiate and shape, or block, peacekeeping missions to further their strategic interests and to reinforce their historical spheres of influence. The P-5 have decades of experience of manipulating the body's arcane rules of procedure to their advantage, draft most Council resolutions, and choose all Council committee chairs. The 10 non-permanent members, elected for two-year non-renewable terms, are sometimes excluded from key meetings at which action is agreed on strategic issues. Vital decisions of UN member states are frequently made in national capitals, not at the world body in New York; and the P-5 often shape the implementation, as well as the mandates, of interventions authorised by the Council. The NATO action in Libya in 2011 demonstrated how, once a resolution has been approved, powerful nations, such as the P-3 (the US, France, and Britain), can often determine the nature and ends of a military engagement free from the constraints of a wider multilateralism and the reservations of fellow members of the Council. This has led to calls for greater accountability and the adoption of the idea of "responsibility while protecting", proposed by Brazil.

‘ Although Africa has no permanent representation on the UN Security Council (having three rotating two-year seats), more than 60 percent of the Council's deliberations are concerned with the continent ’

4. West Africa: Liberia and Côte d'Ivoire

The Security Council has been actively involved in trying to bring about peace and stability in Liberia and Côte d'Ivoire during and after long-running civil wars in both countries. The UN Operation in Côte d'Ivoire (UNOCI), established in 2004, had more than 11,000 peacekeepers in December 2011, with about 450 French troops also deployed. An estimated 1,500 civilians were killed, and about one million people displaced in violence that broke out after Alassane Ouattara defeated Laurent Gbagbo in elections held in November 2010. Gbagbo was captured, with the help of French forces, in March 2011, and subsequently sent to the International Criminal Court (ICC) at The Hague to face charges of crimes against humanity.

In Liberia, Ellen Johnson Sirleaf, after becoming a joint Nobel Peace Prize laureate, won re-election as president in November 2011 (with the main opposition boycotting the second round), despite fears that unemployed youths would be recruited by warlords to restart the country's civil war, which raged for 11 years, until 2003, with 250,000 fatalities. In January 2012, a 7,700-strong UN mission in Liberia (UNMIL) provided security in the country amidst its still fledgling national security institutions and in the face of continuing ethnic and religious tensions. Instability across the border in Côte d'Ivoire also remains a serious concern. Liberian mercenaries were involved in the Ivorian conflict, which spilled 160,000 refugees into Liberia. Guinea also remains politically unstable, even as Sierra Leone continues its fragile recovery from a decade of civil war. Liberia is thus precariously located at the epicentre of a volatile Mano River basin.

5. The Great Lakes: the DRC and Burundi

As the DRC sought to emerge from a brutal civil war that has resulted in over three million fatalities since 1996, the Security Council authorised a UN force for the country in 1999, which was still there in January 2012 as the 19,000-strong UN Stabilisation Mission (MONUSCO). The first post-war election in the DRC, held in 2006, gave the government of Joseph Kabila broader legitimacy. The second, in November 2011, preceded by some violence against demonstrators, was strongly criticised by many observers as flawed. The premature departure of the UN from the Congo could threaten the gains made there, especially in stabilising the country's volatile Kivu and Orientale provinces. Major issues that still need to be addressed in the Congo include integrating irregular forces into the national army, and dealing with the illegal exploitation of natural resources.

In Burundi, a peace process began in 1995. South Africa became the key mediator, and an accord was signed in Arusha, Tanzania, in 2000 by most of the parties involved in the conflict. In 2004, the Security Council established the UN Operation in Burundi (ONUB) which "rehatted" South African-led AU troops, and concluded its mandate in 2006. While the situation has been relatively peaceful since, tensions between the government and the opposition still threaten a renewed outbreak of violence. Concerns also continue to be expressed about political tensions, extrajudicial killings, and human rights abuses. Urgent security sector reform also remains a major challenge.

> " In Liberia, Ellen Johnson Sirleaf won re-election as president in November 2011 despite fears that unemployed youths would be recruited by warlords to restart the country's civil war "

LIBERIAN PRESIDENT, ELLEN JOHNSON SIRLEAF, ADDRESSES SUPPORTERS IN MONROVIA ON THE FINAL DAY OF CAMPAIGNING AHEAD OF PRESIDENTIAL ELECTIONS IN OCTOBER 2011.

Image source - Africa Reporters
http://www.africareporters.com/media/k2/items/cache/3707d8f2be163bd14c78cf07586f13bb_XL.jpg

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6. The Horn of Africa: Somalia, Darfur, and South Sudan

Somalia has lacked effective national leadership and been wracked by civil war since 1991. The country was abandoned by UN peacekeepers in 1995, until in 2007, the AU established its mission in Somalia (AMISOM). In February 2012, AMISOM had about 11,000 peacekeepers from Uganda, Burundi, and Djibouti; and 4,700 Kenyan troops were being integrated into the mission. However, insecurity and piracy remain endemic in Somalia. In September 2011, Somali political groups adopted a UN-sponsored "roadmap" which proposed steps and a timetable to dissolve the current transitional government, and establish new security institutions, a constitutional framework, and processes leading to national elections. However, initial deadlines set by the plan were not met, and the transitional government remains weak and unpopular, though AMISOM has made military gains against the al-Shabaab militia.

The conflict and humanitarian crisis in Sudan's Darfur region, where an estimated 300,000 people have died since 2003, continued during 2011. The AU/UN Hybrid Operation in Darfur (UNAMID), which is the world's largest peacekeeping mission, comprising almost 23,300 peacekeepers, finally reached full strength in January 2012. Furthermore, in 2011, an AU/UN-sponsored "roadmap" for peace in Darfur was agreed by the government of Sudan and the Liberation and Justice Movement (LJM). However, 1.7 million internally displaced persons (IDPs) still remain trapped in camps in Darfur; the peace process was not joined by the largest rebel factions – the two wings of the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM); and fighting has continued sporadically. The long-standing marginalisation of Sudan's peripheries must be urgently addressed as part of a Sudan-wide constitutional process leading to better governance. Khartoum has complained that key international promises, including pledges by the US to ease sanctions, have not been met, despite the North's cooperation with the peace process for South Sudan. Furthermore, international engagement with the Sudanese government remains overshadowed by the ICC arrest warrant issued in 2009 against its president, Omar al-Bashir, for alleged war crimes in Darfur. The AU has called for suspension of the warrant to encourage al-Bashir to continue to make peace, while opponents of this call have argued that it encourages impunity. Meanwhile, unresolved issues between Sudan and the new state of South Sudan – in particular over borders, efforts to decentralise power, and the sharing of oil wealth – could lead the two governments to renewed conflict as both sides continue to support local proxies. In 2011, the Security Council established a UN Mission in South Sudan (UNMISS), and an operation in the disputed border area of Abyei – the UN Interim Security Force for Abyei (UNISFA) – which numbered about 5,300 and 3,800 peacekeepers, respectively, in January 2012.

> ❛ The long-standing marginalisation of Sudan's peripheries must be urgently addressed as part of a Sudan-wide constitutional process leading to better governance ❜

SUDANESE PRESIDENT, OMAR AL-BASHIR, (RIGHT) AND SOUTH SUDAN'S PRESIDENT, SALVA KIIR, TALK TO THE PRESS IN KHARTOUM, SUDAN, IN OCTOBER 2011.

Image source - World News Inc.
Photo - AP / Abd Raouf
http://cdn7.wn.com/ph/img/cc/df/9bdfedc16a
ad7fa3aa055b62ea7b-grande.jpg

7. North Africa: Libya and the "Arab Spring"

After Libyan leader, Muammar Qaddafi, launched a brutal crackdown against protesters in February 2011, the UN Security Council passed a resolution in February 2011 referring Qaddafi and members of his government to the ICC, and called for the imposition of an arms embargo on Tripoli. The Council then adopted another resolution in March 2011, which sanctioned a "no-fly zone" and the use of force to protect civilians. The AU's "roadmap" for peace in Libya was ignored, and a NATO-led "coalition of the willing", largely directed by France and Britain, targeted the Qaddafi regime. As part of the justification for the NATO intervention, Qaddafi's human rights atrocities were singled out, while less attention was focused on the kidnapping, torture, and killing by rebel forces of migrant workers from Chad, Niger, Mali, Senegal, Côte d'Ivoire, Nigeria, Eritrea, Ethiopia, Somalia, and Sudan. After the NATO intervention ended in October 2011 with the assassination of Qaddafi by rebels in his hometown of Sirte, the Security Council established a UN Support Mission in Libya (UNSMIL) to bolster a transition to democracy. Serious questions, however, remain over whether the new government will demonstrate a capacity to represent all Libyans – particularly those formally loyal to Qaddafi – and the indebtedness of the country's new rulers to the P-3 may alienate Tripoli from the AU.

Policy Recommendations

The following 20 policy recommendations emerged from the policy advisory group seminar:

1. South Africa at the UN Security Council

- South Africa should use its current two-year term on the UN Security Council to advance African interests, working closely with the Africa Group at the UN;
- Relations between South Africa and Nigeria – the two main regional hegemons in sub-Saharan Africa – should be urgently improved to provide leadership to rally a united African diplomatic front at the UN and other international diplomatic fora;

2. African Regional Organisations and the UN Security Council

- Relations between the UN Security Council and African regional bodies – in particular, the AU's Peace and Security Council – must be strengthened. African members on the UN Security Council should coordinate their decisions and collaborate with the Africa Group at the UN more effectively through the AU office in New York, taking into account key AU decisions;

❛ The indebtedness of Libya's new rulers to the P-3 (the United States, France and Britain) may alienate Tripoli from the African Union (AU) ❜

FRENCH WARPLANES SOAR OVER BENGHAZI ENFORCING A "NO-FLY ZONE" IN MARCH 2011.

Image source - dawn.com
Photo - AFP
http://www.dawn.com/wp-content/uploads/2011/03/jets-500.jpg

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- UN peacekeeping operations should not be used to advance the parochial national interests of powerful member states. Leadership of the peacekeeping, political, and humanitarian affairs departments at the UN Secretariat in New York, which presently rests with France, the US, and Britain, respectively, should be more equitably distributed to reduce the dominance of the P-3 in decision- and policy-making;
- Political leadership of peacekeeping missions in Africa should have strong African representation within a UN structure. Hybrid operations, such as the AU/UN mission in Sudan's Darfur region, must be carefully considered in future as, although they can overcome the reluctance of national governments to engage with international peacekeepers, they may also pose coordination, logistical, and accountability challenges;
- The AU needs to develop its African Standby Force (ASF) to react rapidly in support of urgent missions led by African regional bodies. The recommendation in the Prodi report of 2009 that these missions should be funded by the UN for six months and then taken over by the world body should be expeditiously implemented;
- Post-conflict reconstruction efforts are critical to sustaining peace. The UN Peacebuilding Commission and international financial institutions like the African Development Bank (AfDB) and the World Bank should play a more effective role in such efforts in Africa, based on a clear division of labour among African actors, the UN, and the European Union (EU);

3. Reforming the UN Security Council

- The Security Council must be reformed in terms of membership, decision-making, and working methods. The Council needs to be democratised to reflect the modern world's demographics, particularly to ensure permanent representation from Africa and Latin America, and to counter the body's continued manipulation by the P-5;
- "Responsibility while protecting" should be incorporated into the implementation of the "responsibility to protect" (R2P) concept. Peacekeeping interventions, including those justified under R2P, must be subjected to continuing scrutiny by the UN Security Council. Such actions should only take place when diplomacy has been exhausted; they should entail the proportionate use of force; and must seek to avoid fatalities wherever possible;

4. West Africa: Liberia and Côte d'Ivoire

- The UN should remain involved in Liberia and Côte d'Ivoire, helping with security sector reform; rebuilding infrastructure; cross-border security; national reconciliation; and managing a transition to long-term development;
- Steps should be taken to resolve the logistical and communication problems caused by the siting of the UN Office for West Africa (UNOWA) and the Commission of the Economic Community of West African States (ECOWAS) in different capital cities – Dakar, Senegal; and Abuja, Nigeria, respectively;

❛ The UN Security Council must be reformed in terms of membership, decision-making, and working methods ❜

THE UN SECURITY COUNCIL MEETS IN FEBRUARY 2012 TO DISCUSS A DRAFT RESOLUTION CALLING FOR ACTION AGAINST THE REGIME OF SYRIAN LEADER, BASHAR AL-ASSAD.

Image source - JK Alternative Viewpoint
http://jkalternativeviewpoint.com/z17.jpg

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5. The Great Lakes: the DRC and Burundi

- The interconnected and often cross-border problems of the Great Lakes region must be tackled regionally and multilaterally. South Africa, having played a major role in bringing peace to Burundi, should remain actively involved there; and the UN and regional bodies should also urgently address instability in the DRC;
- Learning lessons from the controversy over the election in the Congo in 2011, electoral observers should investigate polls carefully before pronouncing them to be "free and fair". All parties should work to ensure that losers stay involved in the electoral process and accept the outcome of elections. A "winner takes all" electoral system may be inappropriate in highly diverse societies, and, in these cases, systems of proportional representation should be considered;

6. The Horn of Africa: Somalia, Darfur, and South Sudan

- A firm deadline needs to be set, as soon as possible, for replacing the transitional government in Somalia with an elected body, and a constitutional framework and electoral processes must be put in place urgently;
- The resolution of the conflict in Sudan's Darfur region would be aided by Khartoum lifting the state of emergency there as part of a constitutional process for Sudan that involves power-sharing, wealth-sharing, and decentralisation;
- The AU Commission and its Peace and Security Council should pay greater attention to Darfur, including visiting the territory more often;
- Sudan and South Sudan need to settle unresolved issues between them as a matter of urgency to avoid the resumption of war either directly between North and South Sudan, or through proxy rebel militias;

7. North Africa: Libya and the "Arab Spring"

- The use of human rights concerns to justify action against one side in a civil conflict at the expense of the other – particularly when the allegations lead to the UN Security Council authorising ICC arrest warrants – should be closely monitored to avoid abuse;
- The AU and its members must work to establish mutually beneficial relations with Libya's new government, particularly as the country is assessed to pay 15 percent of the organisation's operating budget; and
- African governments should use their "good offices" to seek to persuade the different parties in Libya's National Transitional Council (NTC) to resolve their conflicting interests peacefully within a democratic framework; to act in the interests of all Libyans; and to protect migrant workers from African states.

❛ A firm deadline needs to be set, as soon as possible, for replacing the transitional government in Somalia with an elected body, and a constitutional framework and electoral processes must also be put in place urgently ❜

AS FAMINE SPREADS IN SOMALIA, A SOMALI WOMAN REFUGEE ARRIVES AT DAGAHALEY CAMP IN DADAAB, KENYA, IN APRIL 2011.

Image source - alertnet // Katy Migiro
Photo - Reuters/Thomas Mukoya
somalirefugee.png