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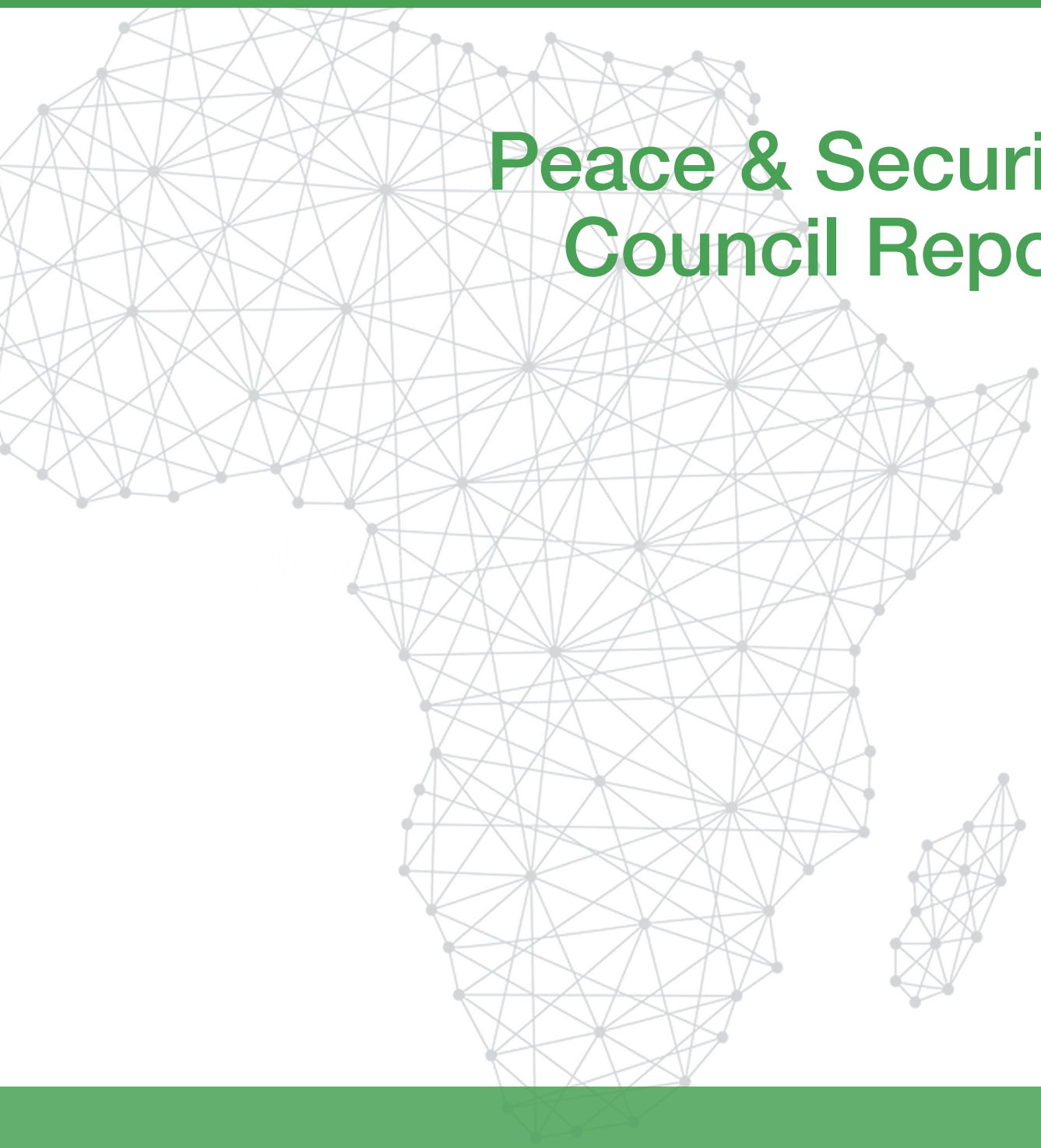

AU summit: Will free trade be Africa's economic game changer?

On 7 July 2019 heads of state will gather in Niamey, Niger, for an extraordinary summit to mark the launch of the African Continental Free Trade Area (AfCFTA). Experts say while the AfCFTA will not start with a bang, it could boost economic growth more than any other factor.

The ambitious AfCFTA, which technically entered into force on 30 May 2019, could be the game changer for Africa's hitherto lacklustre economy. Driven by Rwandan President Paul Kagame and others, the process of reaching this point may well have broken all African records in terms of timeframe. African Union (AU) member states started negotiations to create this huge market of 1.2 billion people with a gross domestic product (GDP) of over US$3.4 trillion only in March last year.

Jakkie Cilliers, head of African Futures and Innovation at the Institute for Security Studies, calculates that the AfCFTA, if properly implemented, will boost Africa's economic growth and reduce extreme poverty more than any other single factor over the long term.

> Leapfrogging and manufacturing will make the biggest difference in the short term

In a forthcoming book on Africa's future, Cilliers reports on the results of forecasts done using the International Futures software on the likely impacts of 11 major transitions: social grants, rejuvenated education, peace, a fourth wave of democracy, improved health, external support, a demographic dividend (a timely bulge in the size of the working-age population), an upsurge in local manufacturing, an African agricultural revolution, leapfrogging outdated technologies – and the AfCFTA.

The greatest impact on GDP by 2050

Cilliers finds that other drivers such as social grants, agriculture, leapfrogging and manufacturing will make the biggest difference in the short term. But by 2050, the AfCFTA will clearly be exerting the greatest impact on GDP per capita and extreme poverty.

For example, in lower-middle-income countries it will boost annual GDP per capita by over US$1 500, compared to the next biggest factor, technology leapfrogging, which will add just over US$900. By 2050 the AfCFTA will also have reduced extreme poverty by over 6%, versus the next most effective driver, revolutionised agriculture, which will do so by about 5.5%.

'This is not so surprising,' Cilliers says. 'The AfCFTA is about creating a larger market, and also because most intra-African trade is in manufactured

Current PSC Chairperson

His Excellency Brima Patrick Kapuwa ambassador of Sierra Leone to Ethiopia and permanent representative to the African Union.

PSC members

Angola, Djibouti, Algeria, Equatorial Guinea, Gabon, Kenya, Liberia, Morocco, Nigeria, Rwanda, Republic of Congo, Sierra Leone, Togo, Lesotho, Zimbabwe

goods, and manufacturing is the key to Africa's long-term growth.'

This all assumes, of course, that the continent-wide trade deal gets off the ground. All 55 AU member states – except Nigeria, Benin and Eritrea – have signed up. And with the required minimum of 22 states having formally ratified it, the deal entered into force on 30 May.

But that does not mean the first export or import was able to cross any national border tariff-free, under the AfCFTA, on that day. Trudi Hartzenberg, executive director of Stellenbosch's Trade Law Centre, says that is unlikely to happen until next year. The AfCFTA's entry into force will initially be a symbolic expression of the continent's commitment to free trade. In the meantime the negotiators will remain busy.

Important details still being discussed

Critical matters such as tariff schedules, rules of origin and dispute settlement procedures are still being negotiated. Rules of origin stipulate how much of a product must be sourced from within the free trade area for it to qualify for preferential tariff rates.

The aim is to avoid rules so lax that, for example, they would allow some African countries to become conduits into the continent for, say, cheap Asian clothing, just by sewing a button onto a completed shirt and calling the product African. Conversely, rules of origin can be so strict that they become measures to protect local manufacturers.

Tariff schedules are at the heart of free trade agreements. They list all the import tariff concessions that countries are prepared to give to other members of the free trade area. Hartzenberg says the AfCFTA negotiators have not decided whether these concessions will be offered bilaterally – between two countries or customs unions – or to all other AfCFTA members on a so-called most favoured nation basis.

Building on the alphabet soup

An important feature of the AfCFTA that has been agreed on is that it will build on, rather than replace, Africa's alphabet soup of regional free trade areas. The general principle will be that where regional free trade areas offer more liberal trade terms than the AfCFTA, the former terms will apply.

The idea of maintaining existing free trade areas was established in the long, tough and still incomplete negotiations for the Tripartite Free Trade Agreement. This aims to combine the Southern African Development Community, Common Market for Eastern and Southern Africa and East African Community free trade areas into one, comprising 27 countries. The negotiations, which have dragged on since 2011, raise doubts about the likely success of the even larger AfCFTA. The main sticking points have been between South Africa and Kenya, the economic giants of their regions.

But Hartzenberg suggests that these problems do not necessarily bode ill for the AfCFTA. Since the tripartite agreement will persist, it might be easier for South Africa to do a deal with Kenya there than in the AfCFTA. Meanwhile, the AfCFTA will fill other important gaps in free trade across Africa.

> The idea of maintaining existing free trade areas was established in the negotiations for the Tripartite Free Trade Agreement

South Africa, for example, has no free trade agreement with Nigeria or the rest of the Economic Community of West African States, and sees that as one of the major AfCFTA opportunities – though much more so if Nigeria joins. Likewise, most North African countries do not have free trade deals with sub-Saharan Africa and are looking to the AfCFTA to open up that space.

Hartzenberg says the AfCFTA could have its biggest impact not by eliminating trade tariffs but by removing non-trade barriers. Continent-wide rules could be agreed for efficiently moving goods across borders and cutting delays, which add to trade costs. Hartzenberg says a 2013 Trade Law Centre study showed that reducing the time taken to move goods across borders by just 20% would boost Africa's economies more than removing all import tariffs.

There will be no big bang when the AfCFTA starts, Hartzenberg says. 'It will be gradual.' But, one hopes, ultimately considerable. The history of African trade agreements has not been stellar. This is the continent's last chance at free trade, so it really has to grasp it.

Dangers ahead for Sudan after its suspension from the AU

At its 854th meeting on 6 June 2019, the Peace and Security Council (PSC), chaired by Sierra Leonean Ambassador Brima Patrick Kapuwa, suspended Sudan from the African Union (AU). This means Sudan is not permitted to participate in any AU activities until the Transitional Military Council (TMC) hands over power to a civilian leadership.

The decision to suspend Sudan became necessary after the TMC unilaterally ended talks with the civilian opposition, declared its intention to stay in power until elections in nine months, and violently dispersed a peaceful civilian sit-in at the army headquarters in Khartoum.

The AU's decision to suspend Sudan was informed not only by the crackdown on the protestors but also by the Lomé Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government. The declaration provides, among others, for regimes resulting from military coups d'état against elected governments to be suspended until constitutional order is restored.

A tough decision

The nature of the atrocities committed principally by the Rapid Response Force (RSF) (a militia that has also been accused of brutality in Darfur) against protestors in Khartoum on 3 June and the resultant international backlash meant that the PSC had to take a strong stand. The pressure on the PSC to act against the TMC's impunity was palpable.

First, China and Russia blocked a United Nations (UN) Security Council position to condemn the TMC's action in Sudan in the council's 4 June meeting on the situation. This meant that a strong AU position would be useful in subsequent UN discussions on the country. Second, the military junta disregarded the AU's 60-day deadline by announcing that it would stay on until the elections in nine months. Also crucial was the alleged role of external actors, particularly the United Arab Emirates, Saudi Arabia and Egypt, in influencing the choices of the junta.

A tough AU decision was therefore needed both to provide a framework for global action at the UN level and to safeguard the AU's role as the primary custodian of continental norms and frameworks.

Prior to this, the PSC had succumbed to Egyptian influence by allowing the recommendations of the 23 April Consultative Summit of the Regional Partners of The Sudan, convened by the AU chairperson in Cairo, to extend the 15-day deadline, which was due to expire on 30 April, to 60 days. The extension bought time for the TMC to consolidate its hold on power with the support of external actors.

> The suspension comes at a time when the drastic turn of events in the country point to a treacherous way ahead

Even though the decision to suspend Sudan, in this context, should have been straightforward, not all states backed this approach. Some countries wanted the PSC to give the TMC more time to address the situation. However, once the decision to suspend the country was tabled, it was widely supported.

The dangers ahead

The suspension comes at a time when the drastic turn of events in the country point to a treacherous way ahead. Firstly, the repressive choices of the RSF component of the TMC make it clear that former president Omar al-Bashir's 'deep state' structures are still contesting protesters in an attempt to preserve the status quo.

Secondly, it is clear that the biggest strategic danger in the ongoing clashes between the military and the civilian population is that a rare opportunity for change in Sudan might be missed. This opportunity will be missed due to the use of force, as in the current situation, or a negotiated deal in which the military dominates, or a civilian-led arrangement that has no real control of

the elements of power, outside the army. The latter will set the civilian leadership up for failure and create the circumstances for a military takeover in the long run.

The third danger is the risk of civil war. Discontent with al-Bashir in the run-up to the toppling of his regime united many Sudanese, but could not resolve fractures in the army, deep divisions between Khartoum and the peripheral areas, and differing interests within the civilian population.

The RSF has risen to contest the army's control of the security space in post-Bashir Sudan. The existence of remnants of the dreaded National Intelligence and Security Services (NISS) and the sidelining of the police in security affairs point to extensive divisions in the country's security services. Additionally, the numerous militias operating from the peripheral states of the country, particularly Darfur, South Kordofan and Blue Nile, complicate the fragmentation of the control of violence and use of force in the country.

> Beyond the disparate groups that constitute the Declaration of Freedom and Change, the opposition also harbours different interest groups

Even the civilian population is not homogenous. Beyond the disparate groups that constitute the Declaration of Freedom and Change (DFC), the opposition also harbours different interest groups. While some of these groups prefer a softer approach to dealing with the army, the Islamists, for instance, want Islamic laws to guide new legislation. Compounding these divisions are emerging perceptions of marginalisation by groups in Sudan's peripheral states, particularly Darfur, in the DFC's negotiations with the TMC.

Meanwhile, the RSF's excessive use of force against civilians could trigger a militarisation of the civilian front, either through people wanting to protect themselves or by attracting the involvement of militias operating outside Khartoum. An outbreak of war in the capital amid the country's many fault lines will lead to a free-for-all situation that will be difficult to contain, if not 'somalianise' Sudan.

Also crucial in the way ahead is the influence of the Gulf powers in Sudan. The AU's concerns about external meddling in Sudan are bound to persist as long as the country grapples with revenue shortfalls. The influence such a situation might grant to money-wielding Gulf powers in the choice of Sudan's leadership poses a major risk to governance in the country, as well as to its long-term standing in sub-Saharan Africa.

Abiy Ahmed's problematic entry

As significant as the AU's suspension of Sudan may be, it does not amount to a practical solution to prevent the country's total disintegration in the short to medium term. Particularly concerning is the fact that no clear strategy backed by a roadmap has been announced by the AU.

3 June 2019

CRACKDOWN AGAINST PROTESTERS IN KHARTOUM

The mediation by Ethiopian Prime Minister Abiy Ahmed – on all accounts his own initiative – makes it difficult to decide who is taking the lead in international action in Sudan. This is particularly the case as initial indications were that the AU was to take on this role.

The collapse of the talks between the TMC and DFC shows that the way forward cannot be left to the two sides without robust facilitation, at least for as long as the Gulf countries are involved on the side of the TMC.

> Particularly concerning is the fact that no clear strategy backed by a roadmap has been announced by the AU

The absence of an AU roadmap has created a gap that, if not closed immediately, will become an avenue for the proliferation of processes. Not only will this make the Sudan crisis difficult to resolve, but it will also place the country on the chopping board in terms of regional and external influence mongering – with serious repercussions.

Policy options

Another issue that the AU will have to brace itself for is when to lift Sudan's suspension and on what conditions. The AU insists that the TMC hand over power to civilian rule, but the ongoing negotiations between the TMC and the DFC could end up with a mixed civil–military architecture or, in the worst-case scenario, a military-led council. Will such a situation amount to a handover of power to civilian control, even if the opposition agrees to such a structure?

Also crucial is the AU's suspension clause. Will Sudan be reinstated automatically as soon as the TMC relinquishes power to civilian control?

Clearly, the PSC should consider Sudan's suspension as a first step in addressing a complex political emergency. It has to define a strategy on the way forward. This strategy should be informed by a roadmap that spells out key deliverables and timelines, serving as a framework for tracking progress and an avenue for discouraging a lack of progress. Such a process, however, should not usurp Sudanese efforts but rather underpin a Sudanese-led, AU-backed and internationally supported process that can address the challenges currently on the ground.

Given the difficulties parties are facing in arriving at a consensus on the composition and control of the Sovereign Council, it is time for the AU to consider appointing an internationally-backed mediator capacitated with the necessary leverage and resources to assist partners on the way forward.

Particularly important is the need for the AU and the UN to embark on a process that can facilitate frank discussions on their concerns about external interference in Sudan. Since the impact of external actors is increasingly becoming a major concern on the continent, the theme also requires broader discussions at the level of the AU heads of state.

9 months

THE NEW DEADLINE FOR ELECTIONS

Are Africa's poor elections signalling a democratic setback?

Fraud and violence associated with elections continue to be a thorn in the side of democracy and stability on the continent. While there have been more elections and fewer coups in Africa since the early 1990s, increasingly, elections are being abused by some governments to impose autocratic practices.

Recent events in Benin illustrate that even in countries known for their political stability, these gains, registered since the 1990s, can easily be reversed. Election observation has not been an effective tool to address this.

Elections dominate the political landscape

Over the past decade, an average of 26 African countries (almost half the continent) were scheduled to hold elections each year. These included an average of 13 presidential elections and 16 parliamentary elections each year.

By all measures, election processes are thus perhaps the principal variable that animates the political landscape of the continent. This has made elections not just important for determining political outcomes but also central to the stability of states.

However, in many countries pre-electoral periods have become moments of repudiation and undoing of long and hard-fought democratic gains. This is done through, among others, constitutional amendments, changes to electoral laws and the custom-made tailoring of constituencies to favour incumbent regimes, the control of electoral management bodies and judicial institutions, and the muzzling of political oppositions and civil society.

Lessons from Benin

Recent events in Benin have highlighted concerns about elections' being a trigger of violence and instability. At the heart of this issue is the question of the preservation of power. President Patrice Talon, who was democratically elected in 2016, amended existing electoral laws as part of efforts to address the phenomenon of one-party dominance. However, the lack of consensus around the reform process has created a rift between the government and the opposition. The government has since been accused by the opposition and civil society of using the reform process as a pretext to shrink the political space and ensure Talon's stay in power.

The resulting new law and the charter on political parties have caused most opposition parties to be barred from contesting the legislative elections, while others simply boycotted the 28 April 2019 polls. This is a dramatic setback for one of Africa's most stable democracies since the early 1990s – a democracy that enjoyed not only relatively free and fair elections but also a vibrant political pluralism and civil liberties.

The events in Benin are symptomatic of a trend that can be seen across the continent, with the notable exception of a small handful of countries that do not have a history of pre- and post-electoral political manipulation and abuse of incumbency.

> This is a dramatic setback for one of Africa's most stable democracies since the early 1990s

In the face of constitutional amendments aimed at extending incumbents' tenures and strengthening their power, elections, instead of contributing to democratic consolidation, have become major sources of instability on the continent. Disruptions associated with elections hinder democratic processes and, at worst, constitute a complete step backwards. This in turn places states in a position where they perpetually have to start over in terms of rebuilding democratic institutions, instead of consolidating gains made over time.

Only a few peaceful elections in 2016

In 2016, 28 countries held elections at the presidential, national or local level or a combination of these. Elections in Benin, São Tomé and Prìncipe, Cape Verde

and Ghana were considered generally peaceful, free and fair and saw minimal disruption.

However, the other polls were preceded by constitutional amendments, such as in the Republic of Congo, where President Denis Sassou Nguesso was allowed to extend his stay in power. Earlier removal and the absence of term limits in Chad, Gabon, Equatorial Guinea, Djibouti and Uganda, for example, ensured that incumbent regimes were all re-elected in polls with questionable credibility.

Protests and violence with loss of life erupted in most of these countries, except for Equatorial Guinea, where Teodoro Obiang Nguema has total control of the country, ran quasi-unopposed and won a landslide victory with 93.7% of the votes.

> Earlier removal and the absence of term limits ensured that incumbent regimes were all re-elected in polls with questionable credibility

Some elections were even held in spite of prevailing security challenges. This was the case in the Central African Republic (CAR). In other cases in 2016 some elections were boycotted or postponed.

Polls postponed across Africa

The same trend can be observed with elections in 2017, 2018 and the first half of 2019. A large number of elections in 2017 were dominated by postponements in countries such as the Democratic Republic of Congo (DRC), Chad, Gabon, Libya, Madagascar, Mali, Niger, Somalia, Togo and Tunisia. Apart from Libya and Somalia (and to a lesser extent Mali) with noticeably precarious situations, most postponements were the result of political and socio-economic challenges largely caused or deliberately orchestrated by incumbents.

Last year also saw its share of postponed elections: Cameroon and Guinea-Bissau joined the cohort. Two constitutional referenda, in Burundi and Comoros, were held to extend presidential term limits for Pierre Nkurunziza and Azali Assoumani, who also reinforced their executive powers.

Polls were boycotted by the opposition in Togo, were highly contested in Zimbabwe and Mali, and regarded as a parody in Gabon. The DRC finally held elections after a three-year stalemate that kept Joseph Kabila in power. The electoral dispute went well into 2019 and fuelled regional divisions over associated issues.

26

AFRICAN ELECTIONS ON AVERAGE PER YEAR

Unrest around elections

So far in 2019, only Senegal and South Africa have had peaceful polls. The Nigerian Independent Electoral Commission took the world by surprise when it announced the postponement of the February 2019 polls at the eleventh

hour, thereby raising crucial questions about the credibility of the outcome. Loss of lives also occurred during the elections.

In Algeria, former president Abdelaziz Bouteflika's attempt to run for another term was fiercely opposed by street protests, leading to his resignation after 30 years in power. Elections in Benin and Comoros were marred by violence and the loss of lives. This year has also seen a constitutional amendment in Egypt, allowing President Abdel Fattah el-Sisi to stay on until 2030, while reinforcing his powers (and that of the military).

Election observation is too limited a tool

Election observation by continental institutions such as the African Union (AU) and regional economic communities has proven insufficient in tackling the numerous challenges surrounding elections. This means that the AU has to do more.

For one, the institution will have to decisively deal once and for all with the issue of constitutional amendments and tempering with electoral laws to undermine the integrity of political processes and national consensus on constitutionalism. These tend to weaken, if not destroy, national social contracts and create perpetual instability.

There is a need to rethink how the AU engages with elections and autocratic rule. Moving from simple election observation to monitoring could be an option. The monitoring could begin with thoroughly assessing the capacity and impartiality of electoral management bodies, and making and following up on recommendations to improve electoral processes.

> Election observation by the African Union and regional economic communities has proven insufficient in tackling the numerous challenges surrounding elections

Best practices in elections from across the continent could serve as a benchmark. The African Peer Review Mechanism, by virtue of its current mandate, seems best suited to take up the additional task of determining best practices in terms of structural issues related to elections.

Other best practices revolve around limiting the advantage of the incumbent. In Madagascar, for example, the president has to step down two to three months before the elections to limit abuse of incumbency. In other countries such as Cape Verde and the Seychelles, the roles and prerogatives of mayors and ministers are restricted in the pre-election period, also with the aim of addressing the abuse of incumbency.

Clearly, elections are not a problem in and of themselves, but political parties, particularly incumbents, wage an intense contestation that undermines stability, democratic consolidation and the rule of law. This has proven a major threat to peace and stability on the continent and should be addressed with urgency.

Senegal and South Africa

HELD PEACEFUL ELECTIONS IN 2019

Reviewing AU peace support operations: what to do when there's no peace to keep?

In May 2019 the PSC discussed the challenges faced by peace support operations (PSOs) led by the AU and how to address them. In the same month, the PSC renewed the mandate of the African Union Mission in Somalia (AMISOM), which was due to expire on 31 May 2019, for one additional year. The PSC also renewed for one additional year the mandate of the United Nations–African Union Hybrid Mission in Darfur (UNAMID) in June, which the United Nations (UN) Security Council is due to discuss on 27 June.

The renewal of the mandates of AMISOM and UNAMID comes at a time when the number of troops in both missions is being reduced considerably as part of the gradual drawdown and eventual exit of both deployments, in 2020 and 2021 respectively. It also comes at a time when the AU is refocusing on the development of its PSO doctrine, which has been many years in the making.

With these developments in sight, the PSC should not only evaluate the success or failure of these missions in terms of their respective mandates but also consider the lessons learned in each case. This can inform the development of the PSO doctrine and subsequent AU-led deployments.

It is important that the PSC look at prioritising existing political processes that can create an enabling environment allowing missions to succeed and, in these particular cases, be phased out.

In developing the PSO doctrine, the PSC should further consider under which circumstances the AU should get involved in counter-terrorism operations, as in Somalia through AMISOM. Involvement in such operations might make it difficult for the AU to later engage in mediation and peacebuilding efforts, especially after the exit of PSOs.

Also important is the need for the PSO doctrine to evaluate the value addition of using neighbouring countries in deployments where their participation is both decisive and a source of additional tension.

The dilemma of neighbours in PSOs

The involvement of neighbouring states in operations has always been a contentious issue in international PSOs in general and in AU-led missions in particular. In the Horn of Africa, for instance, various partners' reservations about the involvement of troops from neighbouring countries, reiterated by UN Security Council Resolution 1725 (2006), were one of the main reasons the Intergovernmental Authority on Development's (IGAD) deployment in Somalia (IGASOM) never materialised.

The rationale behind ensuring that neighbours are not involved in such deployments is primarily to eliminate conflicts of interest where neighbouring countries have direct stakes in the conflict. In addition, this might prevent existing crises from spilling over into neighbouring states, as has been the case with Kenya's deployment in Somalia.

> The PSC should further consider under which circumstances the AU should get involved in counter-terrorism operations

In the case of Somalia, disputes surrounding the deployment of Ethiopian and Kenyan forces and their subsequent integration into AMISOM have had a negative impact on perceptions of the mission's neutrality, with enormous implications for some Somalis' acceptance of the mission.

The subsequent inability of troops from those countries to fully align with the command and control structures of AMISOM – owing to competing underlying interests – further complicates the leadership structures of the mission, as various troop-contributing countries remain attached to the command structures of their deploying states.

Suspicions surrounding the presence of Ethiopian and Kenyan troops in AMISOM feature strongly in al-Shabaab's propaganda operations against the mission and in its recruitment drives.

Regardless of the contribution of Ethiopian and Kenyan troops to the overall achievements of AMISOM, it is clear that their presence has been counter-productive in some respects. While finding a viable alternative to neighbouring states is a challenge, it is nonetheless important when consolidating principles and practices in AU-led operations to dispassionately discuss the value addition of deploying frontline states in a theatre of operations next door.

Prioritising political processes

The UN High-level Independent Panel on Peace Operations (HIPPO) report of 2015 states that 'lasting peace is not achieved nor sustained by military and technical engagements, but through political solutions'. The biggest challenge PSOs such as AMISOM and UNAMID have faced since their deployment is whether the mission aligns with and works to support a functioning political process on which lasting peace can be built.

> To what extent are governments ready to engage with actors that constitute the primary threat to peace and security, in this case al-Shabaab?

In Somalia, UN Security Council Resolution 2461 (2019) urged the Federal Government of Somalia (FGS) and the federal member states to accelerate an inclusive political settlement. Yet, even if the relationship between federal member states and the central government is resolved, to what extent are governments ready to engage with actors that constitute the primary threat to peace and security, in this case al-Shabaab? While AMISOM might have helped to contain al-Shabaab, the mission's planned exit through the implementation of the Somalia Transition Plan means the FGS will have to take over full responsibility for ensuring the country's security. This has not been possible since 2007, resulting in the repeated extension of AMISOM's mandate.

This highlights the importance of ensuring political processes create the necessary national consensus on which to anchor peace and security in conflict situations.

Similarly, the government of Sudan and the Justice and Liberation Movement (JEM) signed the Doha Document for Peace in 2011, which was expected to end the conflict in Darfur. However, not all armed groups supported the agreement, which has created challenges for its implementation. While UNAMID has managed to stabilise the area compared to the situation in 2003, it is impossible to bring about sustained peace without making political progress.

As long as the political processes that should facilitate an end to conflicts face challenges, the context for the drawdown of PSOs remains fragile.

27 June 2019

THE UN TO DISCUSS UNAMID

Countering violent extremism vs PSOs

AMISOM has morphed into a counter-terror operation. Its original mandate was to protect transitional federal institutions, key infrastructure, installations and equipment, and it had the right to use force in self-defence. Its evolution was necessitated by the nature of the al-Shabaab threat and the fact that the mission was only relevant to the extent that it could ensure the exit of the transitional federal institutions in Mogadishu. Counter-terrorism operations have increasingly become integral to the success of the mission.

The involvement of AMISOM in counter-terrorism operations and the overemphasis on military action have also raised questions about the AU's impartiality in Somalia. This will affect to what extent the AU can engage in peacebuilding in Somalia following AMISOM's planned exit in 2021.

Informing the AU's PSO doctrine

The success of PSOs, as defined by the UN, rests on the core principles of consent, impartiality and the non-use of force except in cases of self-defence and the defence of the mandate. Adherence to these principles provides the basis for host communities to perceive the mission as legitimate and credible.

> The AU's stance on the UN's principles will also determine how its PSOs engage neighbouring states in subsequent deployments

Currently, there is a lack of consensus on whether the AU should follow these UN principles, given that its current missions depart from them. This debate should be resolved in the process of developing the AU PSO doctrine. Clarification of its stand on principles will inform and help outline clear boundaries as to what support the AU is prepared to give peace enforcement and counter-terrorism operations in a way that sustains progress towards peace in a country. The AU's stance on the UN's principles will also determine how its PSOs engage neighbouring states in subsequent deployments.

In addition, the AU's PSO doctrine should ensure that the deployment and exit strategies of PSOs consider the state and achievements of peace processes.

AMISOM and UNAMID have been deployed for more than a decade. Neither was expected to address the root causes of the conflict in the countries where they have been deployed. The cursory inclusion of a peacebuilding mandate in these PSOs is therefore not going to lead to the resolution of protracted conflicts when the missions exit. PSOs are temporary measures that allow the necessary conditions for political processes to be set up and thus must run concurrently with a strategy to put in place a political process.

The AU PSO doctrine should, most importantly, be informed by African realities and the aspirations of host communities facing protracted conflicts.

2021

THE PLANNED WITHDRAWAL OF AMISOM

AU–UN relations in the spotlight as PSC prepares to meet UN Security Council

The AU and the United Nations (UN) held their annual conference in New York on 6 May 2019. This is the third such gathering under the 2017 UN–AU Joint Framework for Enhanced Partnership in Peace and Security and the 2018 AU–UN Framework for the Implementation of Agenda 2063 and the 2030 Agenda for Sustainable Development, which are the major frameworks on which the partnership between the two institutions is anchored. Of the two frameworks, the 2017 Joint UN–AU Framework affirms the centrality of peace and security issues to cooperation between the two institutions.

The importance of their cooperating on peace and security is evidenced by the institutionalisation of the annual joint AU PSC – UN Security Council (UNSC) consultative meeting, motivated by conflict in Africa. As preparations are underway for the 13th Joint Consultative Meeting between the PSC and the UNSC, there are questions as to the concrete outcomes of such engagements and whether Africa can ultimately get what it wants from its growing relationship with the UN.

Divisive issues

The sustained interaction between the AU and the UN, thanks in part to the commitment of UN Secretary-General Antonio Guterres and AU Commission Chairperson Moussa Faki Mahamat, is certainly a commendable step towards enhancing collaboration between the two institutions. But attempts to further strengthen the relationship will hinge on resolving divisive issues, particularly the AU's demand that peace support operations (PSOs) on the continent be financed through UN assessed contributions, and the reform of the UNSC.

> There are questions as to the concrete outcomes of such engagements and whether Africa can ultimately get what it wants

In terms of the demand for financing, a number of UNSC members have put up resistance, including some veto-wielding permanent members. They argue that the AU should carry the burden of 25% of the cost of PSOs and ensure troops are trained adequately.

This is also taking place in the context of the United States' decision to slash its contribution to UN funding and other international engagements.

6 May 2019

THE AU–UN CONFERENCE IN NEW YORK

The supremacy of the UNSC

The 2017 Joint Framework provides that the AU and the UN Office at the AU should work together to identify 'innovative ways to mobilise resources' for AU peace and security efforts, including AU-led PSOs. In practice, this requires such PSOs to be authorised by the UNSC prior to deployment to ensure the joint mobilisation of resources for their implementation. This need for authoritisation reaffirms the supremacy of the UNSC in the relationship between the two organisations on matters of peace and security.

In seeking to operationalise the provision within the framework, the African non-permanent members of the UNSC (the A3, then comprising Equatorial Guinea, Ethiopia and Côte d'Ivoire) tabled a resolution on the financing of AU-led UNSC-authorised PSOs in December 2018. This submission was based on the African Common Position for predictable and sustainable financing of PSOs using UN assessed contributions.

> This need for authoritisation reaffirms the supremacy of the UNSC in the relationship between the two organisations on matters of peace and security

It has been argued that the AU, through embarking on institutional and financial reforms, has shown its willingness to meet the 25% financing target required by some members of the P5 (the five permanent UNSC members with veto powers). In addition, it has also been pointed out that AU member states are UN member states as well and, as such, should be able to claim UN support for financing PSOs even when the political and operational processes are led by the AU.

Regarding the preparedness of troops, the AU believes it has the capacity to address challenges through, notably, the operationalisation of the African Standby Force. Others have argued that emphasis should rather be placed on accountability mechanisms and punitive measures for any troops that violate human rights, as this is not strictly an 'African problem'. For example, the French forces deployed in the Central African Republic, authorised by UN Resolution 2127, have been accused of abusing underage children in 2013 and 2014.

Dissenting views on UN Security Council reform

The AU's demand that the UNSC be reformed will remain a contentious issue in the relationship between the two institutions.

Although the debate on UNSC reform began over 25 years ago, and the AU outlined its stance on the matter in the 2005 Ezulwini Consensus, the debate is still ongoing without any clear way forward. At the 32nd Session of the AU Assembly in February 2019, the continental body reaffirmed its commitment to the African Common Position on UNSC reform, in accordance with the

2005

THE AU'S EZULWINI CONSENSUS

Ezulwini Consensus, which sets out Africa's demand for two permanent seats with veto powers and five non-permanent seats.

Even though there appears to be a general consensus (apart from the P5) that the UNSC needs to be reformed, some have argued that Africa's insistence on two permanent seats has prevented the debate from moving forward. Among them are Jakkie Cilliers, head of African Futures and Innovation at the Institute for Security Studies and one of the founders of Elect the Council, a campaign proposing innovative ways to break the deadlock.

Cilliers believes that 'the protracted negotiations to expand the Security Council are in any case doomed to failure' and that rather than adding new veto-wielding members, the entire system should be overhauled.

It is also evident that, whatever proposal is on the table regarding the structure of the UNSC, the P5 has to have the political will for it to happen. This could perhaps begin with an understanding that it is in the interest of international peace and security, of which the UNSC is the custodian.

Does effective AU–UN collaboration require UNSC reform?

The objections raised by some UNSC permanent members regarding financing African PSOs show that there will continue to be obstacles in the way of AU and UN collaboration in tackling insecurity on the continent until the UNSC is reformed. Organisations calling for UNSC reform, such as Elect the Council, have also pointed out that peacekeeping globally can benefit from such reforms.

> The protracted negotiations to expand the Security Council are in any case doomed to failure

It is clear that attempts to further strengthen the relationship between the AU and the UN are, to a large extent, determined by what happens in the UNSC and what the P5 will allow.

This implies that the need for reforming the UNSC goes beyond demands that it reflect the equality of states in the current international system. It is also about reconfiguring the UNSC in a way that can ease cooperation with continental bodies such as the AU. The entrenched stakes that UNSC members have in certain country situations tend to reinforce historical perceptions of a partial UNSC whose P5 wield power in the interest of their respective countries.

The current configuration of and dynamics in the UNSC, therefore, do not allow Africa's voice to be fully heard, thereby substantiating demands for reforming the UN organ primarily responsible for international peace and security.

Elect the Council

CAMPAIGNING FOR UNSC REFORM

Interview: 'The AU's voice in the Great Lakes remains key'

Veteran Algerian diplomat Said Djinnit recently stepped down as United Nations Special Envoy to the Great Lakes (UNSEGL). *PSC Report* asked him about the situation in the region and the role of AU institutions such as the Peace and Security Council and regional economic communities.

After three years in the role of UNSEGL, how would you describe the state of peace and security in the Great Lakes region?

At the political level, conflicts and political crises in the region, most notably in the Democratic Republic of Congo (DRC) and Burundi, but also in South Sudan and the Central African Republic (CAR), have had a significant impact on regional stability and on efforts to advance the implementation of the regional commitments under the peace, security and cooperation framework [PSC Framework]. Over the past year, significant opportunities for consolidating regional peace and stability have emerged, including through the holding of peaceful elections in the DRC; the signing of the revitalised Agreement on the Resolution of the Conflict in South Sudan under the auspices of the Intergovernmental Authority on Development (IGAD); and the peace accord between the government of the CAR and 14 armed groups facilitated by the AU-led African Initiative for Peace and Reconciliation. These are results of the leadership and political will displayed by the national stakeholders, accompanied by adequate support from regional and international partners.

These achievements, however, remain fragile. We need to capitalise on the opportunities and not waver in our support to the respective parties to live up to their responsibilities.

What do you think is the greatest source of instability in the region?

The greatest source of instability remains the presence and activities of non-state armed groups in the eastern DRC, including allegations of proxy support to them. This is further compounded by competition over access to natural resources in the area.

How central is stability in the DRC to stability in the wider Great Lakes region?

Stability in the DRC is indispensable for regional stability. Not only is the DRC the biggest country and geographically at the heart of the region, but its wealth of natural and human resources – if exploited in a legal and sustainable manner – could also provide the engine of economic growth and development of the region. Conversely, internal shocks to economic activities, as well as political and security crises, create ripple effects throughout the region. Particularly, insecurity in the eastern DRC perpetuates mistrust between some countries of the region and thereby fuels renewed cycles of insecurity.

How do you assess the situation in the DRC?

Since he assumed office, President [Felix] Tshisekedi has been giving the right signals and has done a number of right things. He visited all the neighbouring countries and expressed his strong commitment to regional cooperation and stability and to the PSC Framework. In turn, the leaders of the region seem to be ready to support him in his efforts to effect the change that the people of DRC voted for.

> The greatest source of instability remains the presence of non-state armed groups in the eastern DRC

The decision of Tshisekedi to release political prisoners was in line with the 31 December [2016] agreement. It is important that he continues to promote reconciliation among all sons and children of the DRC. Addressing the economic and security challenges of the DRC requires the contribution of all Congolese people and the support of the international community.

Do you think that the PSC Framework is still relevant, and that the core countries of the Great Lakes remain committed to it?

I am fully convinced that the PSC Framework remains relevant. The commitments made by the countries of the region under the PSC Framework, most notably

the regional commitments, are not tied to a specific situation or period but rather define conditions that would enable the countries to ensure systematic cooperation on issues of mutual concern to them, most notably the root causes of conflict in the region. Most recently, participation in summits of the Regional Oversight Mechanism of the PSC Framework, as well as the leadership demonstrated by countries of the region in addressing challenges in the implementation of the PSC Framework, such as for example the question of disarmed foreign combatants in the eastern DRC, Rwanda and Uganda, attest to the importance the region attaches to this agreement.

> Since he assumed office, President Tshisekedi has been giving the right signals and has done a number of right things

How do you assess the effectiveness of the East African Community's (EAC) mediation in the Burundi political talks?

Despite all the efforts deployed so far, the situation in Burundi remains of concern. This is as a result of continuing differences between the government and the opposition about the political and economic dispensation of the country and, most importantly, a consensual path towards peaceful, credible and inclusive elections in 2020. In order to move ahead, the EAC should fully use its influence and the tools at its disposal, including through putting the political weight of its individual member states behind the mediator and the facilitation team. After all, regional economic integration, which remains at the heart of the EAC, will not be successful without creating an enabling environment that allows all of its member states to participate fully in regional economic trade and investment.

What do you think needs to be done before the 2020 elections in Burundi to ensure a return to stability and political freedom in that country?

First of all, conducive conditions have to be created that will allow for a dialogue between the government and the opposition. This requires full respect for human rights in the country and the opening of political space. Second, the Arusha Peace Agreement needs to remain the basis of the country's political dispensation and of any dialogue that may be taking place. Third, it will be important to find ways to bring all the Burundian stakeholders to the table to enable dialogue on how they see the path towards peaceful, credible and inclusive elections in 2020.

The Great Lakes countries are members of several regional economic communities, including the EAC and the Southern African Development Community (SADC). The International Conference on the Great Lakes Region (ICGLR) is the only regional body that includes all of the core Great Lakes countries, but it remains weak. Is the absence

2020

THE NEXT ELECTIONS IN BURUNDI

of a strong regional body a contributing factor to instability in the region? Could the AU fill this gap?

Indeed, the region's voice remains fragmented and sometimes weak. This is partly due to the absence of a strong unifying regional body, but also a result of a lack of political will in some instances. There are a number of regional security-related and confidence-building mechanisms; however, many of them lack the ability to effectively discharge their mandated tasks. This is as a result of a lack of member state contributions, both financial and in terms of personnel, as well as adequate political support to their respective mandates. Support from the AU will continue to be useful, but I do not believe that the AU would be able to cover the gaps the region itself is experiencing. These responses have to come from the region to be accepted and thus effective.

Are the problems and dynamics in the Great Lakes region different from dynamics in other regions you have worked in; West Africa for example?

The Great Lakes region is unique in many aspects, including due to the absence of a strong regional economic community such as the Economic Community of West African States in West Africa or SADC in Southern Africa. The intertwined history of the countries in the region, as well as of their leaders, further accentuates the region's peculiarity and makes it difficult for external parties to help. To achieve lasting peace and security in this region, the relations between the countries of the region at all levels should be strengthened and mistrust between countries overcome. This will require the strong commitment of leaders to address the issue of residual mistrust. They should allow existing confidence-building mechanisms such as the Expanded Verification Mechanism to function effectively.

What would be the most effective contribution the AU could make to peace and stability in the Great Lakes region?

As a co-guarantor of the PSC Framework, the AU has a pivotal role in the Great Lakes, beyond its overall mandate as the body in charge of peace and security of the continent. The AU's voice remains key and should continue to be used on core issues of concern. While regional communities should act in the first instance to address challenges affecting peace and security, it should always be with the support of the AU. And when the regional community fails to address a situation such as in the case of Burundi, the AU should be called to assist.

Do you think South Africa has a role to play in the Great Lakes and, if so, what is this role?

South Africa has longstanding historical ties with the region and should continue to use its influence over the regional stakeholders to promote good neighbourliness and political and economic cooperation. In recent years, it appears South Africa has not been as involved as previously. On my part, I have always endeavoured to encourage South Africa to maintain its pivotal role in support of peace and stability, including as a signatory of the PSC Framework and a guarantor of the Arusha Agreement.

SADC

PLAYS A BIG ROLE IN THE DRC

INSTITUTE FOR SECURITY STUDIES

About the PSC Report

The Peace and Security Council Report analyses developments and decisions at the African Union Peace and Security Council (PSC). The monthly publication is the only one of its kind dedicated to providing current analysis of the PSC's work. It is written by a team of ISS analysts in Addis Ababa.

About the ISS

The Institute for Security Studies (ISS) partners to build knowledge and skills that secure Africa's future. Our goal is to enhance human security as a means to achieve sustainable peace and prosperity. Using its networks and influence, the ISS provides timely and credible analysis, practical training and technical assistance to governments and civil society.

Contributors to this issue

Mohamed Diatta, ISS Addis Ababa researcher

Liesl Louw-Vaudran, ISS senior research consultant

Andrews Attah-Asamoah, ISS senior research fellow

Shewit Woldemichael, ISS Addis Ababa researcher

Peter Fabricius, ISS consultant

Contact

Liesl Louw-Vaudran

Consultant to the *PSC Report*

ISS Pretoria

Email: llouw@issafrica.org

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