

POLICY BRIEF

Primacy of politics or securitising governance?

Options for a sustainable AU Department of Political Affairs, Peace and Security

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As part of its institutional reform, the African Union (AU) Commission now includes a department resulting from the merger of the former departments of political affairs, and peace and security. The effectiveness of the new department poses strategic, policy and bureaucratic challenges. This policy brief suggests ways to optimise the AU's responses while promoting the primacy of politics in solving crises in Africa.

Key findings

- ▶ To achieve policy and bureaucratic coherence, the African Union's (AU) new Department of Political Affairs, Peace and Security (DPAPS) must overcome the challenges posed by the cost-cutting rationale behind its establishment.
- ▶ Defining coordination among the existing governance, peace and security architectures in Africa is crucial, especially in funding and mainstreaming of cross-cutting issues such as human rights and gender.
- ▶ A key DPAPS challenge is bridging the gap between the restrictive interpretation of AU political and legal instruments by some member states and addressing contemporary challenges of peace and security on the continent.

Recommendations for AU DPAPS

- ▶ Define standard operating procedures for the full integration of the department and to prepare it to respond effectively to multidimensional crises.
- ▶ Create an entity in the DPAPS Commissioner's office for administrative and policy coordination among the two directorates, international partners and other AU organs. These organs include the African Peer Review Mechanism (APRM), African Commission on Human and Peoples' Rights (ACHPR) and African Centre for the Study and Research on Terrorism (ACSRT).
- ▶ Assess the relevance of AU liaison offices' mandates in the current context and verify the adequacy of the offices' human and financial resources.
- ▶ Design a staffing policy to ensure gender equality, regional balance and linguistic diversity at the leadership level of the directorates, divisions and units of the new department.
- ▶ Ensure policy coherence between legal and political instruments such as African Peace and Security Architecture (APSA), African Governance Architecture (AGA), APRM and the Continental Structural Conflict Prevention Framework (CSCPF).
- ▶ Agree on an operational and shared understanding of subsidiarity with regional economic communities/regional mechanisms for a clear division of labour, and enhance the coherence and effectiveness of African solutions to crises.
- ▶ Define a coherent engagement with the AU Peace and Security Council (PSC) characterised by substantial participation of the AU Commission Chairperson and the Commissioner of DPAPS (CPAPS) in its proceedings. This will assert the prerogatives of the Commission as per article 10 of the PSC Protocol.

Acronyms

ACHPR	African Commission on Human and Peoples' Rights	CSCPF	Continental Structural Conflict Prevention Framework
ACSRT	African Centre for the Study and Research on Terrorism	DPA	Department of Political Affairs
AGA	African Governance Architecture	DPAPS	Department for Political Affairs, Peace and Security
APRM	African Peer Review Mechanism	GCPD	Governance and Conflict Prevention Directorate
APSA	African Peace and Security Architecture	PSC	Peace and Security Council
AU	African Union	PSD	Peace and Security Department
AUC	AU Commission	RECs	Regional Economic Communities
CPAPS	Commissioner of DPAPS		

Introduction

Following a trend observed in the United Nations and other intergovernmental organisations, the African Union (AU) opted for institutional reform in 2018. Among the most emblematic results was the merger of the political affairs, and peace and security departments into the Department for Political Affairs, Peace and Security (DPAPS). In February 2021, Ambassador Bankole Adeoye was elected at the helm of the department, which is the biggest and most financially powerful in the AU Commission (AUC). He must set up a new administration while maintaining the AU's capacity to effectively address governance, peace and security issues.

This policy brief analyses the main legal, procedural and political challenges in bringing DPAPS into operation. It argues that the creation of DPAPS was less about the need to provide integrated responses to peace and security issues and more a financial and cost-cutting exercise. It identifies priorities for a sustainable merger of the primacy of politics and governance with instruments and financial capabilities of peace and security.

Historical context of the merger

At its 28th ordinary session in January 2017, the Assembly of the Union agreed on institutional reform that includes strengthening working methods of the Peace and Security Council (PSC) and its role in conflict prevention and crisis management. This will ensure it meets the objectives of its protocol by strengthening its mandate and reviewing

its structure and staffing needs, including conditions of services, to ensure alignment with agreed priorities.¹

During its 11th extraordinary session on 17 and 18 November 2018, the assembly decided to reduce the number of commission portfolios, by, among others, merging existing departments into one structure.

Furthermore, the AUC was asked to 'propose distinct terms of reference specifying the roles of each position within the framework of the new departmental structure of the Commission.'² The final structure of the new DPAPS was adopted by Executive Council decision in early-February 2020, and by the assembly during its 32nd ordinary session, also in early-February 2020.³

The new structure divides the department into a directorate for conflict management and one for governance and conflict prevention. The Conflict Management Directorate comprises three regional desks (west and central Africa, east and southern Africa and north Africa). It houses a new mediation and dialogue division that includes the existing secretariat of the Panel of the Wise and Mediation Support Unit, the Peace Support Operations Division and the PSC Secretariat. The directorate also includes women, peace and security, youth and child protection and is a focal point for the AU liaison offices.

The Governance and Conflict Prevention Directorate (GCPD) includes the Democracy, Elections and Constitution Division, Governance and Human Rights Division and AGA/APSA Secretariat. The GCPD also comprises two entities of the Peace and Security

Department (PSD): a division for disarmament, demobilisation and reintegration/security sector reform and a unit for post-conflict reconstruction. A situation room serves both directorates.

According to a Reform Implementation Unit report, the mandate of the new department is derived from Agenda 2063's aspirations 3 and 4. These envision 'an Africa of good governance, democracy, respect for human rights, justice and the rule of law' and 'a peaceful and secure Africa.' Therefore, the department's mandate is to 'contribute to the efforts of Member States and RECs/RMs towards the prevention, resolution and management of conflict and disruptive crises.'⁴ DPAPS is meant to promote peace and stability, good governance, democracy and human rights as a foundation for inclusion, security and the development of the continent and its people.⁵

While these goals appear logical, they do not include substantive justification for the merger. This perception is shared by several staff of the two departments who do not understand which problems the merged department will solve better than the previous configuration.⁶

Nonetheless, the new structure constitutes a normalisation on the African continent. The Economic Community of West African States, Economic Community of Central African States, East African Community, Intergovernmental Authority on Development and Southern African Development Community preceded the AU in merging departments in charge of peace/security and political affairs. This outcome did not actually suppress any entity in the department structure agreed by member states in Maputo in 2003.⁷ From the DPAPS perspective, the reform was mostly in merging some entities and shifting oversight of others.

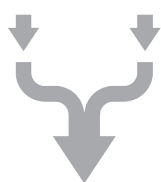
DPAPS' creation was less about providing integrated responses to peace and security issues and more a financial and cost-cutting exercise

AU staff's relative unease with the new structure can be attributed to the limited consultation about the merger. Led by the Reform Implementation Unit and an international consultancy, internal consultations were confined to the department's senior leadership (division heads, directors and commissioners), with limited inputs from regular officers. Therefore, the new department is perceived as lacking practical and operational clarity on aspects including the interim arrangements, financial and human resources, and the identity of coordinators of newly created entities.

Key challenges for the new department

Financial pressure versus policy effectiveness

The main challenge facing DPAPS is overcoming the rationale for its establishment. The logic for the merger of the former PSD and Department of



THE AGA-APSA MERGER
BRINGS LEGAL AND
STRATEGIC CHALLENGES

Political Affairs (DPA) was mostly symbolic and financial. It was mostly symbolic because in the context of the reduction of the size of the AUC, the merger was an easy sell to member states that were increasingly wary of a body perceived as wasteful. And it was financial because member states emphasised that the new reform should cost as little as possible.

The proposed DPAPS structure suggests that neither operational nor policy effectiveness were the driving factors of the merger decision. It is then not surprising that DPAPS appears not as an integrated entity but as a juxtaposition of pre-existing divisions and units. The only innovations are the regional desks that coalesce the former continental early warning system and are staffed by desk officers. Their legality is questionable as they basically suppress one of the five pillars of APSA without amending the treaty establishing it.

Moreover, this decision *de facto* abolishes the distinction between crisis management and conflict prevention. And there was hardly any strategic consideration of how all these divisions and units would work together to reach the goal of 'silencing the guns' by the newly set deadline of 2030. Therefore, one of the new DPAPS's key objectives should be providing bureaucracy and policy coherence to the new department.

Defining the coordination of AGA and APSA

Synergy between AGA and APSA has long been an object of academic and policy debates,⁸ but neither the AU Assembly nor Reform Implementation Unit provided any clear guideline on it throughout the consultation process that led to the institutional reform.

AGA and APSA are dynamic sets of norms, institutions, actors and practices that define the AU's collective security ambitions. Beyond bureaucratic challenges, their merger brings legal and strategic challenges that DPAPS should address. Legally, the department should be the main implementer of the 2002 Protocol Relating to the Establishment of the Peace and Security Council and the 2007 African Charter on Democracy, Elections and Governance. While these instruments are not exclusive, it would be useful to properly define their complementarity legally and operationally.

Secondly, since 2017, the debate on AU funding was almost exclusively centred on the PSD, especially

AU-led peace support operations. The creation of a single department, therefore, requires a thorough reflection about ways in which funding instruments should mirror the proclaimed ambition of an integrated approach to peace and security. If not, the risk remains high of bureaucratic and financial perpetuation of the past divide between an overfunded PSD and a low-profile DPA. Coordinating the various architectures and instruments of the new department will be key in assessing the AU's ability or willingness to mainstream and prioritise civilian management of crises.

DPAPS must avoid focusing on the reactive and military approaches favoured by most AU member states

Managing member states' preferences

A key challenge for DPAPS will be bridging the gap between member states' preferences and the principles of the PSC Protocol or the Constitutive Act. Over the years, most AU member states have developed a rather restrictive, if not conservative, interpretation of these political instruments. This created a dilemma for the AUC, which found itself caught between its role of executive arm of member states and the informally extended mandate characteristic of any supranational body. Strengthening the agency of the AUC often causes friction with the Permanent Representatives Committee, which would like the AUC to remain a secretariat general.

DPAPS will have to adequately discharge the tasks of a commission without falling into the trap of the reactive and often military approach favoured by most AU member states. Since the political upheaval and security force killings in Burundi in 2015, permanent representatives in Addis Ababa appear to have become more risk averse to avoid being publicly contradicted by their capitals.⁹ This has resulted in a gradual informality of AU decision-making processes. Usual channels of decision making are increasingly being bypassed by informal arrangements as illustrated by the 2019 summits on the Democratic Republic of Congo and Sudan.¹⁰

In summary, the new department faces both strategic and operational challenges, the main strategic issue

being crafting a vision and *raison d'être*. As member states never explicitly defined why a merged department was best placed to solve peace and security issues, it is the job of the CPAPS and the AUC Chairperson to do so. However, this exercise is not without risks and could expose them to member state accusations of overstepping their mandate. Operationally, the task is creating a streamlined, coherent and cohesive entity with adequate resources to reach Agenda 2063 goals.

To succeed in the short- to medium term, DPAPS needs to invest time and energy on the bureaucratic, policy and political levels.

Short-to medium-term options: bureaucratic measures

Take stock and reassess existing partnerships

An immediate priority for the CPAPS should be in-depth stocktaking of challenges and opportunities in both departments. However, sustainable, effective reform demands that a comprehensive, inclusive strategy based on realities be adopted, endorsed and embraced by both directorates. It is logical, then, that the new department reassess and evaluate whether the current nature of partnerships addresses its needs as a new structure. Indeed, the United Nations and European Union partnerships were forged when there were two departments.

Establish interim management arrangements

Business continuity during any transition from one structure to another requires clarity of management and leadership. Very little was present before the start of CPAPS. This could reinforce existing silos that the merger, ideally, seeks to remove.

Define standard operating procedures

Define standard operating procedures to allow DPAPS to move from a simple addition of previous DPA/PSD units into an integrated department. To achieve this, it could be useful for DPAPS to conduct a simulation to test its reactive capacity to various crises, and subsequently define standard operating procedures.

Resume systematic drafting of reports

Resume the systematic drafting of reports by the AUC Chairperson or for meetings held by the PSC

on crises and strategic issues. This practice, which has been irregular in recent years, would be well suited for interdepartmental mobilisation. It would also make room for systematic collaboration among various entities at headquarters and in liaison offices. For the PSD-DPA merger, the report of the AUC Chairperson may be relevant to collaboration in the new department.

Sustainable funding is needed for preventive diplomacy, mediation and structural conflict prevention

Set up a coordination entity

A major shortcoming of the merged structure appears to be the lack of any coordination mechanism between the peace and security and political directorates. It is assumed that the CPAPS and his advisers will provide guidance on coordination.¹¹

There are many reasons to question this thinking. The demands of the Commissioner's position leave limited time for administrative management or policy coordination. More importantly, the merger requires more strategic coordination to avoid two main obstacles. First, security issues should not take absolute priority over political ones. Second, thematic issues such as disarmament, demobilisation and reintegration, security sector reform and human rights should not operate in isolation and would benefit from being mainstreamed in peace and security management efforts.

The strategic coordination unit should ideally comprise staff with a deep knowledge of AU instruments in peace, security and governance, combined with strong political acumen. Due to the sheer size of DPAPS, creating a position of chief of staff could be considered. This would ensure smooth coordination not only between the two directorates, but between the administrative and substantive parts of the whole department and the rest of CPAPS.

Design a regionally- and gender-balanced staffing policy

This policy would ensure that all regions of the continent are represented in various DPAPS divisions

and units. Besides removing perceptions of a regional/national takeover of the department, which is detrimental to a productive work environment, regional and gender balance also ensures diversity and plurilingualism. Furthermore, this policy is crucial given the regional desks, which must be staffed with nationals from various origins to ensure that the department retains a critical distance in conflict and instability analysis.

Assess AU liaison offices

While liaison offices are crucial in expressing African voices and common positions on continental conflicts, they are hampered by lack of guidance from headquarters, limited human and financial resources, and inadequate mandate. CPAPS, in close collaboration with the Office of the AUC Chairperson, should assess the offices in the context in which they operate. This exercise will streamline the number of offices, assess their mandate and define the appropriate resources needed to implement it.

Short- to medium-term options: policy measures

Develop, implement and evaluate divisional strategic plans

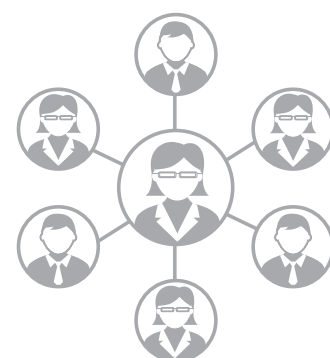
Historically, one of the reasons for the AUC's lack of timely response to crises despite relevant mechanisms to resolve them, is the short-sightedness in the planning mechanisms of the different divisions. Each division in DPAPS should develop a two-year strategic plan grounded on a thorough assessment of the context in which it operates, and spelling out opportunities, threats, stakeholders and their capacities.

The merged structure needs a coordination mechanism between the peace and security and political directorates

The strategic plans should be adaptable to the fluctuating crises in Africa and should ensure coherence, coordination and collaboration among different DPAPS divisions. This would help DPAPS to strategically address continental crises with a clear identification of its own added value and comparative advantage.

Harmonise funding instruments

In recent years, most internal thinking about endogenous AU funding revolved around peace support operations. While sometimes unavoidable and always cost intensive, peace support operations are not optimal instruments to prevent or reverse instability. It is imperative that the AU ensures predictable and sustainable funding for its instruments of preventive diplomacy, mediation and structural conflict prevention. The allocation timeframes of the Peace Fund might need to be reconsidered by heads of states and governments to ensure that they reflect the comprehensive approach of the new department.



GIVEN DPAPS' SIZE, A CHIEF OF STAFF POSITION SHOULD BE CONSIDERED

It could be useful to set up a taskforce to identify options for predictable and sustainable funding for both AGA and APSA. Ideally, this instrument should be multiannual to confront protracted instability on the continent. It would also ensure better predictability and planning for member states' timely contributions. A single funding instrument is the most appropriate way to ensure optimal coherence among parts of the department and associated organs (APRM, ACSRT, ACHPR). It is also likely to increase DPAPS' authority.

Ensure policy coherence among instruments

DPA and PSD were created and governed by two different legal instruments. Their merger was not supported by a definition of a clear path on how to work together. A single legal instrument merging AGA and APSA would help establish a policy framework for DPAPS. For example, the structural conflict prevention instruments of CSCPF and APRM would need to be streamlined and harmonised.¹²

Through the AUC Chairperson, CPAPS could propose to the Assembly of Heads of State during the next summit the establishment of a committee of experts. This committee would comprise academics and former diplomats (two per region) and would lay the foundation for a new protocol for stability on the continent.

Short- to medium-term options: political measures

Revamp special envoys' appointment process

According to PSC Protocol, the appointment of special envoys is the prerogative of the AUC Chairperson. However, over the years, these appointments have lacked transparency on the criteria for the choice of candidates, the mandate and the resources allocated to the liaison office.

African Union member states and the AU Commission must agree on a legal, political and operational definition of subsidiarity

In its current state, this process makes it difficult to impartially assess the performance of special envoys and to measure progress against AU goals set for crises. DPAPS, in close cooperation with the Office of the AUC Chairperson, should take stock of the practices of the European Union, which appoints special envoys through a communiqué detailing the strategic objective, mandate and annual human and financial resources.

Define subsidiarity

Subsidiarity has become one of the most cited buzzwords in AU jargon. However, although the concept has clearly influenced the organisation's structural reform, it is not properly defined in its legal and political corpus.



A SINGLE FUNDING
INSTRUMENT FOR DPAPS
IS OPTIMAL

For example, the mandate of DPAPS is defined by the reform unit as 'to contribute to the efforts of member states and RECs/RMs towards the prevention, resolution and management of conflict and disruptive crises.'¹³ From this one could deduce that the AU does not have the vocation to be a first-line responder. This contradicts articles 7 and 10 of the Protocol Relating to the Establishment of the Peace and Security Council.

The crises in Mali and the Central African Republic, to name two, have led to tensions between the Regional Economic Communities (RECs) and the AUC, mostly because of the lack of clarity on subsidiarity. Consequently, it is more than desirable that the member states and the Commission agree on a legal, political and operational definition of subsidiarity.

Both the AUC and the RECs would benefit from well-defined modalities of passage from one level to the next in the resolution of a crisis. One way of doing this could be to create a panel of legal scholars and political actors, including former AUC chairpersons and former executive secretaries of regional organisations. The panel would define a framework for harmonious collaboration between the AUC and the RECs during crises.

The DPAPS Commissioner needs the AUC Chairperson's support to assert his authority over the various AU organs under his purview

Reinvent the relationship with the AUC Chairperson

The relationship between the AUC Chairperson and the CPAPS has always been central to the AUC's proper handling of peace and security issues. With the merger of PSD and DPA, this relationship becomes even more crucial institutionally and even personally. It is important for the incoming CPAPS to establish a good working relationship with both the AUC Chairperson and Deputy Chairperson to ensure strong coherence in the executive arm of the AU.

Indeed, according to article 10 of the PSC Protocol, most of the responsibility of the AUC in the context of APSA lies with its chairperson. The CPAPS needs the AUC Chairperson's support to assert his authority on various and scattered AU organs whose mandate falls under his purview, such as APRM, ACSRT and the AU Board on Corruption. Ensuring an effective architecture for peace, security and governance requires coherence among the various arms of the AUC.

Define a coherent engagement with the PSC

The relationship between the PSC and the AUC is well defined in the PSC Protocol. As mentioned earlier, the gap is growing between the spirit of the protocol and the political preferences of some member states. Bridging this gap would require strategic engagement by CPAPS and, even more importantly, by the Chairperson of the AUC. As CPAPS will be deeply involved

> 2/3 OF
PSC MEETINGS

SHOULD BE ATTENDED BY
THE AUC CHAIR OR
DPAPS COMMISSIONER

in ensuring that the department works effectively, the AUC Chairperson must increase his engagement with the PSC in line with article 10 of the protocol.

Therefore, it is highly recommended that the AUC Chairperson returns to the practice of its predecessor, Alpha Oumar Konaré, who participated in most PSC meetings. In recent years, the AUC has often been represented in PSC sessions by the PSD director, less so by the Commissioner and even less by the AUC Chairperson. The latter has favoured participating in PSC meetings at presidential and ministerial levels.

To ensure regular participation of permanent representatives and high-quality exchanges within the PSC, more than two-thirds of PSC meetings should

be attended by the AUC Chairperson or the CPAPS. High-level attendance by the AUC could increase its substantive and policy engagement with the PSC.

Conclusion

The establishment of DPAPS provides the AU with a potentially historic opportunity to implement the commitment to collective security enshrined in the letter and spirit of APSA. However, several short-term strategic and operational measures should be taken to ensure both business continuity and harmonisation of the instruments of the two former commissions. These measures would go a long way to enable the new AUC to prevent rather than have to manage conflicts in Africa.

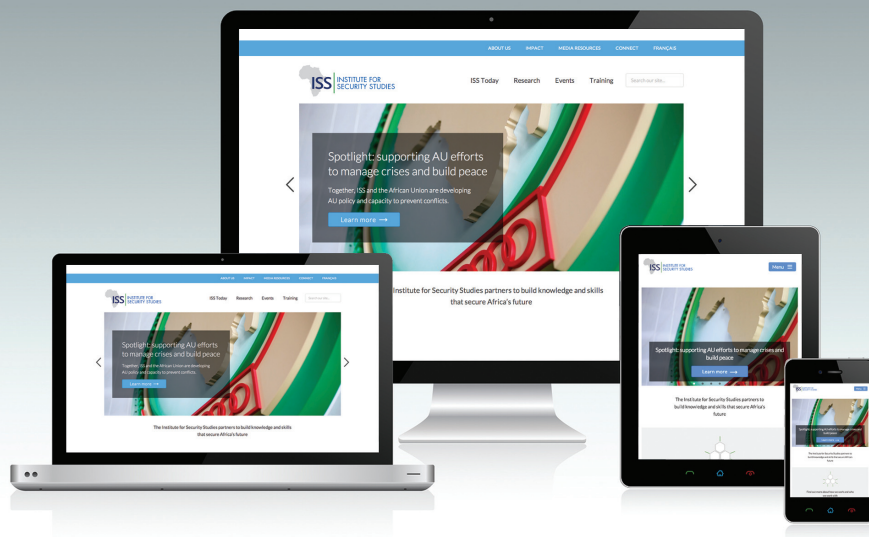
Notes

- 1 African Union, Decision on the outcome of the retreat of the Assembly of the African Union on the institutional reform of the African Union, Assembly/AU/Dec. 635 (XXVIII), 30-31 January 2017.
- 2 African Union, Decisions of the 11th Extraordinary Session of the Assembly, Ext/Assembly/AU/Dec. 1-4 (XI), 17-18 November 2018, 2.
- 3 African Union, Decisions, declarations and resolution of the 33rd Ordinary Session of the Assembly of the Union, 9-10 February 2020.
- 4 AU Commission, Restructuring the African Union Commission: Report of the Chairperson of the AUC through the Reform Implementation Unit on a proposed interdepartmental structure of the Commission, May 2019, 68.
- 5 Ibid, 69.
- 6 Meetings with officers of the AU Commission between January and March 2021.
- 7 Africa Union, Decision on the structure, human resources requirements and conditions of service for the staff of the Commission and their financial implications, 15.EX/CL/Dec. 34 (III), 4-8 July 2003.
- 8 Ulf Engel, The African Union's twin APSA and AGA agenda - moving beyond donor dependence and member states' resistance?', *Stichproben. Wiener Zeitschrift für kritische Afrikastudien*, No. 35/2018, Vol. 18, 51-71; George Mukundi Wachira, Strengthening the peace and governance nexus within the African Union. Enhancing synergy between the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA), NUPI Report 2017-7, 2017; YannBedzigui, Enhancing AU responses to instability: linking AGA and APSA, Institute for Security Studies, 17 January 2018.
- 9 In December 2015, the PSC recommended that the AU Assembly deploy an AU police force to Burundi under Article 4(h) of the Constitutive Act (never before invoked). At the ensuing AU Assembly in January 2016, the heads of state and government overturned this decision.
- 10 African Union, Communiqué of the high-level consultative meeting of heads of state and government on the situation in the Democratic Republic of the Congo, 17 January 2019; and African Union, Joint Communiqué Consultative Summit of the Regional Partners of the Sudan, Cairo, 23 April 2019.
- 11 The Interdepartmental Taskforce on Conflict Prevention (IDTFCP) could be used to this effect but its current scope would have to be extended.
- 12 This might prove difficult as the APRM remains a voluntary mechanism to which some member states have not acceded.
- 13 AU Commission, Restructuring the African Union Commission: report of the Chairperson of the AUC through the Reform Implementation Unit on a proposed interdepartmental structure of the Commission, May 2019, 69.
- 14 Current negotiations of a new memorandum of understanding between the AUC and RECs/RMs could work out details pertaining to this.

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