Peace and Security Council Report

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

Peace and Security Council Protocol

'The PSC shall encourage non-governmental organizations to participate actively in the efforts aimed at promoting peace, security and stability in Africa. When required such organizations may be invited to address the Peace and Security Council' – Article 20 of the Protocol Relating to the Establishment of the PSC of the African Union

Early warning issues for May 2012

During May, developments in the deteriorating relationship between Sudan and South Sudan, continuing events in Mali in the wake of the coup, the activities of terrorist organisations in Africa such as *Al Qaeda* in the Maghreb, *Boko Haraam* and *Al-Shabaab*, and the continuing refugee crisis in the Eastern Democratic Republic of Congo are among early warning issues that merit close attention.

▶ Current PSC Chair

Bio data: H.E. Mr Jacques-Alfred Ndoumbé Eboulé
Current posts: Cameroon's Ambassador to Ethiopia, Permanent Representative to the AU and Chair of the PSC

Mali

During the course of the past month, the situation in Mali deteriorated from bad to worse. First, an armed rebellion broke out in Northern parts of the country. Second, as the government in Bamako struggled to manage the rebellion, members of the military establishment staged a coup against the democratically elected government scheduled to transfer power after the election scheduled for 29 April 2012. Third, amid the confusion and the leadership vacuum that the coup produced, the *Tuareg* armed rebel groups brought the entire northern territory of Mali under their control and subsequently declared the independence of that territory as the state of Azawad. Fourth, in this already self-destructive context, a military faction tried what looks like a counter coup during the night of April 30, although the situation remains unclear.

Although an agreement was signed for the restoration of constitutional order on 6 April 2012 and for the Junta to hand over power to an interim civilian government, there is a lack of certainty regarding the process for the restoration of constitutional order in Bamako. Notwithstanding that it handed over power to a civilian government, the junta has continued to wield the real power in the country.

Although the position of the MNLA is fragile, both in military and political terms, the *de facto* control it assumed over Northern Mali may not be easy to reverse militarily. The restoration of constitutional rule in Bamako does not necessarily guarantee an easy resolution of the armed rebellion.

Livingstone formula

'Civil Society Organizations may provide technical support to the African Union by undertaking early warning reporting, and situation analysis which feeds information into the decision-making process of the PSC' – **PSC/PR/(CLX)**, 5 December 2008, Conclusions of a Retreat of the PSC on a mechanism of interaction between the Council and CSOs.

North and South Sudan

Although South Sudan ascended to independent statehood on 9 July 2011 with the blessings of Sudan, there were a number of unresolved

issues between the two countries. While the failure to immediately address such issues has put the relationship of the two sovereign states on a difficult course, the fighting in March 2011 between the armed forces of the two countries over Abyei, and the eruption of conflict in South Kordofan and Blue Nile states in Sudan, heightened the tense relationship between the two. Since the independence of the South, the two countries have been accusing one another of supporting rebels inside each other's territories. While Sudan accuses the South of supporting the Sudan People's Liberation Army-North (SPLM-N), fighting against the government of Omar Al-Bashir in South Kordofan and Blue Nile states, the South accuses Khartoum of fomenting violence in South Sudan.

Lord's Resistance Army

The LRA continues to present a grave threat to the security of civilians in the Democratic Republic of Congo (DRC), the Republic of South Sudan and the CAR as well as the ongoing peace and political processes in these countries. Through the years, the LRA, which has a history of preying on local dynamics and conflicts, has demonstrated its ability to mount operations across borders, which has implications for crisis escalation potential within the ambit of the region's complex conflict dynamic. The insurgent group's threat capability has been reduced, following a series of operations directed against the LRA. However, in the absence of adequate security forces to confront the LRA in its vast area of operation, the latter is still able to take advantage of the dispersed settlements in the region in order to easily abduct its fighters, many of them children, and loot communities for sustenance and supplies.

The LRA is at a de-escalation and abatement phase, hiding and attacking weak and isolated communities in remote ungoverned areas largely beyond the scope of state authority. However the possibility of forming opportunistic alliances with other rebel groups in Darfur and the Great Lakes region can also pave the way for the revival of the group. Despite its present state of weakness, the LRA is still capable of instilling fear and sowing violence in its theatre of operations. In the absence of strong and coordinated civilian protection mechanisms, people in the areas affected by the LRA still live in fear and suffer trauma. Armed groups created to protect civilians from the attacks of the LRA could also introduce an additional problem to a region of Africa known for the uncontrolled proliferation of small arms and light weapons, thereby creating a challenge to ongoing Disarmament, Demobilisation and Reintegration (DDR) efforts by the governments of that region.

Country Analysis

MALI

Previous AU PSC communiqués and statements

On 23 March 2012, in a communiqué, **PSC/PR/COMM(CCCXV),** issued at its 315st meeting, the council strongly condemned the unconstitutional takeover of power by the army in Mali. The Council stressed that this coup d'état, coming just before the presidential election scheduled for 29 April 2012, constituted a serious setback for Mali and for the democratic processes taking place on the continent. In a statement, **PSC/PR/BR/3.(CCCXVII)**, issued on 12 April, the PSC 'welcomed the encouraging developments in Mali relating to the restoration of constitutional order, in particular the signing, on 6 April 2012, of the Framework Agreement on the Implementation of the Solemn Commitment of 1 April 2012'. While welcoming the inauguration of the acting President, Mr. Dioncounda Traoré, the Council called 'upon all the actors concerned to implement scrupulously the other provisions of the Framework Agreement'.

At its 319th meeting the PSC reconsidered the situation in Mali. In its communiqué, **PSC/MIN/ COMM./2.(CCCXIX),** the PSC rejected the declaration of independence of Azawad by the MNLA. It also said it was 'concerned about the recent arrests of political and military personalities, (recalled) the imperative for the scrupulous respect for civil liberties and strongly (condemned) all attempts to intimidate and harass political and other personalities'. Additionally, the Council demanded that the "National Council for the Recovery of Democracy and the Restoration of the State"(*Comité national pour le redressement de la démocratie et la restauration de l'État*) (CNRDRE) refrain from any interference and any role in the political life of the country, given the need for strict compliance with the prerogatives of civil institutions inherent in the constitutional order.

Crisis escalation potential

During the course of the past month, the situation in Mali deteriorated from bad to worse. First, an armed rebellion broke out in Northern parts of the country. Second, as the government in Bamako struggled to manage the rebellion, members of the military establishment staged a coup against the democratically elected government scheduled to transfer power after the election scheduled for 29 April 2012. Third, amid the confusion and the leadership vacuum that the coup

produced, the *Tuareg* armed rebel groups brought the entire northern territory of Mali under their control and subsequently declared the independence of that territory as the state of Azawad. Fourth, in this already self-destructive context, a military faction tried what looks like a counter coup during the night of April 30, although the situation remains unclear.

Although an agreement was signed for the restoration of constitutional order on 6 April 2012 and for the Junta to hand over power to an interim civilian government, there is a lack of certainty regarding the process for the restoration of constitutional order in Bamako. Notwithstanding that it handed over power to a civilian government, the junta has continued to wield the real power in the country.

Although the position of the MNLA is fragile, both in military and political terms, the *de facto* control it assumed over Northern Mali may not be easy to reverse militarily. The restoration of constitutional rule in Bamako does not necessarily guarantee an easy resolution of the armed rebellion.

Key issues and internal dynamics

There are two major political and security crises confronting Mali. The first is the war with the *Tuareg* armed rebel groups who, after seizing all parts of Northern Mali, declared independence from the country. The second is the constitutional crisis that ensued as a consequence of the military coup.

Following the demise of Colonel Gaddafi, members of the *Tuareg* who were fighting on both sides of the Libyan war, returned to Mali and in October 2011 established a group called the National Movement for the Liberation of the Azawad (*Mouvement national de liberation de l'Azawad)* (MNLA). Igniting the latest *Tuareg* rebellion against Mali, the sixth *Tuareg* rebellion since Mali's independence in 1960, the MNLA launched attacks on 16 January 2012 against government security posts in

Northern Mali. In the offensive, MNLA militants attacked a government military barracks and a national-guard base in Menaka, in the Gao region, and also attacked the north eastern cities of Aguelhoc and Tessalit in the Kidal region. Subsequent fighting took place in other Northern areas of Mali, including Léré, Andéramboukane and Nianfunké.

Although, unlike previous *Tuareg* rebellions, the MNLA offensive proved to be robust, initially poorly equipped Malian forces made strong attempts to quell the rebellion. Apart from ground operations, government forces also undertook airstrikes against MNLA positions. While there were contradictory reports about military gains and losses from both the Malian military and the MNLA, the Malian army started to lose ground as the fighting continued. On 8 February, MNLA fighters seized Tinzawaten in the far north. On 18 February, the MNLA attacked Hombori, a town on the main road between Mopti and Gao. On 11 March, the rebel group gained further territory when it overwhelmed Tessalit, close to the Algerian frontier, although Bamako subsequently claimed that its forces had made a 'strategic retreat'.

In the wake of the humiliating defeat of Malian forces in the face of a relatively robust MNLA offensive, Malians, and more particularly sections of the Malian army, accused the government in Bamako of failing to respond effectively against the armed rebellion in the north. On 1 and 2 February, protests against the government of Amadou Toumani Touré, also known as 'ATT' were staged in the Capital, and in the garrison town of Kati, 15kms from Bamako.

On 22 March 2012, mid-ranking officers in the Malian army staged a successful coup against President Touré. This marked a major setback for Mali's encouraging democratic process, in which the Malian president was due to step down

following presidential elections that were supposed to take place on 29 April 2012. The perpetrators of the coup, led by Captain Amadou Haya Sanogo, argued that their action was motivated at ending the incompetence of ATT's leadership in dealing with the rebellion that broke out in Northern Mali. Declaring themselves to be the National Committee for the Restoration of Democracy and the State or *Comité national pour le redressement de la démocratie et la restauration de l'État* (CNRDR), the coup makers suspended the constitution and imposed a curfew.

Instead of creating effective leadership and momentum against the rebellion, the coup precipitated a constitutional and political crisis. Although the coup plotters received some support from the Malian public, politicians, trade unions and other civil society actors generally rejected the coup. On 26 March, a front that comprised labour unions and civil society groups staged a protest against the coup. On 27 March the CNRDR's attempt to institute a new constitution failed, eventually leading to the restoration of the 1992 Constitution. When Captain Amadou Haya Sanogo, the junta's leader, called a national conference for 5 April, civil society groups, some 50 political parties and labour unions refused *en mass* to attend, resulting in the cancellation of the conference.

Contrary to the proclaimed objective of creating momentum against the *Tuareg* rebellion, the coup created a golden opportunity for the MNLA to achieve its military objectives with very little effort. The coup removed a legitimate, albeit ineffective, political leadership and failed to deliver any meaningful political leadership that could effectively replace the previous administration. Rather than providing leadership in the fight against the MNLA, the CNRDR was fighting for its own survival. The coup also divided Mali's military establishment into two camps.

Seizing the opportunity that the resulting political and military vacuum presented, the MNLA took control of all parts of Northern Mali. On 30 March, rebels took control of Kidal, capital of Mali's northernmost region, after clashes at military bases outside the town. During the following two days, rebels seized the two other major cities of Gao and Timbuktu. On 6 April, the MNLA declared a unilateral ceasefire saying that they controlled all the territories to which they laid claim. They also announced the establishment of an independent state called Azawad, comprising the territories they had seized from the Bamako government.

In the meantime, in the face of the *de facto* division of Mali into two parts and the failure to legitimize itself, the military junta accepted the demand from ECOWAS and the AU for handing over power to civilian rule. Accordingly, on 6 April 2012, Captain Sanogo signed a deal with the Economic Community of West African States (ECOWAS) to cede power to an interim civilian authority led by the speaker of the National Assembly. On 12 April 2012, the speaker of the National Assembly, Dioncounda Traoré, was sworn in as the new president of Mali.

Although the beginning of the process for the full restoration of constitutional order is a commendable development, the new government faces the double burden of establishing a new democratically elected government and contending with the declared secession of Azawad from greater Mali. President Traoré has been given a period of 40 days to organize elections, a timeline many analysts argue is difficult to meet. This is made more complicated by the strong power that the military still wields in the new environment.

With the handover of power to a civilian interim leader, the coup has effectively been brought to an end, but not necessarily its consequences. In addition, the threat that the

military still represents to civilian rule has not been removed. This is made clear not only in terms of the high treason charges the junta has brought against the ousted president, but also in the arrest by the military of two ex-presidential candidates, Soumaïla Cissé and ex-Prime Minister Modibo Sidibe, along with several high ranking military officers, including the former Minister of Defence. On 18 April, two leaders of the civil society coalition against the coup, Kassoum Tapo and Tiéman Coulibaly, were also arrested. There is also a possibility that the leader of the coup may present himself as a candidate for the planned presidential elections, although this is prohibited under existing AU norms relating to the prohibition of unconstitutional changes of government. In an interview with the media, Captain Sanogo said that the interim president 'will be here for 40 days and after 40 days my committee and ECOWAS will sit together and fix transition organs.'

Since the rebellion broke out, it has become clear that the MNLA is neither a monolithic entity nor is it the only force operating in Northern Mali. While there are various smaller groups, a major group other than the MNLA, which took part in the fighting that dislodged Malian forces from Northern Mali, is the Islamist *Ansar Dine* ("defenders of the faith"). The leader of *Ansar Dine* is a renegade *Tuareg* rebel leader, Iyad ag Ghali. Despite the fact that the MNLA and *Ansar Dine* joined forces to fight together from time to time, including in the capture of Timbuktu, they also pursue divergent political agendas. While the MNLA's aspiration is the establishment of an independent Azawad state, *Ansar Dine* has stated that their objective is to introduce *sharia* law throughout Mali. In a statement aired on *YouTube,* ag Ghali's spokesman said that: 'It is our obligation to fight for the application of *Sharia* in Mali'. Although ag Ghali is a known former *Tuareg* rebel leader and someone with ambitions for

political power, it has also been reported that his group has ties to *Al-Qaeda* in the Islamic Maghreb, also known as AQIM. According to some analysts, if the MNLA fails to end the threat that ag Ghali presents, he could use his influence to destroy the MNLA.

The presence of AQIM and other Islamist groups, including the Nigerian terrorist group *Boko Haram,* is another factor that further compounds the security situation in Mali. Northern Mali, which the MNLA controls as the homeland of the Azawad people, is part of the Sahel region where AQIM has established its bases. Although the MNLA denies any links with AQIM and has even declared plans to rid the region of the threats of AQIM, the government of Mali claims that the MNLA is linked to AQIM. Currently, there is no concrete evidence that the MNLA has such links.

Even if one accepts the MNLA's assertions that it has no links with Islamist groups and that its objective is the establishment of a secular democratic state, the group has no effective control over Northern Mali. While there are few confirmed reports, leaders of the regional *Al-Qaeda* organisation in the Islamic Maghreb (AQIM) have allegedly been spotted in the region since the conflict started. On 8 April, an Algerian consul and six members of his team in Gao were kidnapped. An *Al-Qaeda* dissident group, which splintered from AQIM due to the marginalisation of black African members, the Movement for Unity and Jihad in West Africa or *Mouvement pour L'Unicité et le Jihad en Afrique* de l'Ouest (MUJAO), claimed responsibility for the kidnapping of the Algerian diplomats. Further reports have surfaced, indicating that members of *Boko Haram* were seen in Gao, deepening fears that Northern Mali is becoming a regional haven for *Al-Qaeda*-related activities.

Among the various groups operating in Northern Mali is an array of

clandestine criminal groups who have long used the cover of conflict and extremist organisations to raise funds through kidnapping and drug smuggling activities.

The constitutional and security crises in Mali also resulted in serious humanitarian problems. More than 100,000 Malians have been forced to flee to neighbouring countries. In addition, more than 90,000 Malians have been displaced from their homes in Northern Mali. There are also concerns about humanitarian access to those in need of assistance.

Geo-political dynamics

Pan-African and RECs dynamics

While it brought to light the structural flaws of the incipient democracy that has been evolving in Mali for the past two decades, the coup also marked a setback for the efforts of ECOWAS and the AU in promoting democracy. In its initial statement, the ECOWAS Commission expressed its policy of 'Zero Tolerance for any attempt to obtain or maintain power by unconstitutional means.' At the extra-ordinary summit held on 27 March 2012, ECOWAS imposed sanctions against Mali, closed borders between Mali and member states and froze access to funds from the West African Monetary Union until constitutional order had been established. ECOWAS also imposed travel bans on members of the junta and froze their personal assets. Additionally, ECOWAS not only rejected the MNLA's declaration of independence, but also threatened that it would deploy troops in support of Mali's attempts to push back the MNLA. To this end, ECOWAS ordered military planners to coordinate the possible intervention of 3,000 regional troops.

There is however division among neighbours of Mali on how to resolve the *de facto* territorial division of Mali. On 8 April, Mali's neighbours held an emergency meeting in Mauritania. This meeting revealed the differences of opinion that leaders have in regard to handling the MNLA's declaration of independence of northern Mali. In Nouakchott, the Foreign Minister of Niger said that, 'we (countries of the region) need to redress the balance of forces on the ground before we can talk about negotiations. We need to organize a confrontation with the terrorist groups. Mali's north must be cleared of terrorism and it seems to me we have the ideal opportunity.' Others expressed concerns about putting boots on the ground. In particular, Algeria, a country with significant influence in the politics of the region and in the fight against AQIM, expressed preference for a political process. During the meeting in Nouakchott, Algeria's Minister of African Affairs, Abdelkader Messahel, said that 'the solution can only be a political one. It cannot be the result of a military effort, which could instead worsen an already complex and precarious situation'.

Mali's neighbouring countries seem to hold a common position that the territorial integrity and the unity of Mali should remain unaffected. In an interview with *Le Monde* published on Friday, 6 April, the Algerian Prime Minister, Ahmed Ouyahia, said that his country would never accept threats to Mali's territorial integrity. With many of the countries having sizable *Tuareg* communities inhabiting their territories, they are all concerned that the creation of *Azawad* could spark similar *Tuareg* rebellions in their own countries.

Following the outbreak of the *Tuareg* rebellion in Mali, the AU Commission issued a communiqué on 18 January 2012. The communiqué condemned the rebel attacks and the unjustified use of violence, while expressing support for the efforts of the Malian government. Similarly, on 21 March 2012, the Commission issued a press release condemning 'the reprehensible acts of elements of the Malian army'. In a 28 March press statement, the Commission reiterated its condemnation of the coup and the need for a return to constitutional order. On 23 March 2012, in a communiqué issued at its 315th meeting, the PSC stated that 'it strongly condemns the breakdown of constitutional order in Mali, following the *coup d'état* of 22 March 2012 and the seizure of power by a section of the Malian army. The Council stresses that this *coup d'état*, coming just before the presidential election, scheduled for 29 April 2012, constitutes a serious setback for Mali and for the democratic processes taking place on the continent.' Acting on its mandate under the PSC Protocol, the Council suspended Mali from all AU activities 'until the effective restoration of constitutional order'.

In the decision adopted at its 316th meeting on 3 April 2012, the Council imposed further sanctions 'including a travel ban and asset freeze, against the leaders and members of the junta, as well as against all individuals and entities contributing … to the maintenance of the unconstitutional *status quo*.' The Council imposed similar sanctions against the leaders and members of armed groups involved in the attacks in Northern Mali and in atrocities against the civilian population. Continuing with the longstanding policy of the AU against undermining the territorial integrity of African states, the Council declared null and of no value all the consequences that the armed rebel groups sought to bring about from the forcible occupation of a part of the territory of Mali. The Council further emphasized the need to restore the authority of the Government of Mali over all the territories of the country.

In a statement released to the press on 18 April 2012, the AU Commission Chairperson, Jean Ping, condemned 'the arbitrary arrest and sequestration of (Malian political) personalities, in flagrant violation of their most basic rights. He (demanded) the immediate release of the detained personalities and respect for their physical integrity and dignity.'

» 6

After an extraordinary summit held in Abidjan, Ivory Coast, on 26 April 2012, the Heads of State and Government of ECOWAS decided to limit "the transition in Mali to a period of twelve months within which, a Presidential election shall be organized" and extend the mandate of the transitional organs. The Conference also demanded "the return of members of CNRDRE to the barracks to concentrate on their core duties of defending the territory of Mali." Furthermore, the leaders of the sub region also instructed the Commission "to commence, with immediate effect, the deployment of the ECOWAS Standby Force in Mali" with the mandate "to assist Mali in regaining its unity and territorial integrity".

On 28 April, during a press conference, the CNRDRE firmly rejected the declaration of ECOWAS, which they perceived as a betrayal. While the dialogue was scheduled to continue in Ouagadougou, Burkina Faso, between the junta and the mediation of ECOWAS, on 30 April, fighting erupted in Bamako in what appears to have been an attempted counter coup by a military faction supporting ATT. Although at the time of writing, the situation is still confusing and unclear, with exchanges of gunfire being heard in Bamako, the junta has declared that it took over control of several strategic positions and that it is in control of the situation.

UN Dynamics

In a statement issued on 22 March 2012, the 15 members of the UN Security Council (UNSC) condemned the forcible seizure of power from a democratically elected government and demanded the 'immediate restoration of constitutional rule and the democratically elected government' in Mali. On 4 April 2012, the UNSC issued a presidential statement strongly condemning the situation in Mali. While expressing its expectation that the mutineers would immediately take steps to implement their commitment to

restore constitutional rule, the UNSC strongly condemned the continued seizure of Malian territory by rebels in the north.

Apart from the constitutional crisis and the threat to the territorial integrity of Mali, many of the P5 states in the UNSC are concerned about the opportunity that the crisis in Mali will create for terrorist groups operating in the region. In a presidential statement, the UNSC also expressed concern over the rapidly deteriorating humanitarian situation and the presence of *Al Qaeda*- affiliated groups in the region.

On 18 April, the Secretary-General of the UN, Ban Ki-Moon, expressed concern over arrests of high-ranking public officials in Mali and called for the immediate release of all those arrested. He also called on the junta to refrain from any further actions that might undermine the effective restoration of constitutional rule in the country.

Wider International Community dynamics

France, the former colonial ruler of Mali, rejected the MNLA's declaration of independence of a *Tuareg* homeland in Northern Mali. In a statement on 6 April, the Foreign Minister's spokesperson, Bernard Valero, said: 'We consider that the unilateral declaration of independence of 'Azawad' is null and void.' He further said that 'France and the international community is attached to and defends the unity and territorial integrity of Mali'. Simultaneously, France has urged countries of the region and the MNLA to resolve the armed conflict through dialogue. In an interview with *France 24*, the French Foreign Minister, Alain Juppe, stated that 'there will not be a military solution with the *Tuaregs*. There needs to be a political solution.' The Foreign Minister also called for regional cooperation to fight terrorist elements operating in the region. Following the Coup, France also announced the

suspension of all cooperation with Mali.

On 22 March, Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy and Vice President of the European Commission, condemned the forcible takeover of power by the military and called for a return to civilian rule in Mali. On 23 March 2012, the EU announced the temporary suspension of its development operations in Mali. On 22 March, the World Bank and the African Development Bank also announced that they were suspending development aid to Mali. In a joint statement, the two institutions called for the restoration of constitutional government 'to preserve the development gains of the country and its people'.

Scenario Building

Given the above analysis any of, or a combination of, the following scenarios could unfold:

Scenario 1

The junta maintains its grip over the country and hardens its positions, subjecting the new civilian authorities established under the agreement of April 6, 2012 to further control, and engaging in reprisals against military and political leaders suspected of involvement in the counter coup. The weakening of the transitional authorities prevents them from carrying out the mandate entrusted to them and totally delegitimizes them. The efforts of ECOWAS are thereby complicated, forcing it to find a way out to preserve the appearance of the return to constitutional order, without however addressing the underlying problems.

Scenario 2

The attempted counter coup fails. However, it opens a breach that could lead to the effective sidelining of the CNRDRE, with another military uprising supported by political forces. The transition goes ahead as planned, and the international

community provides the support required to enable the restoration of state authority in the north and the organization of elections in the near future.

Scenario 3

The conflict within the military escalates, leading to increased security and humanitarian problems in the north and plunging the south into a situation of anarchy. The leadership crisis, combined with a possible deepening of divisions among Mali's neighboring countries on how to resolve the *Tuareg* rebellion in the north hinders effective regional action and results in the strengthening of the grip of armed and terrorist groups in northern Mali, with a risk of regional contagion.

Scenario 4

On the backdrop of tensions within the military, the ECOWAS mediation succeeds in bridging the gap between positions and in convincing the junta to allow the civilian authorities to work so they can effectively fulfill their mandates. The support offered by ECOWAS to the Malian military institutions also allows the Army to focus on the threat posed by the rebel movements. The government of Mali, with support of countries of the region, launches a military or diplomatic action to restore its authority over the territories

currently controlled by armed and terrorist groups.

Early Response Options

The following are the early response options that the PSC could consider:

Option 1

The PSC could favor an approach based on a purely regional management of the crisis, the continental level limiting itself to extending political support. The AU will only involve itself in the direct management of the crisis in case of recognized failure of the regional initiative.

Option 2

The PSC could encourage the President of the Commission to appoint a special envoy to ensure better monitoring of the situation, and allow the PSC to better tailor its support to ECOWAS in accordance with the evolving situation. The management of the crisis remains regional, but the presence of an AU Special Envoy can strengthen support to ECOWAS.

Option 3

The PSC could be more actively involved in managing the crisis and not only limit itself to principled support for the ECOWAS action. In this regard, the PSC could actively promote the adoption of a comprehensive strategy that combines the comparative advantages of the AU and ECOWAS

and elicit the support of all countries of the region. This strategy must be based on the gradual use of all available pressure instruments, ranging from sanctions, as already contained in the decisions of the PSC, to military intervention as comtemplated by ECOWAS.

Documentation

Relevant AU Documents

PSC/MIN/COMM./2.(CCCXIX) (24 April 2012) Communiqué on the situation in Mali

PSC/PR/BR/3.(CCCXVII) (12 April 2012) Statement on the situation in Mali

PSC/PR/COMM(CCCXV) (23 March 2012) Communiqué on the situation in Mali

PSC/PR/COMM/2.(CCXCVII) (20 October 2011) Communiqué on the situation in Libya

PSC/AHG/3(CCXCI) (26 August 2011) Report of the Chairperson of the Commission on the situation in Libya and on the efforts of the African Union for a political solution to the Libyan crisis

PSC/AHG/COMM. (CCXCI) (26 August 2011) Communiqué on the situation in Libya

---

Regional analysis

SUDAN AND SOUTH SUDAN

Previous PSC and AU Commission Communiqués

In a press statement issued on 27 March 2012, the AU Commission noted the 'escalating security situation along the border between

Sudan and South Sudan, where there has been an outbreak of fighting between the military forces of Sudan and South Sudan.' According to the statement, the violence involved 'ground fighting on both sides of the border and aerial bombardment.' In another statement issued on 11 April 2012, the Commission expressed its 'grave concern over the escalating armed conflict on the border between Sudan and South Sudan'

and called upon both parties 'to exercise utmost restraint and to respect the territorial integrity of the other state'. The statement further demanded that each side withdraw forces present in the other territory and end aerial bombardment.

In a statement, **PSC/PR/BR/2. (CCCXVII),** issued on 12 April, the PSC 'strongly condemned the unfortunate and unwarranted actions that have characterized the

conduct of both Parties over the past month.' With respect to South Sudan, the Council expressed its dismay over 'the illegal and inacceptable occupation by the South Sudanese army of Heglig, which lies north of the agreed borderline. Accordingly, it demanded 'the immediate and unconditional withdrawal of the army of South Sudan from the area.' Regarding Sudan, it demanded that the Government of the Sudan put an end to its aerial bombardment in South Sudan.'

On 24 April, the PSC held a ministerial level meeting during which it issued a communiqué, **PSC/MIN/COMM/3.(CCCXIX)**, on the situation between Sudan and South Sudan. In the communiqué, apart from expressing concern over the violence between the two countries, (which it deemed a threat to peace and security), the Council condemned the 'violations of human rights of non-combatants in the affected area, the damage to economic infrastructure, in particular oil installations, and the inflammatory statements from both sides in the media resulting in mutual demonization and the threat of hostile action by extremist elements, including xenophobic attacks'. Most notably the Council adopted strongly worded decisions addressing the various dimensions of the crisis. Such decisions included a seven-point roadmap that the two countries were required to adopt 'in order to ease the current tension, facilitate the resumption of negotiations on post-secession relations and the normalization of their relations'. The Council also required the two states to unconditionally resume negotiations within two weeks' time. Notable was the decision of the Council that negotiations should be concluded within three months and that if agreements were not reached during that period, proposals that the AUHIP would submit on all outstanding issues would be 'endorsed as final and binding solutions to the post-secession relations'.

Crisis escalation potential

The tension that has been escalating between South Sudan and Sudan for months has unfortunately erupted into armed clashes. Apart from the on-going conflicts in the border regions of South Kordofan and Blue Nile and the covert support for rebels in each other's territories that have been fomenting tensions between the two, the dispute over oil has erupted into fighting involving forcible seizure of territory and aerial bombings. Having failed to reach a deal on transit fees, the two countries resorted to unilateral actions. As a payment for the use of its pipelines and oil export infrastructure, Sudan began to seize part of the oil flowing from the South. After accusing Khartoum of stealing $815 million worth of oil, South Sudan announced, in January 2012, the complete shutdown of its production of oil. Despite a non-aggression pact the two sides subsequently signed in February, the situation erupted into armed confrontation. South Sudan forcibly seized the disputed oil field in Heglig on the border between the two countries. Sudan has undertaken aerial bombings of various locations in South Sudan.

Although the SPLA eventually withdrew from Heglig, tension between the two countries is very high and the underlying conditions that culminated in the armed clashes have not yet been addressed. In the short term, cross border attacks and covert support for armed groups fighting in each other's territories is likely to continue to fuel tensions. Such developments, together with bellicose rhetoric, give no cause to allay fears that Sudan and South Sudan are edging closer to all-out war.

Key issues and internal dynamics

Although South Sudan ascended to independent statehood on 9 July 2011 with the blessings of Sudan, there were a number of unresolved issues between the two countries. While the failure to immediately address such issues has put the relationship of the two sovereign states on a difficult course, the fighting in March 2011 between the armed forces of the two countries over Abyei, and the eruption of conflict in South Kordofan and Blue Nile states in Sudan, heightened the tense relationship between the two. Since the independence of the South, the two countries have been accusing one another of supporting rebels inside each other's territories. While Sudan accuses the South of supporting the Sudan People's Liberation Army-North (SPLM-N), fighting against the government of Omar Al-Bashir in South Kordofan and Blue Nile states, the South accuses Khartoum of fomenting violence in South Sudan.

Since October 2011, the situation has gone beyond exchanges of accusations, in the form of SAF aerial bombings and cross-border attacks. On 11 November, the spokesperson of the SPLA told the AFP that, '[t]here has been fighting in Kuek after an attack on our base by Sudanese armed forces (SAF) and mercenaries'. Similarly, on 3 December 2011, clashes between the SPLA and SAF took place in the disputed border town of Jau. South Sudanese officials have said that Jau, which is just north of the Yide refugee camp in Unity State, and which was bombed in November 2011, is part of South Sudan. Sudanese officials have said that Jau is in South Kordofan and that it is used as a supply route for SPLA-N rebels in South Kordofan.

The nature of the economies of the two countries is such that, despite the South's separation and sovereign status, the two cannot avoid each other. The economies of both states heavily depend on oil, although there is a significant difference in the relative dependence of the two on such oil. Consequently, both countries enjoy a mutual interdependency, particularly in the light of the fact that 75 percent of the oil lies in the south, but the pipeline to export it from landlocked South Sudan runs through the north.

Compounding the lack of agreement between the two countries on the share of the oil revenue, in 2011 a dispute also emerged between them about back payments owing to the North by the South for use of the pipeline.

The resulting tensions between Sudan and South Sudan over oil income escalated in January 2012, as the two countries were unable to agree on a transit fee. While Khartoum wants $1 billion in back payments and $36 for each barrel shipped through its pipeline, Juba wants to pay less than $1 in line with world norms. Apparently frustrated by the failure of South Sudan to pay for past shipments and the lack of agreement on transit fees, Sudan prevented two ships filled with South Sudanese oil from leaving port and, according to Stephen Dhieu Dau, South Sudan's Minister of Petroleum and Mining, Sudan also confiscated approximately 120,000 barrels of South Sudanese oil per day as a form of payment. On 22 January, South Sudan announced that it had suspended the production of oil, depriving both Khartoum and itself of a primary source of revenue.

The AU High Implementation Panel (AUHIP), charged with the responsibility of facilitating negotiations between the two countries over outstanding issues, has in the meantime been busy fighting the eruption of new fires and convening talks between the two countries for negotiation on outstanding issues. In early February, the AUHIP convened such talks in Addis Ababa.

On 13 March, representatives of Sudan and South Sudan initialed the following two agreements in Addis Abba: the Agreement on the Demarcation of the Boundary and the Framework Agreement on the Status of Nationals of the Other State and Related Matters. The agreement on boundary demarcation establishes mechanisms to oversee and conduct the demarcation process. The agreement on

nationality accords citizens of South Sudan the right to reside, own property, work and travel in Sudan, while permitting Sudanese citizens to do the same in South Sudan.

In mid-March, with the end of the agreed nine-month period for settling outstanding issues on 8 April then fast approaching, negotiations appeared to make further progress. Consequently, framework agreements were initialed to allow nationals of each state the right to enjoy freedom of residence, freedom of movement, freedom to undertake economic activity and freedom to acquire and dispose of property. Twelve officials from South Sudan's Ministry of Interior arrived in Khartoum on 7 April to start issuing emergency travel documents to Southerners in Sudan. The Embassy of South Sudan in Khartoum issued emergency travel documents to people of South Sudanese origin and indicated plans to subsequently start issuing national certificates and passports. An estimated 500,000 Southerners live in Sudan, of whom some 107,000 were registered to return to South Sudan.

For the remaining Southern Sudanese and for Sudanese living in the South, questions remain regarding their status and the implementation of the framework agreement.

Concerned about the rhetoric of war and the sporadic clashes on the border areas between the SPLA and SAF, the AUHIP also sponsored a non-aggression pact between the two parties. During the talks in Addis Ababa on 10 February, the two sides signed a memorandum of understanding on non-aggression and cooperation. In the document, both sides committed to "respect the sovereignty of the other state in all respects" and "refrain from launching any attack including bombardment" against each other.

Nonetheless, the two countries have continued to exchange accusations and counter accusations. On 14 February, South Sudan accused

Sudan of violating the agreement, alleging that Sudanese forces had bombed the disputed border town of Jau. Four South Sudanese soldiers were reportedly killed in the attack. Tensions further escalated significantly between Sudan and South Sudan during March. On 26 March, skirmishes between the SPLA and SAF were reported in areas along their common border. On 27 March, the Sudanese air force reportedly dropped bombs near the Bentiu oil fields in Unity State in South Sudan.

April witnessed an escalation of violence between the armed forces of the two countries, with large scale military clashes along their common border. On 9 April, fierce clashes between the SPLA and SAF began in the border area of Heglig. On 10 April, the SPLA claimed that it had taken over control of Heglig town as well as its oilfields and facilities. This seizure reinforced the views of hard line elements in Khartoum and also precipitated Sudan's recent military attacks in South Sudan. Sudan's parliament then classified South Sudan as Sudan's 'enemy' and urged the government to expel the SPLA from Heglig.

In response to the SPLA's seizure of Heglig, the SAF conducted aerial bombings against SPLA positions in the town and deep into the territories of South Sudan. As in similar SAF operations, there were reports that civilian areas had also been targeted in the attacks.

On 21 April, South Sudan's Vice President, Riek Machar, confirmed that the SPLA had withdrawn from Heglig the previous evening. Sudan responded by claiming that it had forced the SPLA out of Heglig and government officials in Khartoum, including Bashir, were seen celebrating with supporters.

Although the withdrawal of the SPLA from the disputed border territory of Heglig is a significant development, necessary for deescalating tensions, the withdrawal has not produced a complete cessation of all hostilities

between the two sides. On 23 April, the Sudanese Air Force carried out an intensive bombardment of the Unity State capital town of Bentiu and neighboring Rubkotna.

The armed clashes between the two countries are adding to the economic and security woes of both countries. South Sudan faces an economic crisis and has to deal with serious internal security and development issues. As a result, observers have questioned the wisdom of Juba's decision to halt oil production and its seizure of Heglig. Sudan also faces an economic crisis of its own, growing internal criticism of the government, and serious internal security issues in what has now become the new South, consisting of the South Kordofan and Blue Nile states. The failure of the international community to deliver on its promise to reward Sudan if it allowed South Sudan to secede, for example by removing Sudan from the list of countries sponsoring global terrorism and by ending economic sanctions against Khartoum, has reinforced the position of hardliners in Khartoum and made it difficult for the government to deliver on promises to key constituencies.

The humanitarian crisis in South Kordofan and Blue Nile states continues to be a serious source of concern. On 9 February, the UN, the AU and the Arab League presented a tripartite proposal to provide humanitarian aid to civilians in both government and rebel controlled areas of South Kordofan and Blue Nile. The acceptance of the proposal, particularly by the government in Khartoum, and its implementation, still requires further follow-up.

Geo-Political Dynamics

Pan-African and RECs Dynamics

In a press release dated 22 April 2012, the Chairperson of the Commission of the African Union (AU), Jean Ping, called on the governments of South Sudan and Sudan to end their 'senseless fighting'

over Heglig, fully implement the security commitments they have entered into, and resume, under the auspices of the AUHIP, negotiations on their post-secession relations. Ping further emphasised the need for both Parties to refrain from making 'inflammatory statements' which not only complicate the current delicate situation, but also undermine the prospects for good relations between the two states and their peoples. He said that the exchange of statements, which included the declaration of the other party as an official enemy and the call for regime change, was contrary to the principles upon which the two countries agreed to resolve their post-secession issues.

The Chairperson also urged Juba and Khartoum to immediately and unconditionally resume negotiations to reach agreements on all outstanding issues that relate to security, border demarcation, nationality and citizenship, Transitional Financial Arrangements (TFA) and Abyei, in accordance with the overriding principle of establishing two viable states in the form of Sudan and South Sudan. The AU press release of 22 April also recognized the initiatives and role of the regional bloc IGAD and in particular the current Chairman, Prime Minster Meles Zenawi of Ethiopia, for continued involvement and support of the ongoing AUHIP efforts.

Ethiopia, which is considered as a balanced and neutral country by both parties has initiated and hosted numerous negotiations between the two states. On 31 March, officials from Juba and Khartoum also met in Addis Ababa under the mediation of Meles Zenawi, the chair of IGAD, to discuss the recent clashes, but without success. Other regional leaders have also been calling for restraint and offering to mediate between the two bellicose neighbors. On 18 April, Kenya's President, Mwai Kibaki, called on the members of the East African Community (EAC) to jointly find ways

of diplomatically resolving the ongoing crisis. Kenya's Vice-President, Kalonzo Musyoka, also offered to help the two countries reach an amicable solution to their differences, saying renewed war would have major consequences, not only on the economies of the two countries, but on the stability of the entire region as well.

However, in a statement that might further worsen the Khartoum-Kampala relationship, Uganda has taken a different stance by warning Sudan not to go to war with South Sudan. In a statement dated 20 April 2012, the Chief of the Defence Forces of Uganda, Aronda Nyakairima, announced that Uganda would intervene on the side of Juba if the fighting between South Sudan and Sudan were to escalate into a full-scale war. He said that Uganda would not sit by and do nothing. The Ugandan statement has increased the possibilities of a proxy war in the region.

The ongoing conflict and rising tensions between South Sudan and Sudan are also exacerbating other conflicts in the region. On 20 April the head of the African Union-United Nations peacekeeping mission in Darfur (UNAMID), Ibrahim Gambari, expressed concern that rebels were exploiting a deadly standoff between Sudan and South Sudan after four members of UNAMID were killed, following three separate rebel attacks the previous day.

UN Dynamics:

UN Security Council Resolution 2024 (2011) of 14 December 2011 mandated the UN Interim Security Force for Abyei (UNISFA) to support the on-going peace process between Sudan and South Sudan. On 18 April, the head of the AUHIP, former South African President Thabo Mbeki, briefed the Security Council on the rising tension and violence between the two countries. Mbeki urged the U.N. Security Council to take action to stop the fighting between Sudan and South Sudan, warning that both sides were locked in a 'logic of war'

with hardliners increasingly in control.

Since the start of the recent violence in Heglig, the UN Secretary-General, Ban Ki-moon, has been repeatedly urging Sudan and South Sudan to stop the fighting and return to the negotiating table. Ban called on South Sudan to immediately withdraw its forces from Heglig, calling the decision by Juba to take over the region as 'an infringement of the sovereignty of Sudan and a clearly illegal act.' He also called on the government of Sudan to immediately stop shelling and bombing South Sudanese territory and to withdraw its forces from disputed territories, including Abyei. Ban further called on the two countries to stop supporting proxy forces directed against each other.

Wider International Community Dynamics

On 22 April, in the midst of growing international pressure calling for both Sudans to stop violence and start talks, U.S. President Barack Obama urged the leaders of Sudan and South Sudan to stop the fighting and begin negotiations to settle their dispute. In a videotaped message, Obama sought to prevent further escalation of border hostilities and called on Sudan to stop its military actions against its neighbour, including aerial bombardments. He said South Sudan had to end its support for armed groups inside Sudan and also halt cross-border military operations. In a previous statement, the US Secretary of State, Hillary Clinton, blamed Khartoum for most of the violence, citing its aerial bombing as 'evidence of disproportionate force'. The United States' envoy to the Sudans, Ambassador Princeton Lyman, also visited Juba and Khartoum on 19 and 20 April and said that both sides were aware of how close they were to full scale war and how costly such a war would be.

China, which has also called for restraint and for talks to begin

between the two countries, is regarded as a power with possible influence on both countries. Beijing recently announced that it had plans to use the visit by South Sudan's President, Salva Kiir Mayardit, to Beijing, and his meeting with President Hu Jintao, as an opportunity to help ease tensions between Sudan and South Sudan. After the meeting of the two presidents on 24 April 2012, the Chinese President called for restraint from the two Sudans. Chinese state television reported that Hu expressed China's 'hopes that South Sudan and Sudan could become good neighbours who coexist in amity and good partners who develop together'. The report also indicated that President Hu told Kirr that 'the urgent task is to actively cooperate with the mediation efforts of the international community and halt armed conflict in the border areas'.

Following a request by Sudan, the Arab League scheduled an emergency meeting of foreign ministers in Cairo on 26 April. The Deputy Secretary General of the Arab League, Ahmad Ben Helli, also announced that Kuwait would chair the special meeting in its capacity as the current Head of the Council of Ministers.

Scenario Planning

The crisis between Juba and Khartoum could take a number of courses, based on the actions taken by the various parties to the crisis in the coming months. These are the possible scenarios:

Scenario 1

The rising tensions and ongoing conflict, coupled with a provocative and militant war of words, including declarations of support for regime change, could take the crisis to another level and lead to a full-scale war between the two countries.

Scenario 2

The crisis could divide regional powers and organizations, thereby

hampering efforts to resolve the crisis in Sudan and the wider region.

Scenario 3

Meaningful and comprehensive talks between the parties, led by the AUHIP with increased support from IGAD, the UNSC and AU member states, could help resolve the crisis and address the unsolved issues surrounding South Sudan's independence.

Early Response Options

Given the above scenarios, the following options could be considered:

Option 1

The PSC could call for a cessation of all hostilities and the implementation of the security agreements that the two sides signed with the support of the AUHIP, including the non-aggression pact.

Option 2

The Council could also consider issuing a statement, reiterating its call for the speedy finalization of negotiations over outstanding issues between the two countries. In this regard, the PSC could also urge the leaders of the two countries, as well as member states of IGAD, particularly Ethiopia, to facilitate the convening of the planned summit meeting between the two leaders.

The PSC could also urge all its member countries to refrain from statements or actions that further undermine the prospects for peaceful settlement of the conflict between the two countries.

Option 3

While the decisions the PSC took on 24 April are commendable, to end the war of words pushing the countries closer to war and the continuing attacks that the SAF is launching, the PSC could also consider using the good offices of IGAD's current Chairperson, Meles Zenawi, and send high level missions, together with the AUHIP, to both Khartoum and Juba.

Regional Security Analysis

THE LORD'S RESISTANCE ARMY

Previous PSC and AU Communiqués

On 22 November 2011, the African Union formally designated the Lord's Resistance Army (LRA) a terrorist group and authorized an initiative to enhance regional cooperation toward the elimination of the group.

The Peace and Security Council, at its 295th meeting held on 27 September 2011, was briefed by the Commissioner for Peace and Security, Ambassador Ramtane Lamamra, on the activities relating to the AU regional cooperation initiative for the elimination of the Lord's Resistance Army (LRA). The report examined the fight against the LRA in line with the provisions of the Tripoli Plan of Action [**SP/ASSEMBLY/PS/MAP(I)**] adopted by the Assembly of the Union, in Tripoli, in August 2009, and the subsequent decision, **Assembly/AU/Dec.294 (XV).2,** adopted in Kampala, in July 2010. The Council also referred to decision, **Assembly/AU/Dec.369(XVII),** of the 17th Ordinary Session of the Assembly of the Union, held in Malabo in July 2011, in which the Assembly welcomed the initiatives taken by the Commission on the issue of the LRA.

In a press release, **PSC/PR/PS(CCXCV)**, that followed the briefing by Ambassador Lamamra, the Council expressed its full support for the decisions made at the regional ministerial meeting held in Addis Ababa on 8 June 2011 by countries affected by the LRA atrocities. The Council, which commended the efforts of the affected Member States for their cooperation and collaboration

directed against the LRA, endorsed the request for early authorization of the envisaged operation against the LRA, in all its components, including the Regional Intervention Force (RIF), the Joint Operation Centre (JOC) and the Joint Coordination Mechanism (JCM). The Council also commended the AU Commission for the steps already taken in pursuance of the AU decisions, including the first regional ministerial meeting on the LRA, held in Bangui, Central African Republic (CAR), on 13 and 14 October 2010; the joint technical assessment mission, involving experts from the Commission and the member states affected by LRA activities, conducted from 16 March to 5 April 2011; and the second regional ministerial meeting on the LRA. The PSC also expressed its deep concern at the continuing criminal activities of the LRA in the Democratic Republic of Congo (DRC), the Republic of South Sudan and the Central African Republic (CAR), as well as regional security and stability and called for the enhancement of regional and continental efforts to eliminate the brutal rebel group.

The second meeting of Ministers of Defense and Security of countries affected by the atrocities of the Lord's Resistance Army (LRA) was held at the African Union in Addis Ababa from 6 to 8 June 2011. In a Press Release dated 8 June 2011, the AU announced that the ministers had agreed to the establishment of a Regional Task Force (RTF) to facilitate the creation of a Joint Coordination Mechanism (JCM) by the countries affected by the activities of the LRA. The Joint Coordination Mechanism which is an *ad hoc* structure composed of the Defense Ministers of the countries concerned, will coordinate the efforts of the AU in responding to the threat posed by the LRA. The agreement recommended the establishment of an African Union peacekeeping mission, comprising voluntary troop contributions from

the affected countries, with the purpose of ending the atrocities being committed by the LRA. The AU also agreed to mobilize financial resources, logistics and any other forms of support needed for the benefit of components of the RTF. The results of the meeting were submitted to the Heads of State and Government for adoption at the AU Summit of Heads of State and Government held in Malabo, Equatorial Guinea, during June-July 2011. The affected countries further agreed that the fight against the LRA should be authorized by the AU and carried out in collaboration with the UN and the wider international community.

Crisis Escalation Potential

The LRA continues to present a grave threat to the security of civilians in the Democratic Republic of Congo (DRC), the Republic of South Sudan and the CAR as well as the ongoing peace and political processes in these countries. Through the years, the LRA, which has a history of preying on local dynamics and conflicts, has demonstrated its ability to mount operations across borders, which has implications for crisis escalation potential within the ambit of the region's complex conflict dynamic. The insurgent group's threat capability has been reduced, following a series of operations directed against the LRA. However, in the absence of adequate security forces to confront the LRA in its vast area of operation, the latter is still able to take advantage of the dispersed settlements in the region in order to easily abduct its fighters, many of them children, and loot communities for sustenance and supplies.

The LRA is at a de-escalation and abatement phase, hiding and attacking weak and isolated communities in remote ungoverned areas largely beyond the scope of state authority. However the possibility of forming opportunistic alliances with other rebel groups in

Darfur and the Great Lakes region can also pave the way for the revival of the group. Despite its present state of weakness, the LRA is still capable of instilling fear and sowing violence in its theatre of operations. In the absence of strong and coordinated civilian protection mechanisms, people in the areas affected by the LRA still live in fear and suffer trauma. Armed groups created to protect civilians from the attacks of the LRA could also introduce an additional problem to a region of Africa known for the uncontrolled proliferation of small arms and light weapons, thereby creating a challenge to ongoing Disarmament, Demobilisation and Reintegration (DDR) efforts by the governments of that region.

Key Issues and Internal Dynamics

Despite sparse intelligence confirming whether he is dead or alive, or his exact whereabouts, officials in the Ugandan People's Defence Force (UPDF) claim that the leader of the Lord's Resistance Army, Joseph Kony, is, indeed, still alive and remains at large somewhere in the Central African Republic.

The International Criminal Court issued a warrant for Joseph Kony on 6 October 2005.The warrant is supported by 33 criminal charges against him. These charges include crimes against humanity, such as enslavement, murder, sexual enslavement and rape. Other charges include war crimes such as murder in the context of war, intentionally attacking civilian populations, cruel treatment towards civilians, pillaging, forcing children to enlist in the LRA and rape as a deliberate tactic of war. Kony denies the charges.

Governments in the region have been downplaying the threats posed by the LRA for years especially after the 2008 US-backed Ugandan-led 'operation lightning thunder' which significantly damaged the logistic and personnel capacity of the LRA. The LRA is currently operating outside of

Uganda and hence its perceived domestic threat has been transferred to populations across the border. The government and Army of the DRC have downplayed the LRA problem, whose presence in north-eastern Oriental Province, over 1,000 kms from Kinshasa, makes it a low-priority matter for the DRC authorities as it does not feature as a key security issue in the capital. The LRA threat has also been overlooked by the CAR government as the capital does not feel threatened by the LRA's sporadic attacks in the remote south-east, since it does not threaten key economic interests or political constituencies. The world's newest state, South Sudan, also has numerous pressing national and regional security problems of its own and hence the LRA also does not feature as a key security threat in Juba.

However, the LRA, has reportedly killed more than 2,000 people, abducted at least 4,000 and displaced over 400,000 people in various parts of Uganda, South Sudan, the DRC and the CAR since the launch of operation lightening thunder in 2008.

The new AU initiative to eliminate the LRA and end its atrocities is considered by many as a better and more comprehensive approach to tackle the growing regional security challenge compared with previous attempts. The joint operation against the LRA was approved by the AU Peace and Security Council on 22 November 2011 and is supported by the United Nations (UN) and other members of the international community. Ugandan troops will lead a new regional force, comprising troops from South Sudan, the Central African Republic and the Democratic Republic of Congo, to hunt the rebel fighters and their notorious leader, who are apparently hiding in the jungles of the Central African Republic. According to the AU, these joint forces will be based in the South Sudanese city of Yambio, close to

the border with the DRC. The troops will be deployed in jungle areas where Kony and his fighters are believed to be active.

Latest estimates of the number of LRA fighters vary between 200 and 250, scattered in small groups all over Central Africa. Military experts claim that it will be difficult to eliminate the group completely as it is dispersed across a region about half the size of France. The rebels are quite comfortable in a jungle environment and often employ extreme methods to survive. According to the accounts of Ugandan soldiers, even in extremely dry spells the rebels have been able to survive by consuming filtered clay, which they mix with honey and then roll into something that resembles a sausage. One piece of this concoction provides enough sustenance for an individual to survive for several days.

Many observers have also expressed skepticism about the perceived success of the operation against the LRA, pointing to concerns about the poor security of the road networks in the region which could hamper effective movement and coordination by the troops fighting the LRA. The lack of proper financing and coordinated leadership could also hamper the mission. The uneasy relationship and conflict history of the national armies of the countries involved in the operation is yet another cause for concern about the likely success of the plan. However, the AU has stressed that its multifaceted mission will include military, social and humanitarian tracks in support of the joint military operation to avoid perceived problems.

The mandate and funding of the regional intervention force, is still unclear and will continue to pose challenges for the success of the operation. Any assumption that the LRA is a problem that can be solved easily, or that the insurgent group's threat capability has been reduced, should also be revised. Previous

military campaigns have shown that despite its size and military capacity the group has taken advantage of the terrain and the weakness of the armed forces and governments of states in the region, in order to survive. The AU-led mission should also learn from past experience and prioritize civilian protection, as reprisal attacks might expose civilians in the area to further LRA brutality.

Geo-Political Dynamics

Pan-African and RECs Dynamics

Several months ago, in October 2011, the African Union decided that it would deploy a 5000-strong military force to hunt down Joseph Kony. More recently, Kony's global profile has risen steeply, following an internet campaign to bring him to justice. Francisco Madeira, the AU's special envoy for the LRA, said the force, to be based in the South Sudan city of Yambio, would include a military, social and humanitarian approach, although he did not disclose much detail about how long the operation would remain active.

In the meantime, the Ugandan government has accused its former adversary, the Democratic Republic of Congo (DRC), of preventing Ugandan troops from entering the DRC's north-eastern territories, thereby slowing the hunt for the rebels. The government in Kinshasa has repeatedly indicated that its troops have the capacity to deal with the remnants of Kony's army. However, observers disagree, believing that the DRC's ill-equipped army is no match for the battle-hardened LRA fighters.

UN Dynamics:

In a meeting held in mid-March 2012, Abou Moussa, Head of the United Nations Regional Office for Central Africa, stressed that rebels of the Lord's Resistance Army in Central Africa, under their indicted war criminal leader, Joseph Kony, remained very dangerous, even if the group had been weakened.

In March 2012, United Nations and government officials from the CAR met in Uganda to finalize a comprehensive regional strategy on combating the Lord's Resistance Army (LRA).The meeting was a follow-up of a previous gathering in the capital of the Democratic Republic of Congo (DRC), Kinshasa, in January 2011, when African countries affected by the LRA's activities agreed to toughen measures against the group. Abou Moussa, the Special Representative of the Secretary-General and Head of the UN Office for Central Africa (UNOCA), stated that the meeting had enhanced the mandate given to UNOCA by the Security Council in 2011 to develop, in cooperation with UN missions and the African Union, a regional strategy for international humanitarian and development assistance, as well as peace building in areas affected by LRA violence.

On 21 July 2011, the United Nations Security Council (UNSC) condemned the ongoing attacks carried out by the LRA and commended the important efforts that were being undertaken by the armed services of the CAR, the DRC, the Republic of South Sudan and Uganda, to address the collective threat posed by the LRA, and emphasized the importance of sustained coordinated action by these Governments. The UN also requested the UN Office for Central Africa (UNOCA), in collaboration with the UN Office to the AU (UNOAU), to engage with the AU to facilitate cooperation between the UN and the African Union on issues related to countering the threat posed by the LRA. On 14 November, 2011, the United Nations Security Council also commended ongoing efforts by national armed forces in the region to address the threat posed by the LRA, and welcomed international efforts to enhance their capacity in this respect.

Wider International Community Dynamics

On 25 March 2012, the European Union (EU) announced that it would give 9 million Euros for humanitarian assistance to assist people affected for over two decades by the brutality of the Lord's Resistance Army (LRA), as part of the United Nations and African Union-backed joint military strategy against the rebels.

Over the past decade, the United States has been the biggest contributor to victims of the LRA, and has provided more than $560 million in humanitarian assistance, specifically benefiting LRA-affected populations in Uganda, the CAR, the DRC, and Sudan. In May 2010, President Obama signed into law the Lord's Resistance (LRA) Disarmament and Northern Uganda Recovery Act, which reaffirmed the U.S. commitment to supporting regional partners' efforts to end the atrocities of the LRA in Central Africa. For more than two decades, the LRA has murdered, raped and kidnapped tens of thousands of innocent victims throughout the region.

In October 2011, President Barack Obama sent about 100 US soldiers to Uganda to help regional forces battle the Lord's Resistance Army. Although combat-equipped, the troops would be providing information and advice "to partner nation forces", Mr Obama wrote in a letter to the US Congress. A small group is already in Uganda, and the troops could later also be deployed in other Central African nations. The U.S. military advisors are working to help strengthen cooperation and information-sharing among regional

forces, and to enhance the capacity of regional military forces to infuse intelligence with effective operational planning.

Civil Society Dynamics

The "Kony 2012," documentary film produced by the *Invisible Children* network, a San Diego-based non-profit organization, which focused on the LRA leader, became an internet sensation in March 2012. Despite the fact that it created a lot of controversy, the internet video succeeded in bringing the subject of the LRA to the attention of international media and increased awareness of the ongoing conflict.

The LRA Crisis Tracker project, a joint initiative of Resolve and *Invisible Children*, that seeks to expand the breadth and credibility of publicly available information about LRA attacks in Central Africa, was launched some months earlier, in October 2011. The data used to create these tools was drawn from a database of reported LRA incidents, compiled from UN, NGO and news media sources, as well as reports from a radio early warning system in the DRC that were uploaded directly into this database.

On 9 June, 2011, a group of 47 human rights bodies urged the UN Security Council to better equip its peacekeepers to protect civilians in the Democratic Republic of Congo. The group said that the UN mission, in its current form, was insufficiently prepared to respond to the many challenges posed by ongoing violence from various quarters, including violence in the eastern Kivu provinces. Members of civil society also urged the UN Security Council to ensure that the United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo (MONUSCO) had adequate and appropriate resources to protect civilians from attacks by the Lord's Resistance Army (LRA).

Scenario Planning

Given the regional crisis caused by recurrent attacks by the LRA on civilians, the following are potential scenarios:

Scenario 1

The continued LRA insurgency could lead to even more deaths and displacement, creating a more pronounced security and humanitarian crisis in the region. This could negatively affect the ongoing peace and political process in the countries concerned.

Scenario 2

The actualisation of the AU-led regionally coordinated peacekeeping mission, with necessary external support, could restrict the LRA's sphere of activity and help capture or kill LRA leaders and fighters, thereby putting an end to two decades of LRA atrocities.

Scenario 3

The possible merger of the LRA with other regional armed militias in South Sudan, Darfur, Rwanda or the DRC could effectively multiply the magnitude of the existing security threat.

Scenario 4

Enhancing the mandate and capacity of UN missions in the region could help protect civilians in the DRC and facilitate humanitarian assistance in the area.

Early Response Options

Given the above scenarios, the following options could be considered by the PSC to improve security and stability in the region:

Option 1

The PSC could work to implement the decisions by the Ministers of Defense and Security of countries affected by the atrocities of the Lord's Resistance Army (LRA) after adoption by the AU Summit of Heads of State and Government.

Option 2

The PSC could coordinate its intervention in tandem with the UNSC to develop a joint response strategy, which would be based on a close partnership with UN missions in the war affected countries and which would address defensive gaps in the eastern CAR as well as much of the northern DRC. Such mechanisms could help improve the safety of civilians in the region.

Option 3

The PSC could support countries of the region to advance their efforts to apprehend LRA leaders in order to eradicate the movement whose existence depends on the activities and atrocities of its few leaders. The Council could also work with the countries involved in the mission to win and maintain civilian trust in the security forces involved in the operation.

Documentation:

Relevant AU Documents:

Press Release on the 2nd Regional Ministerial Meeting on the LORD's Resistance Army (LRA) (6-8 June 2011) Addis Ababa, Ethiopia

Assembly/AU/6(XIII) (1-3 July 2009) Report of the Peace and Security Council to the African Union on its Activities and the State of Peace and Security in Africa, Thirteenth Ordinary Session, Sirte, Libya

(PSC/PR/2(CCXV) (8 January 2009) Report of the Chairperson of the Commission on the situation in the Central African Republic

PSC/MIN/Comm.2 (CLXIII) (22 December 2008) Communiqué on the situation in the Eastern part of the Democratic Republic of Congo (DRC)

PSC/PR/Comm.(CCI) (25 August 2009) Communiqué on the implementation process of the Comprehensive Peace Agreement (CPA)

UN Documents:

S/RES/1861 (14 January 2009) Resolution adopted by the Security Council on the Central African Republic (CAR)

Important dates to diarise

3	**May**	World Press Freedom Day
9-11	**May**	World Economic Forum on Africa: 2012, Addis Ababa, Ethiopia (Accelerating Quality Growth, Creating Shared Opportunities)
21	**May**	World Day for Cultural Diversity
12	**June**	World Day Against Child Labour
16	**June**	Day of the African Child
26	**June**	International Day against Drug Abuse and Trafficking

Country	Election	Date *
Burkina Faso	Legislative and Municipal	May 2012
Cape Verde	Local	May 2012
Seychelles	National Assembly	May 2012
Algeria	Legislative and Local	10 May 2012
Lesotho	National Assembly	26 May 2012
Egypt	Presidential	May / June 2012
Libya	Constituent Assembly	Before June 2012
Republic of Congo	National Assembly	June 2012
Democratic Republic of Congo	Senate (indirect)	13 June 2012
Senegal	National Assembly	17 June 2012
Cameroon	National Assembly and Communes	June / July 2012

could change, dependent on circumstances

Contributors to this Volume

ISS PSC Report Programme, Addis Ababa:

Dr. Duke Kent-Brown,
Dr. Solomon Ayele Dersso,
Mr. Hallelujah Lulie
Mr. Abebe Aynete

Contact

Programme Manager
Peace and Security Council Report
Programme
Institute for Security Studies
P.O. Box 2329
Addis Ababa, Ethiopia
Tel: +251-11-515 6320/24/67/98
Fax: +251-11-515 6449
Email: addisababa@issafrica.org
Website: www.issafrica.org

Subscribe electronically to
the *PSC Report* at
**www.issafrica.org/
subscribe.php**

Donors

As a leading African human security research institution, the Institute for Security Studies (ISS) works towards a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy and collaborative security and gender mainstreaming.

About this report

This report is an independent publication of the ISS. It is also available on the ISS website and can be viewed together with thematic reports on the work of the PSC at www.issafrica.org. All documents referred to in this report can also be found on the ISS website.

© 2012, Institute for Security Studies