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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 January 2013

The lead-up to National Assembly elections in Cameroon and Djibouti and local elections in Côte d'Ivoire in February, as well as forthcoming presidential elections in Kenya in early March will bear watching, as will the deliberations of the January AU Summit in Addis Ababa. In addition, ongoing

events in Libya, Egypt, Mali, the Sudans and Somalia remain unresolved and relatively volatile. The situation in the Democratic Republic of Congo (DRC) has the capacity to deteriorate even further (see country analysis below) and requires the sustained positive attention of all roleplayers.

► Current PSC Chair

Bio data: H.E. Dr. Monicah Kathini Juma
Current posts: Kenya's Ambassador to Ethiopia, Permanent Representative to the AU and Chair of the PSC

Democratic Republic of Congo (DRC)

Since April 2012, little progress has been made in quelling the M23 rebellion. Ten days after capturing Goma, the M23 pulled out of the town, leaving only 100 of their troops at Goma's airport. According to the M23's leadership, the rebels only moved out within 20 Km of Goma, and could come back to retake the town at any time, if Kinshasa fails to listen to their

demands. Given the inability of the Government in Kinshasa to contain the M23 to date, there is little reason to believe that the latest proposed negotiations will yield anything concrete. A manipulated democratic process, old problems of resource governance, ethnic grievances and failed security sector reform remain the main catalysts for current and future conflicts in the region.

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.

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Country Analysis

DEMOCRATIC REPUBLIC OF CONGO (DRC)

Previous PSC and AU Communiqués

At its 343rd meeting held in Addis Ababa on 26 November 2012, the PSC issued a communiqué regarding the situation in the Eastern Democratic Republic of Congo (DRC). During this meeting the PSC reiterated that all stakeholders should support the United Nations Stabilisation Mission in the DRC (MONUSCO) as well as the operationalization of the neutral force proposed by the International Conference on the Great Lakes Region (ICGLR). At its 346th meeting held on 10 December 2012, the PSC reaffirmed the commitment of the African Union to the unity, territorial integrity and sovereignty of the DRC and its total rejection of the recourse to armed rebellions to further political claims. It reiterated its deep concern at the serious humanitarian situation caused by the resumption of armed rebellion in the eastern regions of the DRC, and called for the provision of a "humanitarian support that is commensurate with the challenges at hand." The PSC also welcomed the SADC's efforts aimed at resolving the crisis in the eastern DRC through its decisions taken at the Extraordinary Summit of the Heads of State and Government, held in Dar-es-Salaam, on 8 December 2012, in particular the deployment of SADC's Standby Force in the DRC. The PSC opted for a multi-pronged approach to the crisis. While calling upon parties to enter into negotiations, the PSC also expressed its readiness to work on a strategic concept (conops) to define the parameters for the neutral force deployment.

Crisis escalation potential

Since April 2012, little progress has been made in quelling the M23 rebellion. On 20 November, the security situation deteriorated to unprecedented levels, when the M23 took control of the capital of north

Kivu, Goma. Ten days after capturing Goma, the M23 pulled out of the town, leaving only 100 of their troops at Goma's airport. The situation remains uncertain, as some of Goma's residents are convinced that the M23 have simply blended into the population. According to the M23's leadership, the rebels only moved out within 20 Km of Goma, and could come back to retake the town at any time, if Kinshasa fails to listen to their demands. Given the inability of the Government in Kinshasa to contain the M23 to date, there is little reason to believe that the latest proposed negotiations will yield anything concrete. If no concrete action is taken and seriously implemented, the M23 may march to Kinshasa with the aim of toppling President Joseph Kabila. If this comes to pass, it is likely to reverse all the efforts made in the peace building process. This could further complicate the attainment of political stability in the DRC. A manipulated democratic process, old problems of resource governance, ethnic grievances and failed security sector reform remain the main catalysts for current and future conflicts in the region.

Key issues and internal dynamics

The M23 rebellion emerged out of the former *Congrès national pour la défense du peuple*, (CNDP), a rebel group that was integrated into the *Forces Armées de la République Démocratique du Congo* (FARDC) under a peace deal on 23 March 2009. The groups have a long history of protecting the business interests of Rwanda, but also that of the Tutsi elite in the Kivus. In addition, the CNDP rebels have carved out a way of life for themselves in the Kivus, and have learned how to benefit from exploiting the natural resources, imposing illegal taxes, exploiting the local population and other criminal activities. Earlier in 2012, the former CNDP learned that President Joseph Kabila was looking for ways to reduce their influence in the region by redeploying them outside of the Kivus. Kinshasa announced its intention to have the leader of the CNDP, General Bosco Ntaganda, who is indicted by the International Criminal Court, arrested. Soon after this the former CNDP defected from the FARDC, and formed a de facto government challenging

President Kabila's authority. The resumption of the armed rebellion in the eastern DRC came at a time when Kabila's legitimacy was being contested. His victory during the 2011 presidential elections was dampened by allegations of serious irregularities. Indeed, in January 2010, a constitutional amendment made it possible for the President to be elected with a simple majority. Even if President Joseph Kabila tabled a bill in 2012 claiming to address the lack of independence of the Independent National Electoral Commission (CENI), this bill still ensured government control of the CENI, instead of providing for new checks and balances. Local and foreign observation missions raised concerns about the credibility of the electoral process. While the opposition leader, Etienne Tshisekedi of the *Union pour la démocratie et le progrès social* (UPDS), used to boycott previous elections, he participated in 2011 and was seen by many local supporters as the legitimate winner. However, the deployment of a heavily armed presidential guard, and the killing, arrest and intimidation of many opposition supporters, prevented UPDS from challenging Joseph Kabila's controversial re-election. Opposition leaders continue to argue that the judiciary in the DRC lacks credibility and impartiality.

Since 2006, little effort has been made to improve the governance structures of the DRC. The poor and dysfunctional state institutions affect people's confidence in their ability to respond to challenges facing the country. Some observers have even argued that President Kabila has sought to use Ntaganda's arrest, one of the main triggers of the conflict, as a political tool to divert attention from his controversial re-election. With the overwhelming poverty, general discontent, and challenges associated with the post-conflict reconstruction, the current crisis in the DRC can be attributed to a nexus between manipulated democratic governance, failed Security Sector Reform (SSR) and regional and external actors' interests in the acquisition of valuable natural resources. The failure of the FARDC to defend the country is seen as a sign of the government's inability to lead the

DRC out of its chronic instability. This has motivated the opposition's call to impeach president Joseph Kabila even if there is little chance for that call to be heeded, as the government remains in control of the parliament. In addition, the invasion of Goma has further weakened the government, which has now begun talks with the M23 after many months of hesitation and denial. The balance of forces, both military and political, is no longer in favour of President Kabila.

Geo-political dynamics

The DRC has engaged in two major wars, involving a variety of actors, both regional and extra-regional. While efforts were made to bring about peace in the region, some peculiar interests continue to motivate certain actors' aggressive behaviour towards the region. In particular, one of the key factors that has served to justify Rwanda's concerns and interests in the eastern regions of the DRC is the threat posed by the Forces démocratiques pour la libération du Rwanda (FDLR). In addition, the inability of both regional and extra-regional actors to design a comprehensive medium-to-long-term peace plan and motivate key stakeholders' to uphold such a plan, has remained another factor of instability in the region. It is no longer a secret that there are structural, conflict-prone issues, both historical and contemporary, in the Great Lakes region that require sincere political engagement by regional and external actors. While these problems are frequently addressed and mapped out, the response mechanism proposed often fails to take such problems into consideration when designing and implementing a response.

According to various reports, the most detailed being the one produced by the United Nations Group of Experts on the DRC, the M23 rebellion was successful only because of the support that it received from neighbouring Rwanda, and to a lesser extent, Uganda. The reason for the support given by Rwanda, is that Kigali covets the resource rich region of Eastern DRC. Kinshasa has cited Rwanda's support of the M23 as the reason why the DRC rejects the group's call for negotiation. From the DRC government's point of

view, the rebel group is nothing more than a front for the Rwandan government's aggression against the DRC. Uganda's involvement is attributed to that country's oil interests in Lake Albert, and economic interests in the strategic border town of Bunagana. The governments of both Rwanda and Uganda have denied their involvement in the emergence of the M23. Meanwhile, in spite of the rebuttal offered by Rwanda, a number of countries, including Denmark, the Netherlands, Germany, the UK, Belgium, Sweden, Switzerland, the EU and the US, among others, have partly suspended their financial support for Rwanda. To compensate for the loss, the Rwandan government has launched the "AGACIRO Development Funds" project, urging citizens to make financial contributions to the government.

Africa and RECs

The resurgence of the rebellion in the eastern DRC has raised fears and brought back memories of the late 1990s. Many fear that the country could see a repeat of the 1997 events, when the Alliance des forces démocratiques pour la libération du Congo (AFDL), led by Laurent Desire Kabila, took Goma and moved to conquer Kinshasa before his eventual assassination in 2001. While the context might differ from that of 1997, the reaction by regional organisations proved quite inadequate. Since the start of the mutiny in April, the discussions at the African Union level have been peripheral. Not that the AU was unwilling to respond to the security concerns and the humanitarian plight of the people, but the multiple allegiances of the countries in the region and the principle of subsidiarity forced the continental organisation to rely on the International Conference of the Great Lakes Region (ICGLR). This approach has not yielded anything concrete. The ICGLR comprises Rwanda, the DRC, Uganda, Angola, Burundi, Central African Republic, Republic of Congo, Kenya, Sudan, Zambia and Tanzania. The interim United Nations Group of Experts report released in June 2012, which accused Rwanda of backing the M23 rebellion, led to the souring of relations between Kigali and Kinshasa. The report has further complicated peace efforts as both

Rwanda and the DRC continue to point fingers at each other. At least five meetings have taken without any breakthrough and the situation remains volatile.

At the REC level, the Southern African Development Community (SADC) has made the most progress, having taken a firm decision to contribute troops to stabilising the situation in the DRC. SADC has offered to contribute troops to the "neutral force" to be created. However, to date a number of problems remain in seeking to operationalise this neutral force. Firstly, the neutral composition of the force is questionable, given that almost every country in the region was involved in the DRC during the second Congolese war. Secondly, the funding contributed to this initiative has been minimal, and is currently unsustainable. Thirdly, there are many questions concerning the mandate of this neutral force, how it would be different from MONUSCO, and whether a military solution is even appropriate.

United Nations

The UN is a major stakeholder in the Great Lakes region. It has one of the largest peace missions, some 17000 troops, costing close to one billion USD annually. While there is no denial that the UN has played a role in the stabilization of the DRC, it was difficult to understand the lukewarm reaction of the organization to the M23 rebel take-over of Goma. At a meeting in Kampala in December 2012, Ugandan President Yoweri Museveni accused the UN peacekeepers of "military tourism." It was argued that the UN was caught in the contradictions between its peace mandate and the absence of an effective national army for support, while citizens felt abandoned in their plight. Meanwhile, two sets of dynamics are worth noting. Firstly, the United Nations Security Council (UNSC) has ordered sanctions in the form of an asset freeze and travel ban against one of the key figures in the M23, Colonel Sultani Makenga, a well known human rights abuser, and the commander of the former CNDP defection. Secondly, more than once, the UN has issued a call for "foreign countries" to stop interfering in the DRCs affairs and to not intrude into Congolese territory.

However, the UN has not named either Rwanda or Uganda specifically in these calls. Amidst the controversy of the UNGoE report, and its unconvincing rebuttal to the UNSC, Rwanda still managed to win a seat on the UNSC on 18 October, raising the question about the stance of the main actors in the crisis. Finally, as accusations and blame are directed towards the inability of the MINUSCO to keep peace and protect civilians, one should not forget the decision, taken by the DRC government for political expediency, to put an end to the UN Mission in the country.

International community

The resurgence of the M23 rebellion is a challenge to the international community's efforts at peace building in the DRC. It is important to stress that the relapse of the eastern DRC into violence and armed conflict has brought to the fore some serious problems inherent in the peacebuilding process. In a recent article by Zoe Marriage published on the open-democracy website, it was pointed out that the elevation of warlords to political power, in some instances with the blessing of the international community, could be a danger in itself to the consolidation of peace and the success of the post-conflict reconstruction project. Marriage rightly argued that in Congo and Rwanda, northern aid has contributed significantly to the regularisation of military leaders into political roles. This has an evident rationale in coaxing them from the battlefield, but has also crowded out civilian contenders to political leadership. In both countries, elite individuals and groups have been strengthened, excluding the majority of the population from political and economic power.

Yet, some members of the international community reacted very fast to the United Nations Group of Experts interim report accusing Rwanda of backing the M23, by suspending and withdrawing aid. The United States was the first to withdraw aid, starting with what can be viewed as a symbolic amount of \$200 000. Since then, many of Rwanda's European partners have followed suit, with the latest blow coming from the United Kingdom's decision to withhold

£21 000 000 in aid. The speed with which these decisions were taken indicates that the donor community may have leapt at the excuse to withdraw aid, possibly due to fatigue after supporting Central Africa's "aid darling" for so many years. Politically, however, it would appear as if the US and the UK are still firmly behind their long time ally, Rwanda.

Civil society

Civil society activities in the DRC as a whole and specifically in the East are constantly under attack from both government and rebel forces. There are numerous reports of assassinations, rapes, kidnapping and other abuses of civil society activists. In some instances, the Presidential Guard is also frequently accused of involvement. One case that has become notorious is the assassination of the human rights activist, Floribert Chebeya, leader of the NGO "Voice of the Voiceless." The investigation into his murder has stalled as the main accused, General John Numbi, close ally to President Kabila and former Inspector General of the Congolese national police, has been excused by the judges from appearing in court, raising concerns over political interference in justice matters.

There is a general dissatisfaction in the country over human rights, democracy and good governance. Indeed, the fall of Goma has led to riots in some areas of the DRC. Some of these riots protested the weak leadership in Kinshasa, while others were against the M23. In Kinshasa, groups of women protested in front of the MONUSCO headquarters, demanding that the mission leave the DRC, as it had failed in its mission to protect civilians, mainly women and children who had been raped and forced to join the armed groups. It was especially in the capital of South Kivu, Bukavu, that residents expressed anger and frustration at the fall of Goma, knowing that the M23 would aim to capture Bukavu next. Students in Bukavu vented their anger on UN buildings, protesting the fact that MONUSCO did nothing to stop the fall of Goma. This is not the first time that civil society organisations have shown their anger toward MONUSCO. Earlier in 2012

there were direct attacks against MONUSCO officers for failing to protect the civilian population from rebel groups. Government officials and buildings were not spared during these protests. It would appear that civil society groups are as angry with the rebellion as they are with the government and MONUSCO's inability to protect civilians.

Scenarios

From the above, three main scenarios can be envisaged.

Scenario 1

The M23 has withdrawn from Goma, but the situation is by no means resolved. The negotiation process does not yield any substantial outcomes, the rebels return. There is a fertile ground for them to mobilise support and aim at Kinshasha, in a repeat of the 1997 scenario.

Scenario 2

International pressure on the external forces, including Rwanda and Uganda is genuine and forces the parties to negotiate. It provides the opportunity to clearly define the main objectives and the modalities of the negotiation process. In that case, negotiations can lead to a new peace agreement. At this stage, neither the government nor the M23 have a well-defined agenda for the negotiations.

Scenario 3

A multi-pronged approach – negotiation, deployment of a neutral force and the enlargement of the Joint Verification Mechanism – supported by an unwavering political commitment, helps craft a new comprehensive peace strategy for the region and a concrete mechanism is put in place for its effective implementation.

Options

Option 1

There is a need to pay attention to the neutral character of the force to be deployed. It needs to be composed of countries that do not have a direct interest in the conflict. If such a force is to be deployed and if it responds effectively to the security challenges of the region, consensus is needed among key protagonists. The SADC's offer to

send troops is a positive development but it needs to be integrated in the international response strategy that is seen as truly neutral.

Option 2

The main challenge facing the DRC and the countries in the Great Lakes region is related to governance. In the specific case of the DRC, its leaders should be encouraged to complete the reform initiatives, including the establishment and consolidation of the rule of law, the existence of effective state institutions and a national army capable of ensuring the protection of the people

and the defense of the territorial integrity of the DRC.

Option 3

It is clear that the idea of integrating armed groups into the FARDC is not sustainable, as the M23 defections fit perfectly into the historical pattern that has played out in the DRC before. In addition to revisiting the SSR process, there is a need for some form of transitional justice and reconciliation in the Eastern DRC. The perceptions about Rwanda's interests in the Eastern DRC have fuelled anti-Rwandan sentiments not only in the two Kivus, but also in

other provinces of the DRC. For this, the position of the AU Special Representative in the Great Lakes Regions needs to be reinforced.

Option 4

The ICGLR, the AU and the UN need to encourage countries in the Great Lakes region to design a permanent regional border and natural resources management strategy. While such a strategy should take into consideration Rwanda's security concerns, it could also help curb the proliferation of armed groups as a way to exploit and control such resources.

PSC Retrospective

APPRAISING THE ROLE OF THE AU IN SOMALIA

Introduction

The African Peace Support Mission in Somalia (AMISOM) has been operating since 19 January 2007, when through the Resolution of the 69th Meeting of the Peace and Security Council (PSC) [PSC/PR/Comm (LXIX)], the African Union (AU) urged the deployment of troops with the purpose of providing an African response to the multifaceted security challenges and imminent state collapse of Somalia. Despite years of bloody fighting, with limited resources that led to a significant number of casualties among soldiers, a general assessment of AMISOM reflects the importance of this AU-led Peace Support Operation (PSO) in the quest for the stability of the country. The eradication of Al-Shabaab forces from the control of strategic areas and the protection of key Government (the former Transitional Federal Institutions and the current Parliament and Presidency) figures are among the most notable achievements of AMISOM.

However, AMISOM has a number of challenges that remain to be dealt with. These challenges reflect two closely related dimensions: the contextual and the structural dimensions. The

contextual dimension refers to challenges that have emerged from the recent political and security situation in Somalia. The structural dimension refers to the difficulties that AMISOM has faced since the beginning of the mission, which originated from the institutional deficiencies of the AU and are no doubt also shared by other AU Peace Support Operations (AU PSOs).

The present analysis aims to appraise the successes, but also the difficulties, that emerged in AMISOM's peace support mission. This analysis is also an attempt to define the tendencies that AMISOM can develop in the coming months and provide some strategic recommendations for moving forward. Readers interested in previous events that occurred in Somalia in 2012 are invited to consult the January and October issues of the Peace and Security Council Report.

AMISOM's African Peace Support Mission was launched by the AU Peace and Security Council (PSC) on 19 January 2007 as a result of a failure to implement the IGAD (Intergovernmental Authority on Development) Peace Support Mission in Somalia (IGASOM). IGASOM was intended to replace the Ethiopian forces that were defending Mogadishu's government from the rebel Islamic movement, Al Shabaab. Transferring the mandate from IGAD resulted in the AU needing greater African involvement in the operation and a reluctance by Western states to

dispatch their troops to Somalia. On 20 February 2007, the United Nations Security Council authorized AMISOM (UNSC Resolution 1744), thereby endorsing the previous AU decision. The AU's intent was indeed that the UN would assume responsibility for the mission within six months, which never happened. However, even if the UN has since played a secondary role, its support has been crucially important for AMISOM.

The PSC Resolution of 19 January 2007 stated that the AU peacekeeping mission was mandated to:

1. support dialogue and reconciliation in Somalia;
2. provide protection to the TFIs (Transitional Federal Institutions) to enable them to carry out their functions;
3. assist in the implementation of the National Security and Stabilization Plan of Somalia, particularly the effective reestablishment and training of all inclusive Somali security forces;
4. provide technical and other support to the disarmament and stabilization efforts;
5. monitor the security situation in areas of deployment of its forces;
6. facilitate humanitarian operations, including the repatriation and reintegration of refugees and the resettlement of Internally Displaced Persons (IDPs); and

7. protect its personnel, installations and equipment, and uphold the right of self-defence.

What AMISOM has done so far would be viewed for many as a “timid success”. With AMISOM’s support, the Somali national forces have effectively evicted Al-Shabaab, the Islamist group which emerged in 2006, from most major urban centres in southern Somalia, including Mogadishu, Baidoa situated in south-central Somalia, and the port cities of Marka and Kismayo, as well as many other towns, including Afgooye, Afmadow, Bay, Bakool and Hiran. Jawhar, 90 km northwest of the Somali capital, Mogadishu, was captured by the Somali National Army on 9 December 2012, with the support of AMISOM.

It was only a few months ago that AMISOM developed the techniques and tactics that have enabled it to score military successes against Al-Shabaab in the capital. As a result, Mogadishu is experiencing an improvement in security. However, asymmetric attacks and intimidation of locals in some areas remain a reason for concern. Thus AMISOM’s military successes in those areas remain unpredictable. Moreover, the much needed presence of the government’s allied forces in vulnerable areas is crucial to prevent Al-Shabaab from regaining control, as happened in southern Galgadud in June 2012.

Progress has also been made in the political field. After 21 years of statelessness, and partially due to AMISOM’s stabilisation efforts, Somalia is now facing a post-transitional situation that will rely very much on the strategic approach of the AU PSO. This new context is characterised by the launching of a new interim Constitution (1 August 2012), the inauguration of a new Federal Parliament (20 August 2012) and the swearing in of Mr Hassan Sheikh Mohamud as President of the Federal Republic of Somalia. These political events can be considered milestones in the stabilisation of the country and they have engendered hope that such events could be the inception of a broader political process embracing all Somalis.

Yet in spite of all this significant progress, the domestic stakeholders, AMISOM and their regional and

international supporters, responsible for carrying out the post-transitional state-building strategy, face a number of challenges that have yet to be confronted and overcome, such as the necessity to defeat the well-rooted institutional legacy of corruption; the need to strengthen the weak and almost non-existent political institutional apparatus as well as its capacity and effectiveness in those areas controlled by the government and AMISOM and the necessity to deal with the complexity of clan-based politics that are preponderant in informal, local and self-governed structures of power. Hence, AMISOM’s success will partially depend on whether governmental structures are able to deliver much-needed public goods and services and provide stability and peace throughout “liberated” areas.

At this stage, the immediate and most challenging goal for AMISOM is to figure out how the stabilisation of the so-called “liberated areas” can be effectively achieved and maintained according to AMISOM’s scope and capacities. The AU understands “stabilisation” as the multidimensional process of extending the administrative authority of the government, delivering public goods and services to the local population and supporting the reform of the security system.

Bearing in mind that AMISOM is playing a supportive role, leaving the ownership of the process to the Government, AMISOM’s multidimensional peace-making strategy is based on two major approaches: a security-oriented approach, which is dependant on the enhancement of the security system and the continuing defeat of insurgents; and a politically-oriented approach, which is based on the promotion of good governance. With the purpose of targeting those goals, the AMISOM Mission initially structured its deployment in terms of the Military, the Police and the Civilian components.

The AMISOM Military Component is mandated to defeat the areas controlled by Al-Shabaab, secure liberated areas and provide support to institutionalise Somalia’s National Security and Stabilisation Plan (NSSP).

This includes integrating, harmonizing and sustaining security institutions, ensuring coordination among administrative entities, and implementing de-militarization programs as Disarmament, Demobilization and Reintegration of ex combatants.

The mandate is broad in relation to the human and financial resources that are needed or available. Since early 2012, AMISOM’s expansion in areas of operation has been enormous. Even after the development of AMISOM’s Strategic Concept, the troops deployed are reportedly inadequate to guarantee the stabilisation of its area of operations. For instance, it is unclear how 2500 Ugandan and Burundian troops could be expected to stabilise the Baidoa sector or how Djiboutian soldiers will stabilise the Belet Weyne sector. Other challenges relate to sourcing and deploying personnel and capabilities to the Mission. Some of the Troop-contributing Countries (TCCs) have pledged to deploy troops, but a lack of clarity about logistical, institutional or financial aspects has complicated the implementation. For instance, the expected troop deployment by Sierra Leone was delayed as a result of logistical supply problems involving the acquisition of ammunition. Disagreement between President Guellah of Djibouti and some of his senior military officers about the deployment of Djibouti’s battalion is also symptomatic of the problems confronting AMISOM and the TCCs.

It is extremely important that AMISOM promotes its peace building support strategy in parallel with Somalia’s strategy, allowing the government to have the necessary space to manoeuvre in order to be the leading institution in the process. The trend in the “liberated areas” and partially in Mogadishu is that the willingness and capacity of AMISOM to enhance relations with the government is low and its strategy is largely divorced from the state-building strategies of the government. Also, the AMISOM troops are still being perceived by the local population as “occupying” troops. In addition, the Somali government lacks the capacity to govern effectively. Therefore, and with the purpose of filling the power gap, AMISOM is

actually creating a culture of dependence that prevents the government from taking over power and the AU PSO from planning a strategy to pull out their troops in the operating areas.

Another important element to mention is that the international-led approaches to peace building have so far neglected local Somali traditions and experiences of controlling and managing security, which have demonstrated a time tested capacity to be effective in the absence of the state. AMISOM has in several cases failed to understand local dynamics and governing methods, provoking confusion and producing limited or non-existent outcomes in their interventions. It is important that AMISOM understands the local initiatives in dealing with security in order to support the building of a legitimate and effective security strategy.

The AMISOM Police have the mandate to engage in the capacity building of the Somali Police Force (SPF) with the aim of transforming it into a credible body that can provide security for the population. As AMISOM soldiers have moved from Mogadishu to other "liberated areas", the first Formed Police Unit (FPU) arrived from Uganda in August to support the Somali Police Force (SPF) in providing security in the capital. On 16 September 2012 AMISOM received its second Formed Police Unit (FPU) from Nigeria. So far, AMISOM has assisted the SPF in vetting 600 former Somali police officers with the purpose of increasing the number of operational police officers in the country. With the need to combat public disorder, the FPU's actions have been based on rapid-reaction movements with a limited efficacy. Hence, more FPU members and equipment are required to effectively guarantee the rule of law in the city.

The Civilian Component is mandated to assist in the rebuilding of Somalia's legitimate and effective political institutions. Its role is fundamental in the process since it is unlikely that AMISOM's Military-oriented strategy will succeed without an effective and strong civilian component.

The civilian component should encourage the launching of civil

reconciliation initiatives with a view to seeking political inclusiveness and representativeness. Reconciliation processes can also help to promote loyalty to the Somali state rather than to clan or warlord factions. Among outstanding issues of the previous government was the need to better articulate locally-driven peace initiatives in order to bring together the different Somali groups and clans. Thus a major task for the post-transitional government should be to identify a strategy and the relevant actors that could potentially be involved in local peace processes. In this sense, AMISOM's support could be helpful in mobilising and bringing actors together (district commissioners, traditional and religious elders as well as civil society leaders). By fostering greater autonomy for Somalia's regions in undertaking such initiatives, the local dynamics of the process would be better preserved.

Consultations have been taking place in Mogadishu with the support of AMISOM. For instance, on 12 November 2012 the AMISOM Gender Office organized a one-day workshop on *Empowering Somali Women and Engaging Elders and Politicians* in Mogadishu. The purpose of the debate was to discuss the way forward for the peace-making process, considering the local dynamics, the roles of the main stakeholders and AMISOM, in the process. Yet the members of the AMISOM civilian component are insufficient in comparison with the objectives envisaged. Indeed, the enhancement of the civilian component is crucial for the creation of a lasting peace that is fundamental for the recovery of the country.

The AMISOM mandate has a humanitarian aspect as well, which is limited to a facilitation role because of human and material constraints. However, the other side of the coin is that AMISOM has been accused of not abiding with international humanitarian law, in that some of its military operations have led to civilian deaths through its heavy-handed response to Al-Shabaab attacks. Initially, the AMISOM operational mandate did not include specific human rights components, in line with international standards for

peacekeeping. The international community prioritized strengthening the fledgling Transitional Federal Government (TFG) and reducing Al-Shabaab capacities and control, leading to a situation where the protection of the Somali civilian population was neglected. For instance, four months after AMISOM's deployment, one third of Mogadishu's population abandoned the city because of the brutal violence and destruction caused by confrontations between the AMISOM and Al-Shabaab forces. Moreover, the conflict severely exacerbated the humanitarian crisis, which was compounded by reported obstruction of humanitarian assistance by TFG officials.

However, in 2010 a shift in focus by the AU and the UN resulted in increased attention to civilian protection concerns, leading to a significant drop in the number of civilian casualties. Despite such progress, notable gaps remain and should be addressed by AMISOM if it is to be viewed as legitimate and credible by the Somali population.

As far as the structural challenges of AMISOM are concerned, most of them originate from the AU and are shared by other AU PSOs. The governance of AMISOM is complex due to the number of actors and levels involved. Any assessment of its policy-making process needs to take into account that decisions result from a process of complex patterns of interdependence, negotiation, exchanges and influence between levels (domestic, regional, African and international) and actors (non-governmental and governmental actors).

Hence, even though AMISOM has been defined as an AU-led PSO, reflecting the idea of African Solutions to African Problems, the fact is that in practical terms the sustainability of its functions is heavily dependent on external resources. This has had enormous implications for its multiple levels of governance, such as in the decision-making process, the implementation of its mandate and the outcomes on the ground. The fact that AMISOM's performance has depended on how and where external partners were willing to allocate financial resources to

the mission, reflects some of the implications provoked by external dependence.

Another implication has been to face the difficulty of deploying more troops where they were needed and to keep them supplied. The initial size of the AMISOM deployment was supposed to be 2550 troops, even though the number has since increased over time. Recently, there has been an expansion of AMISOM, to 17,731 personnel, through the Strategic Concept pursuant to Security Council Resolution 2036 (2012), following the re-hatting of the Kenyan forces contingent as part of the AMISOM force and the deployment of an additional 2,500 troops from Burundi and Uganda. The deployment of forces from Djibouti and of former police units from Uganda and Nigeria was also fulfilled in September 2012. However, AMISOM still lacks the numbers to control its different areas of operations. In addition, a force of 35 000 is reportedly required to fully undertake the responsibilities of this multidimensional peace support mission. However, the African Union Commission (AUC) has been unable to convince Member States to deploy such numbers of troops for a variety of reasons that include limited available forces and budgets as well as other emerging threats or conflicts that need to be addressed. There is also the likelihood of a possible reduction of funds allocated to the mission. For instance, France has already announced its interest in reallocating financial resources from AMISOM to a probable AU-led military intervention in Mali.

An enhanced Somali National Security Force could play a key role in supplementing AMISOM forces, but the former has not yet been effectively established for various reasons, including a lack of AMISOM financial resources for the delivering of capacity-building programs. In addition, because clan loyalties tend to override national government loyalty, the recruitment of potential Somali troops presents problems that make the development of a credible National Security Force an unlikely eventuality, at least in the short term.

Another complaint by AMISOM soldiers concerns their salaries and working

conditions. It is reported that the AU, in accordance with agreements signed with the TCCs, reimburses every AMISOM soldier at a rate of US\$ 600 per month, which is not that much considering the dangerous nature of their work. In contrast, Kenyan soldiers reportedly receive a monthly allowance of Sh84,296, (\$1,028) on top of their regular salaries, after they integrate into AMISOM.

AMISOM has also faced a number of challenges related to the coordination of troops. The intricacy of the integration of different national troops, which entails the harmonization of a variety of different institutional cultures, capacities and methods, has been complicated and time-consuming. Tensions related to strategies and priorities amongst different troop contingents (AMISOM, Ethiopian troops or Kenyan troops that were recently integrated into AMISOM) are quite common and remain unresolved. For instance, the Burundians, which are part of the AMISOM troops, were resentful that the Kenyans were second in command of the mission when Burundians had participated longer and made more sacrifices. In addressing this type of problem, the AU established the Joint Coordinating Mechanism (JCM) to work at Ministerial level and the Military Operations Coordination Committee (MOCC) at chief-of-staff level.

The training of troops, particularly after the expanded AMISOM operations, is still a significant challenge, since the level of inexperience remains high. The AU PSO forces are also limited by the variety of languages spoken among them. AMISOM, in particular, is hampered by its lack of Somali speakers, who could play a crucial role in the understanding of the local population and the Somali National Security Force.

The proliferation of counter-piracy operations and the provision of maritime security by other actors are other "pacifying" initiatives that AMISOM also needs to address. It is essential that the AU clarifies its predominant and leading role as the legitimate institution identified by the international community to carry out the main peace support operation in

Somalia, in collaboration with other actors.

The implementation level of the Peace Support Operation Division (PSOD) at the AU headquarters in Addis Ababa, which is the responsible body for implementing the decisions taken by the Peace and Security Council, has only nine staff members who manage all the AU PSOs deployed across Africa. Its work consists of planning, managing, monitoring and deploying the AU PSOs. The Department of Peacekeeping Operations (DPKO) in the UN is undertaking similar functions, but with approximately 630 employees. Due to insufficient numbers of personnel, the PSOD faces institutional and operational obstacles in supporting AMISOM and undertaking responsibilities for PSOs such as that in Somalia. One implication of the AU's capacity to plan and manage operations is that AMISOM's mandate is unclear.

A short-term objective would be to better sustain and equip all AMISOM components through financial and human resources. Continuing support for AMISOM would enable it to better achieve the following goals:

1. The military component should continue to secure areas already controlled by the government and capture other areas that are under the control of Al-Shabaab or other militias. Appropriate training of the troops deployed is required. In addition, communication amongst AMISOM personnel and between AMISOM and local people is key to the successful undertaking of the operations. In some stabilised areas, AMISOM should consider a de-escalation of military action in favour of an increased deployment of the civilian component.
2. The Police component should continue to enlarge its Formed Police Unit (FPU), in order to achieve the maintenance of order in the capital. AMISOM should also continue supporting the Somali Police Force to transform it into a credible law enforcement component.
3. The civilian component should focus on enhancing the legitimacy

and representativeness of the Somali Government in terms of the many challenges and opportunities identified, particularly in the “liberated areas”. There is a need to continue supporting political reconstruction through national and local reconciliation processes.

4. AMISOM should actively engage its mission with the government and its components (military, police and civilians). The government should play a leading role in the process, establishing measures to resist its dependence on the international peace support mission.
5. AMISOM should improve its coordination within the components of the mission and with other peace agents, emphasizing its leading role as the principal peacekeeping mission in Somalia.
6. The mission should consider the creation and implementation of both a conduct and discipline policy, according to humanitarian standards, in order to address perceptions that AMISOM

personnel are immune from responsibility and accountability when its personnel have caused civilians harm. In addition, AMISOM should consider the establishment of clear relationship procedures in supporting the Somali Forces. AMISOM should also enhance the Civilian Conduct Court, as a way to protect the civilian population and increase the court’s legitimacy.

A medium to long term objective for AMISOM might involve a reformulation of the scope of its mandate, in such a way that the military approach could gradually be reduced within 5-10 years in favour of an enhanced political developmental approach, based on a “post-conflict reconstruction strategy” that would forcefully and effectively promote peace and stability. AMISOM should consider the development of an exit solution for its military component. Due to the difficulty of sustaining the AMISOM mission, the transformation of AMISOM could take place in a context where a stronger, independent and more legitimate Government becomes operational, with the support of credible Somali National Forces and a Somali Police Force that are capable of

delivering sustainable security and stability throughout the country.

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Open Page

NORTH AFRICA’S REGIONAL AND SUB-REGIONAL ECONOMIC COMMUNITIES

Introduction

North Africa’s core REC is the Arab Maghreb Union (AMU) that, due to many years of inactivity, has been largely displaced by the younger, larger and more widely dispersed Community of Sahel-Saharan States (CEN-SAD). The region also has access to two SECs, the North African Regional Capability (NARC) and the Greater Arab Free Trade Area (GAFTA), which extends into the wider Arab world beyond Africa.

AMU

The Arab Maghreb Union (AMU) or, in French, *Union du Maghreb Arabe* (UMA), was established in February 1989 in Marrakech, Morocco, by Algeria, Morocco, Tunisia, Libya and Mauritania. The organization’s roots go back to the First Conference of Maghreb Economic Ministers in Tunis in 1964, which established the *Conseil Permanent Consultatif du Maghreb* (CPCM) between Algeria, Libya, Morocco and Tunisia. The purpose of this permanent consultative council was to coordinate and harmonise the development plans of the four countries and to also promote inter-regional trade and relations with the European Union.

More than twenty years later, in June 1988, the first Maghreb Summit of the Heads of State of Algeria, Libya, Mauritania, Morocco and Tunisia took

place at Zeralda, Algeria. This resulted in a decision to set up the Maghreb High Commission and a number of specialized commissions.

The AMU’s primary aims are to strengthen economic cooperation among member states in order to realize economic integration, safeguard the region’s interests and promote Arab unity. The AMU also maintains a dialogue relationship with France, Italy, Spain, Portugal and Malta, known as a “5 plus 5” meeting.

The AMU has its headquarters in Rabat, Morocco, and its main organs include the Presidential Council or *Conseil de la Présidence*, which comprises the Heads of States of AMU Member States; the Foreign Ministers’ Council; the Permanent Secretariat; the Consultative Committee; and specialized Ministerial Commissions. The Committee of Heads of State

meets once per year. The Heads of member-states serve as Executive Chairs in rotation for one year.

Six meetings of Heads of State were held between 1989 and 1994. The AMU originally intended to achieve a customs union by 1995 and an economic common market by 2000. Although a number of cooperation agreements on political, economic, social and cultural matters were signed by member-states, the activities of the AMU came to a virtual standstill in 1995 and no meetings of heads of state have taken place since that time. However, the 19th Meeting of the Council of Foreign Ministers of the Arab Maghreb Union was held in Algiers in 2002.

Over the years of the AMU's existence the organization has established a number of institutions such as the Tribunal of Instance located in Nouakchott, Mauritania, the Maghreb University located in Tripoli, Libya and the Maghreb Bank of Investment and External Trade in Tunisia.

The AMU was one of five African RECs (together with ECCAS, ECOWAS, IGAD, and SADC) commissioned to establish regional standby forces intended to be the pillars of the African Union's African Standby Force (ASF). However, since the AMU is not active in peace and security matters, a few countries of the northern region decided to participate individually.

The AMU's existing Member States of Algeria, Libya, Mauritania, Morocco and Tunisia cover a geographical area of more than 5.2 million square kilometres that is home to more than 84 million people. Egypt, which applied to join the AMU on 12 November 1994, during the 16th AMU Foreign Ministers session in Algiers, is still noticeably without membership of the REC.

Despite the almost moribund condition of the AMU, every member state realizes that only by uniting and exerting themselves can they realistically expect to deal effectively with the challenge of a drastically changed international system. So none of them wants to give up membership of the AMU.

The virtual sidelining of the AU by the UN, the North Atlantic Treaty Organization (NATO) and the League of Arab States during the Libyan uprising would perhaps have been avoided, had there existed at the time a strong and capable REC in the form of the Arab Maghreb Union. It is therefore essential that the existing regional power vacuum in North Africa be addressed through a resuscitated, expanded and strengthened AMU that includes all the key Arab states of the North African region.

CEN-SAD

In February 1998, Libya, Sudan, Burkina Faso, Chad, Mali and Niger agreed in Tripoli, Libya, to create the Community of Sahel-Saharan States (*Communauté des États Sahélo-Sahariens*) (CEN-SAD).

The Tripoli Treaty creating CEN-SAD was designed to facilitate economic, social and cultural links between member-states as well as between them and other Arab and African states. It also sought to enshrine the principle of non-aggression and non-interference in the internal affairs of member states and includes a charter on co-operation for peace, security and stability in the CEN-SAD region.

CEN-SAD maintains its Headquarters in Tripoli, Libya, and its main organs are the Conference of Heads of State, the Executive Council, the General Secretariat, the Sahel-Saharan Investment and Trade Bank and the Economic, Social and Cultural Council (ESCC).

The Conference of Heads of State comprises Leaders and Heads of State of the Community. The conference is the supreme CEN-SAD policy and decision-making organ in terms of the Constitutive Treaty. The Conference of Heads of State meets once per year in ordinary session rotationally in the capitals of member states. It may also meet in an extraordinary session at the request of one member state. The country hosting the Summit presides over the conference.

The Executive Council is responsible for the preparation of the plans pertaining to programmes of

integration and the implementation of the decisions of the Conference of the Heads of State. The Council is composed of Secretaries and Ministers in charge of foreign relations, the economy, finance and planning, the interior and public security. The Executive Council meets every six months. It may hold extraordinary sessions at the request of the Chairman of the Conference of Heads of States or at the request of one of the CEN-SAD member states. The Council is chaired on a rotational basis.

The General-Secretariat is the administrative and executive organ of CEN-SAD, responsible for the management of the daily work of the Community, the monitoring of the regular functioning of its institutions and the implementation of the objectives and policies defined by the Conference of the Heads of States and the Executive Council. The General Secretariat comprises the Secretary General, the Assistant Secretary General, the office of the Secretary General, the Administrative and Financial Affairs Directorate, the Complementarity and integration Directorate, and the Research and Legal Affairs Directorate.

The Convention on the establishment of the Sahel-Saharan Investment and Trade Bank was signed on 14 April 1999 in Sirte, Libya and the Statutes were signed on 15 November 1999 in Benghazi, Libya. The objective of the Bank is to conduct all CEN-SAD's banking, financial and commercial activities, including those relating to financing developmental projects and external trade. The bank gives priority to projects executed in member states and carries out its activities within the framework of the Convention and the Statutes. In order to achieve its objectives, the Bank can open branches or offices within or outside the territories of its member states, subject to the approval of its Board of Directors. The headquarters of the Bank are in Tripoli, Libya.

The ESCC is an advisory organ comprising ten representatives, designated by member states, mandated to assist the other CEN-SAD organs in the design and preparation

of economic, social and cultural development policies, plans and programmes of member countries. The Council meets annually in ordinary session. It can also meet in an extraordinary session upon the invitation of the CEN-SAD Chairman, the ESCC Chairman or a member state. The Headquarters of the ESCC are in Bamako, Mali.

CEN-SAD was recognized as a Regional Economic Community during the thirty-sixth ordinary session of the Conference of Leaders and Heads of State and Government of the Organization of African Unity, held in Lomé, Togo, on 4-12 July 2000.

During its 6th Summit in Bamako, Mali (15 May 2004), CEN-SAD adopted a Conflict Prevention, Management and Resolution Mechanism for the purpose of promoting peace and security in the Sahel-Saharan community. This was done in accordance with the United Nations Charter and Protocol relating to the establishment of the Peace and Security Council of the African Union.

The 1998 Treaty to establish CEN-SAD underscores the need for signatory states to ensure peace, stability and security in the Sahel-Saharan community. For instance, Articles 2 and 3 of the Treaty specifically provide that Member States pledge to prevent the use of their territories for activities that seek to undermine the sovereignty and territorial integrity of any State of the Community; resolve to afford mutual assistance as appropriate; and cooperate in all areas in a spirit of solidarity and fraternity.

The strong political resolve and determination of CEN-SAD Member States in regard to peace was again displayed by the Security Charter of the Community signed on 5 February 2000, in N'djamena, Chad, which reaffirmed the need to promote peace and security. This Charter led to the Niamey Declaration on Conflict Prevention and Peaceful Settlement of Disputes, adopted during the 5th CEN-SAD Summit in Niger (14-15 March 2003). In the Niamey Declaration, Member States committed themselves to setting enabling conditions for peace, security and

stability by prioritizing, among Member States and non-Member States, the peaceful settlement of prevailing or potential conflicts.

CEN-SAD has actively participated in the management of conflicts that have arisen in its community and beyond by lending support to the United Nations, the African Union, the Intergovernmental Authority for Development, the Central African Economic and Monetary Community and the Economic Community of West African States, specifically in Somalia, Côte d'Ivoire, Sudan, the Central African Republic, Liberia, Sierra Leone, Togo, and also between Eritrea and Ethiopia.

CEN-SAD lacks an authentic early warning system, but the surveillance and conflict prevention response system, once fully operational, may effectively fill this role.

Special circumstances have prompted the Community to intervene directly along the Chad-Sudan border, in conjunction with the AU. The instruments vindicating such intervention include the 1998 Tripoli Treaty to establish CEN-SAD; the Security Charter adopted by CEN-SAD States in N'Djamena in 2000; the Declaration on Conflict Prevention and Peaceful Settlement of Disputes, signed in Niamey in 2003; the Security Cooperation Convention between CEN-SAD Member States signed in Bamako in May 2004; and the Conflict Prevention, Management and Resolution Mechanism, also adopted in Bamako in May 2004 (it includes organs such as the Distinguished Ombudsman for Peace and Security).

The Second Ordinary Conference of Leaders and Heads of State that took place in Chad on 5 February 2000 set in place the office of the Distinguished Permanent Ombudsman. This particular Organ is enshrined in Article 5 of CEN-SAD's Conflict Prevention, Management and Resolution Mechanism. In terms of this Mechanism, and the concept of collective security, CEN-SAD Member States have sought to promote the culture and ownership of peace-building. Consequently, a threat of

aggression against a Member State would constitute a threat or aggression against the entire Community. Furthermore, any threat to the security of a Member State would constitute a threat to the security of all the other CEN-SAD Member States.

The primary objectives of the Conflict Prevention, Management and Resolution Mechanism are to prevent the outbreak of conflicts; achieve peacekeeping, peacemaking and peace-building as well as to further security and stability within the community; enhance cooperation in the area of conflict prevention, management and resolution, including early warning systems; combat organized cross-border crime, international terrorism, the proliferation of land mines and the illegal circulation of small weapons; and to establish institutions and implement appropriate policies for the sake of coordinating military and humanitarian operations.

In addition to the Distinguished Permanent Ombudsman, the CEN-SAD Conflict Prevention, Management and Resolution Mechanism includes the following organs and components, consistent with the African Peace and Security Architecture established by the AU Commission: the Conference of Leaders and Heads of State; the Sahel-Saharan Council for Peace and Security of the Community; the Ambassadors' Committee; and the General Secretariat.

The Sahel-Saharan Council for Peace and Security of the Community comprises ten members, including eight elected by a two-thirds majority for a two-year term. The Council convenes meetings at three levels: meetings of Leaders and Heads of State; meetings of Ministers; and meetings of Ambassadors. The UN Secretary-General and President of the AU Commission or their representatives may also attend proceedings as observers. The CEN-SAD Council for Peace and Security may conduct business only if a simple majority of members are present. Decisions of the Council are taken by a simple majority vote on procedural issues and a two-thirds majority in

respect of substantive issues. The Council determines the procedural or substantive nature of any issue by a simple majority vote.

The CEN-SAD General Secretariat, discussed above, is also the keystone of the organization and seat of the Military Staff. The General Secretariat may recommend appointments for the office of Special Representative and Force Commander to the Sahel-Saharan Security Council; appoints members of the Committee of Wise Persons under Article 22; supervises political, administrative and operational activities as well as mission logistical support; prepares periodic progress reports of the mechanism for consideration by the Sahel-Saharan Security Council; upon appraisal of the situation and due consideration, initiates enquiry or mediation missions; upon consultation with the Chairman of the Conference, convenes all meetings of the Sahel-Saharan Security Council, the Panel of the Wise and the Defence and Security Committee, as set out in article 21, in addition to providing required support services; and implements decisions of the Council.

The Military Staff organ is maintained in the Office of the CEN-SAD Secretary-General and is headed by a senior officer who serves as Military Adviser, whose brief is to initiate and carry out all activities pertaining to the defence and security of Member States, in furtherance of the implementation of the CEN-SAD Conflict Prevention, Management and Resolution Mechanism. Subsidiary organs of the Military Staff include the Defence and Security Committee, the Panel of the Wise and the Sahel-Saharan Intervention Force (FSSI/CEN-SAD).

The Defence and Security Committee is represented by Chiefs of the General Staff of Member States or their representatives, security officials or their representatives, experts of Ministries in charge of Foreign Affairs, and, as determined by the agenda items, Defence and Security experts from other relevant bodies of Member States. The Defence and Security Committee is expected to examine

technical, administrative and operational matters and assesses logistic needs in peacekeeping operations. It also assists the Sahel-Saharan Security Council in defining the mandate of the Sahel-Saharan Intervention Force and drafting the terms of reference of the intervention force.

The CEN-SAD Panel of the Wise comprises well-respected, eminent personalities, both civilian and military, who are capable of successfully advocating peace, security and greater African solidarity. They are nominated by Member States. Each country is entitled to two nominations. Panel members are appointed for a three-year term, renewable once by the Secretary-General to whom they remain answerable during their tenure.

The Sahel-Saharan Intervention Force (FSSI/CEN-SAD) comprises units of the Army, Gendarmerie, Police and other relevant bodies in order to accomplish specific missions, assignments and deployments within the territories of Member States. The Sahel-Saharan Security Council decides on the deployment of the FSSI/CEN-SAD whose missions encompass preventive deployment; observer missions; peacekeeping and peacemaking; support and assistance of humanitarian work; application of sanctions where applicable; demobilization, disarmament and peace-building operations; maintenance of law and order such as the combating of fraud, and other illicit activities; and any other operations determined by the Sahel-Saharan Security Council. Moreover, Member States have resolved to form, on their respective national territories, pre-assigned and readily operational units of Stand-by Forces endowed with the requisite tactical and logistic capabilities.

The Regional Peace and Security Response System, referred to as the Conflict Prevention and Surveillance Response System has been established within the Office of the CEN-SAD Secretary-General. Its objective is to promptly and realistically appraise potential

conflicts and appropriate early warning indicators with a view to preventing or reducing the impact of security conflicts.

The External Security Services of CEN-SAD Member States (FSSE/CEN-SAD) comprise an intelligence component similar to the AU's Committee of Intelligence and Security Services of Africa (CISSA). The concept came into being at the 6th CEN-SAD Summit that took place in Bamako, Mali, on 15 May 2004. This organ, which maintains an operational secretariat within the General Secretariat of CEN-SAD, successfully deployed observers along the Sudanese-Chadian border following the peace agreement signed by both countries on 8 February 2006.

The current 29 member-states of CEN-SAD are Benin, Burkina Faso, Cape Verde, the Central African Republic, Chad, Comoros, Côte d'Ivoire, Djibouti, Egypt, Eritrea, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Liberia, Libya, Mali, Morocco, Mauritania, Niger, Nigeria, São Tomé and Príncipe, Senegal, Sierra Leone, Somalia, Sudan, Togo, and Tunisia.

CEN-SAD extends over a surface area of about fourteen million square kilometres (14 000 000 km²), representing almost half of the continent's geographical area and has a population of four hundred and thirty-five million (435 000 000), almost half of Africa's total population. Therefore, its wide geographical extent, also encompassing parts of West, East and Central Africa, has given this REC influence that cannot be limited to North Africa.

Most CEN-SAD member states are also members of other Regional Economic Communities and Sub-Regional Economic Communities. These include the Central African Economic and Monetary Community (CEMAC), the Common Market of Eastern and Southern Africa (COMESA), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Intergovernmental

Authority for Development (IGAD), the Liptako-Gourma Authority (LGA), the Manu River Union (MRU), the West African Economic and Monetary Authority (WAEMU), the Arab Maghreb Union (UMA) and the West African Monetary Zone (WAMZ).

NARC

The North African Regional Capability (NARC) was created in 2007, essentially to fill a sub-regional vacuum in Africa. Its purpose was to enable North African countries to contribute to the operationalization and development of the African Standby Force (ASF).

The NARC Member States are Algeria, Egypt, Libya, Mauritania, Tunisia and Western Sahara. Its governance structure comprised the Conference, the Council, the Committee and the Executive Secretariat located in Tripoli, Libya. Unfortunately, the NARC's founding Memorandum of Understanding has yet to be signed by all Member States. In addition, the unresolved status of Western Sahara poses problems for the operationalization process. Four member States do not even recognize Western Sahara.

GAFTA

Historically, the Greater Arab Free Trade Area (GAFTA) can be traced back more than fifty years, motivated by the need to boost inter-Arab trade in the face of many of the same obstacles that have negatively affected inter-African trade. Among these are differences in economic systems, similarity of traded goods, lack of adequate transportation infrastructure compounded by distance and terrain, overprotection, heavy reliance on trade taxes, lack of market information and poor competitiveness of products.

The Arab Common Market (ACM) of 1964 was motivated by the desire to create a Pan Arab market under the auspices of the Arab League that would effectively promote inter-Arab trade. The Council of Arab Economic Unity (CAEU), an organization that the Economic Council of the Arab League had established in 1957, was the initiator of the Arab Common Market. However, the ACM's potential impact

turned out to be quite limited, as many Arab countries did not sign the relevant founding agreement. More than three decades later, in 1999, only Egypt, Libya, Mauritania, Iraq, Jordan, Syria, and Yemen belonged to the ACM.

In 1997, GAFTA came into being as a result of efforts by both non-African Arab states and African Arab states. GAFTA is supervised and administered by the Social and Economic Council of the League of Arab States. It is therefore neither a truly African Sub Regional Organisation nor a member of the African Economic Community (AEC). Nonetheless, it qualifies as an influential and potentially beneficial SEC currently affecting the economies of several North African states.

The current membership of GAFTA includes twelve non-African Arab states, Bahrain, Iraq, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, the United Arab Emirates and Yemen, and six African Arab states, Algeria, Egypt, Libya, Morocco, Sudan and Tunisia.

Conclusion

From the foregoing, it is clear that CEN-SAD is too widely dispersed geographically to be able to give effective attention to North Africa. In addition, the GAFTA is conflicted by its commitment to the League of Arab States and other non-African Arab states.

Therefore, the North African region lacks an effective functioning REC that is wholly and effectively focused on the economic and security needs of the region. The AMU is well placed to fill this need, but needs to develop its peace and security architecture and exhibit a collective commitment to the promotion of peace and security in North Africa. It also needs to be an inclusive REC, irrespective of existing bilateral differences between some Member States or differences with North African states seeking membership. The North African Regional Capability (NARC), once fully operational, may become a useful security tool for the UMA region. However, NARC needs to overcome numerous hurdles to be more efficient

and effective as well as to have greater leeway vis-à-vis the AU and to be able to avoid scenarios such as the NATO intervention in Libya.

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PSC Retrospective

AFRICAN NUCLEAR- WEAPON-FREE ZONE TREATY OF PELINDABA

During a workshop held on 21 November 2012, El-Ghassim Wane, Director of the Peace and Security Department of the African Union, said that the ratification rate of the global non-proliferation regime in Africa was commendable. He noted that there are currently 53 States Party to the Nuclear Non-Proliferation Treaty (NNPT), 50 States Party to the Chemical Weapons Convention (CWC), 40 States Party to the Comprehensive Nuclear Test Ban Treaty (CNTBT), 36 States Party to the African Nuclear-Weapon-Free Zone (ANWFZ) Treaty, 34 to the Convention on the Physical Protection of Nuclear Material (CPPNM), 32 States Party to the Biological and Toxin Weapons Convention (BTWC) and 16 to the Convention on the Suppression of Acts of Nuclear Terrorism, also known as the Nuclear Terrorism Convention (NTC). The Director emphasised that despite this achievement, the AU and its member states 'face numerous challenges to fully implement these instruments at the national level, whether in terms of setting up national authorities and bodies (or) enacting legislation and reporting to the agencies administering these instruments'. He emphasized that Africa remains as vulnerable as other continents to threats that emanate from the trafficking of unsecured nuclear and other radioactive materials.

The Treaty, which declares Africa to be a zone free of nuclear weapons, is an important step towards the strengthening of the non-proliferation regime, the promotion of co-operation in the peaceful uses of nuclear energy, complete nuclear disarmament, and the enhancement

of regional peace and security. The Treaty ensures that nuclear weapons are not developed, produced, tested, or otherwise acquired or stationed in any African country.

Article 14 of the Treaty recommends that an AU conference of all parties be convened to establish the way forward and intensify the wider ratification process among countries. The conference aims to further articulate and draft specific guidelines for the African Commission on Nuclear Energy (AFCONE), which could ideally function as a regional partner for the International Atomic Energy Agency (IAEA). On 12-13 November 2012, two years after the first Conference, the African Union held the Second Conference of States Party to the ANWFZ Treaty in Addis Ababa. Since that meeting Chad, Comoros, Guinea Bissau and Namibia have joined the list of signatory countries, bringing the total number of States Party within the ANWFZ to 36.

The Conference discussed numerous issues related to the ANWFZ Treaty and was opened by the AU Commissioner for Peace and Security, Ambassador Ramtane Lamamra, and the Chairperson of the AFCONE, Ambassador Abdul Minty. Other speakers at the conference included the Director General of the International Atomic Energy Agency (IAEA), Mr. Yukiya Amano, the Chairperson of the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (AFRA), Professor Shaukat Abdulrazak and the Chairman of the Forum for Nuclear Regulatory Bodies in Africa (FNRBA), Dr. Augustin Simo. The speakers noted the contribution of the ANWFZ to global peace efforts and highlighted the opportunities related to the peaceful application of nuclear science and technology.

The Conference, which brought together thirty-three States Party and other countries, discussed the report and developments concerning the implementation of the Treaty. The

meeting also considered other issues pertaining to the operationalization of the AFCONE, including its rules of procedure, structure, budget and scale of assessment. Updates by Parties and Signatories on the implementation of the Protocols to the Treaty were also included on the agenda.

The PSC met to discuss the issue of the African Nuclear-Weapon-Free Zone Treaty for the first time in May 2006. In a communiqué PSC/PR/Comm.(LIII) that followed that meeting, the Council expressed its concern at the delay of the entry into force of the Treaty and urged Member States to sign and ratify it (the Treaty had opened for signature in Cairo in April 1996). Subsequently, on 15 July 2009, the African Nuclear-Weapon-Free Zone, which covers the entire African continent as well as certain islands off the African coast, entered into force after Burundi became the 28th Party to ratify the treaty, fourteen years after it was adopted in Addis Ababa by the thirty-first ordinary session of the OAU Assembly of Heads of State and Government.

Hans Blix, the former chief of the IAEA, described the ANWFZ Treaty as more advanced than the international Non-Proliferation Treaty (NPT). He said that 'unlike the NPT, it prohibits the stationing and testing of any nuclear explosive device in the territories of its parties; it also commits its parties to apply the highest standards of security and physical protection of nuclear material, facilities and equipment to prevent theft and unauthorized use; it prohibits armed attack against nuclear installations in the zone; and it prohibits the dumping of any radioactive waste'. Dr. Blix further noted that these elements of the Treaty would help to advance the cause of horizontal and vertical non-proliferation and prevent illegal trafficking, or other unauthorized uses, of nuclear material and help to shield nuclear facilities from possible armed attacks and consequent radiation contamination during conflicts; and would require management of radioactive waste to

be in accordance with accepted international safety standards.

In response to the first French nuclear test in Algeria in 1961, and in the context of the Cold War arms race, the OAU Heads of State adopted the 'Declaration on the Denuclearization of Africa' [AHG/Res. II(I)] in July 1964. The Declaration called for Africa to aspire towards becoming a zone free of nuclear weapons and was an important step towards the strengthening of the international non-proliferation regime, the promotion of co-operation in the peaceful uses of nuclear energy, the complete disarmament of nuclear weapons, and the enhancement of global and regional peace and security. The OAU Declaration was subsequently endorsed by the UN General Assembly.

Named after South Africa's nuclear research centre, the Treaty of Pelindaba was prompted by the dismantlement, in the twilight of the apartheid regime, of South Africa's nuclear weapons programme in the early 1990s. The Treaty seeks to ensure that nuclear weapons are not developed, produced, tested, or otherwise acquired or stationed on the African continent. The Treaty also prohibits the dumping of radioactive waste in Africa and promotes the peaceful application of nuclear technology and science among Member States. The Treaty is supplemented by three additional protocols. The first protocol targets nuclear powers; the second prohibits nuclear tests; and the third addresses states that de jure or de facto have territories under their jurisdiction in the Treaty application area. In addition, the Treaty commits its parties to apply the highest standard of security and physical protection of nuclear material, facilities, and equipment to prevent theft and unauthorized use, as well as prohibiting armed attacks against nuclear installations within the zone.

Article 12 of the Pelindaba Treaty states that following the required provisions for ratification, African

countries will establish an African Commission on Nuclear Energy (AFCONE). Article 12 of the Treaty states that AFCONE shall be responsible for:

- a) Collating reports and the exchange of information
- b) Arranging consultations relating to complaints procedures and the settlement of disputes
- c) Reviewing the application to peaceful nuclear activities of safeguards by the IAEA
- d) Bringing into effect the complaints procedure
- e) Encouraging regional and sub-regional programmes to cooperate in the peaceful uses of nuclear science and technology;
- f) Promoting international cooperation with extra-zonal States for the peaceful uses of nuclear science and technology

AFCONE, which was established in 2011, aspires to assist the States Party to ensure compliance with their undertakings under the Pelindaba Treaty. The Commission, which had its first ordinary session in May 2011, aspires to:

- a) be an African mechanism to ensure compliance by all Parties with all their obligations in terms of non-proliferation requirements;
- b) ensure that Africa will be protected from nuclear testing and the dumping of nuclear materials;
- c) promote the peaceful application of nuclear science and technology; and
- d) promote outreach activities applicable to states eligible to ratify the Treaty.

In addition to serving as a compliance mechanism, the AFCONE will be a hub for African nuclear expertise.

The Second Conference of States Party to the Treaty of Pelindaba considered the structure, governing bodies and functions and powers of AFCONE as advanced by the first

ordinary meeting of the Commission that took place in May 2011. Annexure III, paragraph 2 of the Treaty, stipulates that the AFCONE shall have a Bureau consisting of a Chairperson, Vice-Chairperson and Executive Secretary.

Article 7(n) of the PSC protocol empowers the PSC to promote and encourage the implementation of OAU/AU, UN and other relevant international conventions and treaties on arms control and disarmament. Therefore, the PSC could continue to encourage other parties to ratify the Pelindaba Treaty and accelerate the full operationalisation of AFCONE. The ratification of the Pelindaba Treaty confirms Africa's commitment to nuclear disarmament and non-proliferation, both globally and at the continent level. Therefore, Africa is acquiring the moral legitimacy to speak with authority on these issues at international meetings focusing on nuclear as well as wider peace and security issues.

Important dates to diarise

21-28	January	20th African Union Summit, Addis Ababa, Ethiopia (theme: Pan-Africanism and African Renaissance)
6	February	International Day of zero tolerance to female genital mutilation
8	March	International Women's Day
21	March	International Day for the elimination of racial discrimination
22	March	World Water Day
19-27	May	21st African Union Summit, Addis Ababa, Ethiopia (theme: Pan-Africanism and African Renaissance)

Country	Election	Date *
Cameroon	National Assembly and Communes	February 2013
Djibouti	National Assembly	22 February 2013
Côte d'Ivoire	Local	24 February 2013
Kenya	Presidential, National Assembly and Local	4 March 2013
Madagascar	Presidential 1st Round	8 May 2013
Equatorial Guinea	House of People's Representatives and Local	May 2013
Somaliland	House of Representatives	May 2013

**could change, dependent on circumstances*

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