

African Politics, African Peace

Report submitted to the African Union by the World Peace Foundation

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Preface

It is a sad fact that for quite some time now Africa has hosted at least three-quarters of the UN Peacekeepers globally. As Africans, throughout our Continent, we engaged in a successful struggle against colonialism and apartheid and won for ourselves the critically important right to self-determination and independence.

That sustained, heroic struggle never had as one of its objectives that liberated Africa should be the home of conflict and instability.

Even where, as oppressed Africans, we took up arms to end colonial and apartheid domination, this was done to defeat and eradicate colonial and apartheid oppression, and achieve a just peace for all our countries.

However, the objective reality is that our liberated Continent has become the main global home of UN Peace Operations.

We surely have an obligation to exercise our hard-won right to self-determination and independence effectively to address this humiliating reality of persistent conflict on our Continent and the unwelcome and painful consequences it has imposed on the masses of Africa.

This means that we must rise to the challenge to end the curse which appears to have dictated that Africa becomes the world exemplar of conflict and instability that has necessitated the deployment of all those successive UN Peace Operations in so many of our countries.

This Report is the result of a decision which was taken by the structures of the African Union who requested the authors to undertake a close examination of Peacemaking and Peacekeeping in Africa and make Recommendations about what else Africa should do to address the challenge to achieve permanent peace and stability on our Continent.

We warmly welcome this decision, confident that this Report will make a welcome contribution to the focused discussion which Africa needs to undertake to determine what must be urgently done to achieve the historic goal our Continent has set itself—to Silence the Guns by 2020!

Quite correctly in our view, the Report highlights what it designates as ‘the Primacy of the Political’ with regard to the task to achieve permanent peace, security and stability on our Continent.

Because of the alarming deterioration of the security situation in so many countries, it is imperative for Africa to adopt policies, and acquire the necessary tools to allow timely action to prevent or urgently resolve conflict. In theory and in practice, the action needed in this context aims at creating the right conditions to facilitate Ceasefire Negotiations between the belligerents and then to deploy a Peacekeeping force to sustain that Ceasefire.

This would then be followed by negotiations to help the belligerents form an interim government and make other transitional arrangements, including a comprehensive agreement on all necessary steps needed to hold elections.

The importance of insuring the legitimacy of the first election cannot be over-emphasized. The new executive authorities will draw their own legitimacy from that of the newly elected parliament, and would badly need that legitimacy to undertake the gigantic tasks they will face to heal the wounds, promote reconciliation, and start on the long road of reconstruction.

Over the years the international community has agreed that to reinforce the ‘peace’ that would have been achieved, it would also be necessary to engage in Peace building and Post Conflict Reconstruction processes. In Africa and elsewhere, however, these processes have been engaged into half-heartedly and success has rarely been fully achieved.

The African Union, for its part, has stated the central objectives of Post Conflict Reconstruction and Development (PCRD) as being to:

- a.** Consolidate peace and prevent relapse into violence;
- b.** Help address the root causes of conflict;
- c.** Encourage and fast-track planning and implementation of reconstruction activities; and,
- d.** Enhance complementarities and coordination between and among diverse actors engaged in PCRD processes.

The UN describes Peace building as ‘a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capabilities at all levels of conflict management, and to lay the foundations for sustainable peace and development.’

The respective positions taken by the AU and the UN on Post Conflict Reconstruction and Peace building, equally emphasize the need to focus on ‘the Primacy of the Political’ when addressing the root causes of the violent conflict that would have just ended, avoiding a relapse into conflict, and ensuring sustainable peace and development.

None of these objectives can be achieved without reliance on political analysis and the location of all proposals and interventions to address these objectives in a country specific political context.

This amounts to what this Report refers to as the need to ‘deepen and strengthen the African Union’s politics of peace in all its normative, ownership, and security dimensions.’

All this points to the strategically important view that all matters relating to the achievement of sustainable peace, security and stability on our Continent, must be addressed within what must be understood as Africa’s politics of peace.

This politics of peace covers not only the period after the violent conflict has ended, but also the preceding period, starting even before conflict breaks out.

The African definition of ‘the politics of peace’ underlines and emphasizes the point that, to address effectively the challenge of conflict on our Continent requires that we do not limit ourselves to putting in place security arrangements on the basis of a wrong assumption that peace consists merely in the absence of war.

The process of ending a conflict must be understood in its wide political context, and not just on the basis of the narrow security consideration that the guns have fallen silent.

All this draws special attention to the real meaning of what this Report describes as the normative, ownership, and security dimensions of Africa’s politics of peace.

In the substance this makes the correct observation that a lasting resolution of the conflicts on our Continent can only be achieved through the proper and sustained implementation of the provisions of Africa's politics of peace. This is consistent with Africa's ownership of the goals and strategies for peace, which in turn reflects Africa's exercise of its right to self-determination, which is recognised in international law.

This also poses important questions about two particular matters, one of which relates to international law.

One of these is how the AU should relate to the UN given the provisions in the UN Charter which give primacy to the UN Security Council in terms of the maintenance of international peace and security, while providing for regional interventions in this regard.

The second concerns the funding of African Peace Operations. This relates to how to reconcile the imperative to respect Africa's politics of peace in the context of the resolution of the conflicts on our Continent while imposing the obligation on the UN to finance these Operations.

Accordingly this Report will make an important contribution to the international discussion which must provide a universally accepted interpretation of the practical meaning of the implementation of Chapter VIII of the UN Charter as this bears on the relations between the UN and the Regions concerned.

Obviously, all this, relating to the UN, would apply in the circumstance that any conflict on our Continent is determined by the UN Security Council as constituting a threat to international peace and security in the context of the UN Charter.

The fact that this Report emphasises 'the Primacy of the Political' in terms of ending conflict on our Continent, and therefore Africa's politics of peace, draws attention to the challenge to understand how specifically the African Union, Africa's representative organisation, has defined this politics.

The prescriptions which define the vitally important principle of Africa's politics of peace are contained in at least seven documents which contain part of the panoply of decisions which constitute some of the ratified policy framework which is binding on all Member States of the African Union.

These are:

- The AU Constitutive Act;
- The African Charter on Human and Peoples' Rights;
- The Protocol Relating to the Establishment of the Peace and Security Council of the African Union;
- The African Charter on Democracy, Elections and Governance;
- The NEPAD Declaration on Democracy, Political, Economic and Corporate Governance;
- The Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government; and,
- The OAU Convention on the Prevention and Combating Terrorism.

Together these important policy documents contain various integrated provisions relating to the challenge of achieving lasting peace on our Continent. These provisions include:

- The maintenance of an Early Warning System to enable the African Union to intervene in a timely manner to prevent the outbreak of conflict;
- The requirement that all Member States of the Union should run fully inclusive constitutional democracies and governance systems from which all forms of discrimination are banished;
- The authorisation of the AU Commission to actively assist any member state of the union which may need support to implement the agreed policies relating to democracy and good governance, and the activation of the African Peer Review Mechanism. Additionally the AU Commission should assist in the monitoring of all Member States of the Union by the Commission on Human and Peoples' Rights, and resort to the African Court on Human and Peoples' Rights to end serious and persistent human rights violations by Member States of the Union;
- The power the AU Assembly has to intervene in any Member State of the Union to prevent the commissions of genocide, war crimes and crimes against humanity; noting that it is important in this context to make it clear that the very idea of intervention in the affairs of an independent state is suspicious in Africa as well as in most, if

not all former colonies. When military intervention is contemplated, that suspicion is massively increased. We thus never signed up to the so-called 'humanitarian intervention.' And when that evolved into 'the responsibility to protect,' our governments saw to it that the implementation of this principle in any particular situation should be subjected to conditions that would make it difficult for any country or group of countries to use it for anything else but the national interests of the country concerned. The military intervention of NATO in Libya in 2011 has very negatively affected the very idea of 'the responsibility to protect.' In fact, Africans much prefer the principle of 'non-indifference' which allows the African Union to act in support of a sister-nation facing serious difficulties without ever trying to impose a regime change from outside.

- The maintenance of the necessary mechanisms within the AU to ensure the effective intervention by the Union in all the relevant areas including conflict prevention, peace-making, peace support operations, peace building and post-conflict reconstruction; and,
- The requirement that all Member States of the African Union have an obligation to respect the decisions of the Union which they have joined voluntarily, consistent with the provision stated in the Constitutive Act that all Member States of the Union 'shall comply with the provisions of this [Constitutive] Act and shall be bound to discharge [their] obligations under [the] Act,' and may be sanctioned if they 'fail to comply with the decisions and policies of the Union.'

All the foregoing points to the heavy responsibility which rests on the shoulders of the African Union, actually to act on all its relevant policies and therefore work continuously to ensure that Africa becomes a Continent at Peace throughout its length and breadth.

In this regard, the first task of the Union is to have a proper understanding both of the root causes of any potential or actual conflict as well as a thorough comprehension of all the things which make for true and lasting peace.

It is exactly that understanding and comprehension which must inform all African Union peace interventions, from prevention through to peace building and post-conflict reconstruction.

In this regard the African Union must act on the basis of the realisation that even the deployment of peacekeeping and peace enforcement troops, and the actual operations they carry out, must serve as but means to address the root causes of the relevant conflict and therefore the achievement of a just and lasting peace.

It is therefore self-evident that the African Union, the first and leading respondent in terms of the prevention, management and resolution of conflicts in Africa, must ensure that it has the capacity and the will to discharge its responsibilities as that first and leading respondent.

This must surely be one of the outstanding and permanent outcomes of the consideration of this Report which was commissioned by the African Union itself.

As our Continent exercises its right to self-determination, including as it acts to define for ourselves what we mean by a true, just and lasting peace, so will this help to achieve another important outcome.

This is the establishment of the objective circumstances which will inform the cooperation between the African Union and the United Nations as they work together in pursuit of the shared objective of the maintenance of international peace and security.

We are honoured and happy to recommend this Report to all who will study it and review its important Recommendations.

Thabo Mbeki

Lakhdar Brahimi

Glossary of Acronyms

A3	Three African members of the UN Security Council
AGA	African Governance Architecture
AMIS	African Mission in Sudan
AMISOM	African Union Mission in Somalia
APSA	African Peace and Security Architecture
ASF	African Standby Force
AU	African Union
AUHIP	African Union High Level Implementation Panel for Sudan and South Sudan
CAR	Central African Republic
CEN-SAD	Community of Sahel-Saharan States
COMESA	Common Market for Eastern and Southern Africa
CONOPS	Concept of Operations
CoW	Coalition of the Willing
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of the Congo
EAC	East African Community
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
GCC	Gulf Cooperation Council
HIPPO	United Nations High-Level Independent Panel on Peace Operations
IGAD	Intergovernmental Authority on Development

JMC	Joint Military Commission
LAS	League of Arab States
NATO	North Atlantic Treaty Organization
OAU	Organisation of African Unity
OIC	Organisation of Islamic Cooperation
PCRD	Post-Conflict Reconstruction and Development
PKO	Peacekeeping Operation
PoC	Protection of Civilians
PSC	Peace and Security Council
PSD	Peace and Security Department
PSO	Peace Support Operation
PSOD	Peace Support Operations Division
REC	Regional Economic Community
RM	Regional Mechanisms
SADC	South African Development Community
SSR	Security Sector Reform
TCC	Troop Contributing Country
T/XRO	Trans-regional or Extra-regional Organization
UNSC	UN Security Council
UCG	Unconstitutional Change of Government

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Executive Summary

1.

Africa aspires to an ambitious goal of ‘silencing the guns’. To achieve this, it must deepen and strengthen the African Union’s politics of peace in all its normative, ownership, and security dimensions. The African Union possesses strong capabilities for conflict prevention, mediation and the promotion of principles and norms—in short, in the politics of peacemaking. The comparative advantage of the AU does not lie in war-fighting nor in military enforcement of peace, but in prevention and mediation. The AU’s military enforcement operations through coalitions of the willing may be necessary, but must be pursued with a clear eye to political goals and political costs.

2.

Today’s emergent emphasis on hard security approaches results in AU responses that are reactive to crisis situations, overly dependent on military interventions, and threaten to embroil the organization in armed conflicts it cannot win. This direction is financially burdensome and unsuitable for the AU.

3.

This Report defines ‘peace missions’ to include conflict prevention, conflict mediation, political missions and peace operations involving the deployment of uniformed personnel including stabilization and enforcement operations.

The Primacy of the Political

4.

Centralizing the ‘primacy of the political’ within all AU responses is essential. This will help to ensure that the rising trend of resorting to military enforcement operations will not jeopardize Africa’s hard-won peace and security norms. It will enable African ownership of peace processes, and the prioritization of conflict prevention and mediation. It will protect the imperative of making armed operations the servant of political strategy.

5.

The ‘primacy of the political’ has three dimensions. The first is the implementation of norms and principles. The second is African ownership of the goals and strategies for peace and security. The third is emphasizing conflict prevention and resolution, and ensuring that peace support operations (PSOs) are designed and implemented in accordance with political objectives, with financing considerations being ancillary to mission objectives.

6.

This Report defines ‘the primacy of the political’ more broadly than the Report of the UN High-Level Independent Panel on Peace Operations (HIPPO), to specify in more detail the normative content of political solutions and the ownership of political strategies, as well as the primary role of politics in the design and implementation of peace operations.

Emphasizing the African Union’s Norms and Principles

7.

The African Union was founded on a normative, aspirational agenda that included, *inter alia*, preventing and resolving conflict, stopping mass atrocities, and promoting constitutional democracies. The political lineage of the AU and OAU can be traced back to Pan Africanism and African liberation, which were historically people’s agendas rather than state agendas. The AU thrives through moral-political leadership.

8.

The AU’s leadership role is manifest in the core principles found in its Constitutive Act, including repudiation of unconstitutional changes in government and articulating the right of the Union to intervene in the event of war crimes, genocide and crimes against humanity. Those principles were adopted in 2000 and remain essential today. A compendium of existing agreements, including notably the Protocol Relating to the Establishment of the Peace and Security Council of the African Union of 2002, provides all the necessary norms and instruments for the AU to pursue the agenda necessary peace and security on the African Continent. These already agreed upon norms and instruments need to be implemented. This is the single most important task of the AU and its Member States in pursuing

a peace and security agenda. These norms and instruments need also to be applied consistently and creatively to emerging issues, including: challenges over constitutional governance; popular uprisings against authoritarian governments; and the prevention of mass atrocities, rather than merely responding to them.

9.

Additionally, African tradition values inclusivity in peacemaking. This is based on a strong link between inclusive processes and the legitimacy of political outcomes. Inclusion is increasingly recognized as a norm for peacemaking within Africa, extending to all levels of peace processes from the regional to the local, and encompassing armed and unarmed political actors, civil society and women, although this has come under tremendous strain in the context of dealing with groups labeled as ‘terrorists’. The norm of inclusivity needs to be articulated and incorporated in AU practices more strongly.

10.

This Report recognizes, endorses and complements the report of the United Nations HIPPO of 2015. In particular, this Report acknowledges the key findings and recommendations of the HIPPO Report, including *inter alia*:

- a. The ‘primacy of politics’ in driving the design and implementation of peace operations;
- b. A new and stronger emphasis on conflict prevention;
- c. Utilizing the full spectrum of peace operations in a flexible manner adapted to the specificities of each particular situation;
- d. Deepening the partnership between the UN and the AU; and
- e. Ensuring the highest standards of conduct by personnel deployed on Peace Operations.

African Ownership of the Political Agenda: Enhanced AU Mechanisms and Relationships

11.

African ownership of the continent’s political agenda is an essential component of ‘the primacy of the political’. Foremost this involves upholding Africa’s norms and principles. It further entails articulating common African positions on international issues, at the United Nations and in engagement with extra-regional and trans-regional organizations (T/XROs), while seeking

partnership with the T/XROs on the ‘shared spaces’ of the Mediterranean Sea and its African shore, and the Red Sea-Gulf of Aden. This Report notes the particular importance of the League of Arab States, the Organization of the Islamic Conference, the Gulf Cooperation Council, the European Union, and NATO, among the T/XROs.

12.

In this context, the Report notes that it will be extraordinarily difficult for the AU to retain ownership of its political agenda if it is financially dependent upon external partners. Africa’s responsibility to finance its peace missions is an integral part of its political strategy for achieving peace and security.

13.

The AU’s relationship with the UN is defined not only by Chapter VIII of the UN Charter, but also by the special norms and procedures adopted by the AU and enshrined in its Constitutive Act and the Protocol Establishing the Peace and Security Council as well as subsequent Protocols, Declarations and Agreements. The UN and AU share the same deep foundational commitment to collective security, the international rule of law and multilateralism. The UN-AU relationship should continue to be strengthened bearing in mind the unique position of the AU, which has particular political and legal capabilities. As such, the two organizations should work together to respect the AU’s capabilities, and to leverage them to the best effect, in their joint endeavors.

14.

The AU also has the primary responsibility for Africa’s peace and security with respect to the Regional Economic Communities (RECs) and Regional Mechanisms for peace and security (RMs). This is defined in Articles 7(2), (3), (4) and 16(1) of the PSC Protocol and in the 2007 Memorandum of Understanding (MoU) between the AU and RECs/RMs which indicate that the principle of complementarity guides the relationship, alongside the principle of subsidiarity. On the basis of this compendium of existing commitments to norms, principles and instruments, the AU should further enhance the African Peace and Security Architecture (‘APSA plus’), including not only the internal peace and security instruments of the AU, but also its partnership with the UN, the RECs/RMs and the T/XROs.

15.

The African Union Peace and Security Council (PSC) and the AU Commission have exercised a critically important leadership role. However, ultimately, the AU is only as strong as its Member States wish it to be. Our recommendations are therefore aimed at African Governments and the African people, as well as the AU as an institution.

16.

The African Union is strongest when it articulates and pursues a political agenda. It should endeavor to enhance this political agenda by addressing several priority issues, those being that:

- a.** The current structure and mechanisms for the PSC are appropriate and should be maintained. However the PSC needs to take steps to fulfill the provisions of the PSC Protocol. For example, the PSC should strengthen itself with more regular access to expert support and enhanced connections with other peace and security actors. The PSC should also make greater use of its authority to set up Committees of Experts (including under the Panel of the Wise) to monitor specific situations and provide regular reports.
- b.** The provisions of the PSC Protocol need to be respected more fully, including the criteria for membership (e.g. commitment to the principles of the AU and to democratic governance) and the practical requirements on PSC members to meet their responsibilities (e.g. adequate staffing of missions to the AU and UN).
- c.** The AU PSC needs to upgrade its consultation mechanisms with the three African members of the UNSC. The Algerian initiative for a yearly retreat between the two is important but such this needs to be more regular and formal so that their activities are properly coordinated.
- d.** The mechanisms of the APSA need to be better integrated with those of the African Governance Architecture (AGA). This will have positive implications for AU policies and practices: for example, constitutional changes are a domestic political issue but may have peace and security consequences, and currently unconstitutional changes in government (UCG)—a political issue—normally invoke an AU response utilizing peace and security tools. The AU PSC

and Commission need to establish a continuum of engagement in prevention and response that combines political and peace and security tools.

- e. Effective conflict prevention and early response to conflicts are notoriously difficult but bring enormous benefits when undertaken well. The capacity for early warning and analysis can be enhanced through utilizing Committees of Experts assigned to specific at-risk situations (possibly under the mechanism of the Panel of the Wise), and by promoting independent think tanks and policy institutes.
- f. Preventive action to avert political crises and armed conflicts is the single most essential task for African peace missions. This demands exceptional access to the highest level of decision-makers along with credibility and discretion. The AU has innovated the use of High-Level Panels consisting of serving and former Heads of State and Government. This mechanism can be more fully utilized and systematically institutionalized. The Panel of the Wise, as one of the pillars of the APSA, should be strengthened with a strong Secretariat as well as analysts who could be deployed in a pre-crisis phase of a conflict situation.
- g. The AU should give particular emphasis to those programs with preventive impacts among others. To this end it needs to revamp its Post Conflict Reconstruction and Development (PCRD) program with a particular focus to its components of SSR and DDR as the recurrence of conflicts is often related to failure of SSR and DDR programs. It also needs to strengthen the AU Border Programme with a focus on the implementation of the Niamey Convention and the human security of border communities and cross-border cooperation among states. There is also the need to encourage Member States to expedite the completion of boundary demarcation as issues related to boundaries are an important driver of conflicts in Africa.
- h. The AU should enhance its mediation capacity. One key element is fuller engagement of the Governments of States neighboring a conflicted country. Parallel talks among neighboring States to build a consensus around shared interests should be prioritized alongside national-level mediation efforts.

- i. The peace and security role of Africa's RECs/RMs should be enhanced and clarified in line with the PSC Protocol and the Memorandum of Understanding between the AU and RECs/RMs and having regard to the more than a decade and half experience of implementing the APSA. It is important to recognize the variant capabilities and capacities of the RECs/RMs in peace and security. Each should have a Security Mechanism and Secretariat, and enhanced liaison with the AU PSC. On this basis, it will be possible for more consistent decision-making about the appropriate level of leadership as situations arise.

17.

The Report proposes that the implementation of existing African instruments for peace and security will necessitate enhanced coordination of APSA, AGA and APSA+ including an integrated analysis and reporting mechanism.

Africa's Peace Support Operations: ASF-1 and ASF-2

18.

Peace support operations in Africa cover a broad spectrum, from political and military observer missions, through traditional and multi-dimensional peacekeeping operations, to enforcement and stabilization missions. The AU and the UN have different comparative advantages across this spectrum, and peace operations mounted by the two organizations should take their differentiated capabilities and capacities into account. As the UN Secretary General has said, we are in an era of 'partnership peacekeeping.'

19.

The comparative advantage of the AU in peace missions involving uniformed personnel falls into two main categories. First, are preventative missions, which can be deployed early in the emergence of a crisis, before conflict reaches the threshold that translates into an immediate threat to international peace and security. Second, are enforcement or stabilization operations that do not have the consent of at least one party, are partial, and conduct offensive operations. The principal instrument for PSOs under the AU is the African Standby Force (ASF), which the AU Heads of State and Government have declared operational. However, the six scenarios for

deployment outlined in 2003 Policy Framework for the Establishment of the ASF do not adequately capture the current operational challenges and comparative advantages of the ASF.

20.

Thus, in this Report ‘ASF-1’ refers in particular to an early-deployment, preventative variant of peacekeeping, conducted by African personnel, mandated and administered by the AU Commission Peace and Security Department (PSD) and its Peace Support Operations Division (PSOD), and ‘ASF-2’ consists of enforcement and stabilization operations, mandated by the AU PSC, but conducted by ‘Coalitions of the Willing’ troop contributing countries under their joint command, with a reporting responsibility to the mandating authority. The AU PSD/PSOD should not seek to manage such stabilization and enforcement operations, enabling it to concentrate its efforts on the essential and achievable task of enhanced preventative deployments.

21.

ASF-1 operations can in principle encompass a spectrum that includes Chapter VI-style traditional peacekeeping operations or Chapter VI-and-half-style robust multidimensional operations. However, recognizing that the UN has proven capacity and long experience with such operations, it is likely that the AU will undertake such operations only in exceptional circumstances. Rather, the AU’s focus should be upon the deployment of military observers, civilian monitors and political officers, in situations in which early action by the AU can help prevent conflict or crisis. Such kinds of preventative deployment are specifically provided for in Article 13(3)(d) of the PSC Protocol.

22.

Recognizing the continuing demand and need for ASF-2 enforcement operations, the AU decision-making organs should ensure that these are conducted by those best positioned to succeed at such missions—namely, Member States in Coalitions of the Willing—but authorized, facilitated, and guided by the AU. These operations should be financed through a separate Funding Facility established by the AU.

23.

All ASF operations should be guided by the norms established by the PSC and in line with its political oversight, as guided by AU special representatives or a similarly positioned official, and by the PSC itself. Key norms include respect for human rights and international humanitarian law, including zero tolerance of sexual abuse and exploitation by troops, and protection of civilians. The Report recommends special measures to increase the numbers and roles of women in peace missions and to ensure respect for women's and girls' rights under international norms.

24.

This Report underscores the recommendation of the HIPPO Report that: 'The United Nations and the African Union must strive for common approaches through shared assessments, sound consultative mechanisms for decision-making and tools for collaborative planning and operations across the conflict cycle' (p. 29). In line with this, this Report proposes closer consultation between the UN, AU, RECs/RMs and parties to a peace process, in determining of mandates and concepts of operations (CONOPS) for UN peacekeeping operations. Where peacekeeping by consent is possible, mandates and CONOPS should be integrated into the peace negotiation processes in the country concerned, to ensure that the parties fully support the operation. Mandates should also be open for renegotiation and, in case that circumstances change, for the PSC to advise the UNSC on changes to the mandate.

Funding Africa's Peace Missions: Prioritizing the Political

25.

Adequate and predictable funding for African peace missions is essential. The principal responsibility for paying for the AU's peace activities falls upon African Member States. In line with the principle of the primacy of the political, the priority needs for financing are the core activities of the AU Commission itself and its political missions, including preventative diplomacy and mediation. This Report recommends, in line with proposals already made, that the AU Commission and Operations be financed entirely by AU Member States. The Report makes no specific recommendations

concerning formulae for funding political missions and PSOs, other than wholeheartedly supporting the efforts of the AU High Representative for the Peace Fund to find a sustainable and equitable solution to the AU's peace mission funding needs, while emphasizing that the issue of financing peace missions should not detract attention from the prior question of the political goals and strategies of peace missions.

Background and Process of the Report

Rationale for the Study: Africa at a Turning Point

26.

Africa needs peace. The lives and livelihoods of millions of Africans have been blighted by the scourge of war, and the associated atrocities against civilians, destruction of essential infrastructure, repression of civil and political freedoms, and loss of opportunities for welfare and development. The challenges of preventing violent conflict, seeking peace, and all other necessary activities along the continuum that includes post-conflict reconstruction, development and democratization, are primarily the responsibility of Africans and Africa's governments and inter-governmental organizations, but success can only be achieved with the full partnership of other global actors including the UN.

27.

While the two decades following the end of the Cold War marked important progress in reducing armed conflict and political violence, the last few years have witnessed a disturbing reversal of those favorable trends. Africa continues to post significant economic growth and progress towards achieving various development goals, but there are entrenched problems that remain, alongside new challenges. The continent faces an immediate future marked by some uncertainty and the prospect of both localized and regional instability.

28.

The African Union was founded at the turn of the Millennium with the realistic optimism that Africa could and should take the lead in resolving its own problems. That realism originated from the profound crises of the 1990s and the disinterest of global players in addressing acute challenges, and the commensurate optimism drew upon collective determination to find African solutions to these problems. Beginning with the Constitutive Act of the African Union, a raft of important Protocols, Declarations, Memoranda of Understanding and other documents, have been adopted. This compendium of existing commitments provides a sound and enduring set of guidelines for action.

29.

Today, Africa faces new challenges, some of them internally driven and others derived from global factors such as the spread of violent extremism and intolerant populist agendas. Effectively to respond to these new challenges requires political leadership and new working methods. The compendium of existing commitments is sound and comprehensive: the corollary norms and principles need to be implemented consistently and creatively, and the instruments utilized fully and faithfully.

30.

At this turning point Africa faces the opportunity for once again to seize the historic moment to shape its future. That opportunity involves the Continent's leadership taking charge of defining the challenges it faces. The 'primacy of the political' begins with the act of intellectual leadership. What should follow includes setting the political norms and principles by which Africa governs itself and determining how the Continent relates to the rest of the world. It also entails taking ownership of articulating those norms and principles in the realms of policy and practical political action, and ensuring that the political goals and strategies remain clearly in focus, not obscured by shorter-term imperatives. The foundation of the AU and the adoption of its Constitutive Act was one such moment of good political leadership. A reaffirmation of that leadership in the changed circumstances of today is now required.

An Independent Review

31.

This study was initiated in December 2014 as a contribution to the African Union's review of peace missions in Africa, with a view to informing the policies of the AU related to peacekeeping operations, stabilization/enforcement missions, conflict prevention, conflict mediation and political missions. Commissioner Chergui supported the project throughout. In this regard, the World Peace Foundation initially produced a briefing to assist the AU Commission in its engagement with the UN HIPPO. That task was completed in March 2015. This Report is the final product of the review process.

Scope of the Study

32.

The Review of peace missions in Africa consisted of the following:

- *Case studies*: Burundi; Central African Republic (CAR); Democratic Republic of Congo (DRC); Liberia; Libya; Mali; Somalia; South Sudan and Sudan.
- *Cross cutting issues*: Trends in African conflicts; trends in African mediation; mandating peace support operations (PSOs); prevention of mass atrocities and protection of civilians (PoC); gender issues as related to PSOs including sexual exploitation and abuse (SEA); women in peace missions; and security sector reform (SSR).
- *Key architectural issues*: The African Peace and Security Architecture (APSA); the AU PSC and UCG; panels of experts and sanctions; the African Standby Force (ASF) and doctrinal issues.
- *Consultations*: African and international experts; force commanders; troop contributing countries (TCCs).

33.

The work carried out consisted of the following:

- Commissioned research;
- Convened preparatory consultations;
- Draft reports discussed in small consultative meetings and a roundtable of researchers;
- Preliminary findings compiled by the directors of the project and discussed in additional consultations;

- Consultation with key African policymakers;
- Sharing draft recommendations in select forums;
- Final report to be submitted to the AU Commissioner for Peace and Security, the Peace and Security Council and ultimately the AU Assembly of Heads of State and Government.

34.

The Report examines the important question of the financing of African peace missions only at a general level. This question has been investigated with far greater thoroughness in the report of the AU High Representative for the Peace Fund. Additionally, in our view, the issue of financing is ancillary to the political question of the objectives, mandating and functioning of peace missions.

Major Findings of the Research

Causes of Armed Conflict

35.

An effective response to conflict requires agreement on and understanding of its underlying causes and ongoing drivers. For Africa to set its own agenda for the future it must write its own history, or it will remain a prisoner of histories written by others; it must define its own problems, or find itself defined by its problems.

36.

Africa has witnessed a major overall decline in both the number of armed conflicts and their lethality since the 1980s. This decline leveled out in the late 2000s and has seen a significant uptick in the last three years, but levels of armed conflict are still far below their 20th century levels.

37.

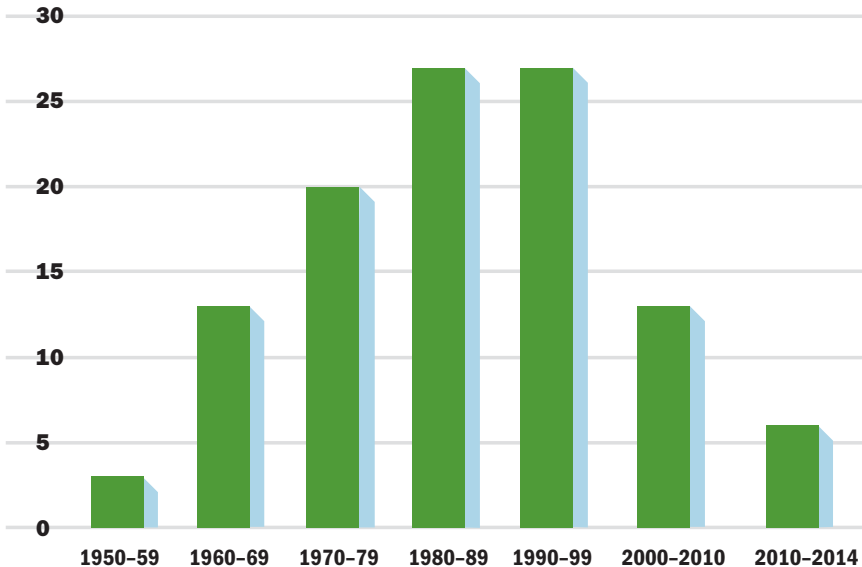
The underlying causes of armed conflict in Africa are the continent's weak position in the world order, weakness of democracy and the legacies of exploitation and inequality that derive from its history of colonial conquest and domination. Among the key drivers of conflict today are contested government transitions, inter-state contestation, and violent extremism.

Underlying Causes

38.

Armed conflict in Africa is rooted in social, political and economic inequality which derives from the continent's historic marginalization and exploitation. African countries have never been able to determine their own destiny and shape a future of democratic participation, strong and legitimate states, and equitable development. At a disadvantage in terms of setting the agenda and controlling their own resources at every stage, Africa has been buffeted by colonialism, the Cold War, austerity, and illicit financial flows. The resulting enduring poverty, unemployment, undemocratic government, low life chances and lack of education are underlying reasons for Africa's enduring vulnerability.

Figure 1. Decline in African Coup d'états, 1990–Present



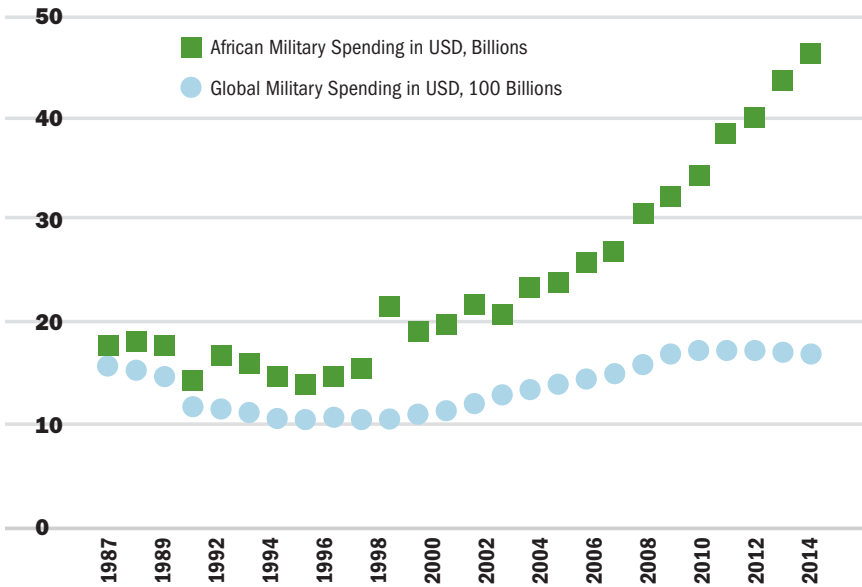
Reprinted from "From strong men to strong institutions: An assessment of Africa's transition towards more political contestability" by Vera Songwe, retrieved from <http://www.brookings.edu/blogs/africa-in-focus/posts/2015/08/04-africa-transitions-songwe> Copyright 2016 by the Brookings Institution

Contested Government Transitions

39.

Contested government transitions are a major source of political conflict that can result in violence. While most forms of armed conflict have consistently declined, election-related violence has increased. This includes violence during election campaigns, the period of voting, and immediately thereafter.

Figure 2. Defense Budgets in Africa Rising Sharply



Stockholm International Peace Research Institute, 2016.

The increase in electoral violence is a back-handed tribute to the success of democratization and the AU's opposition to military takeovers. Additionally, recent years have witnessed incidents of violence associated with attempts to amend constitutions to allow incumbents to remain in office. In some countries these have sparked protests, and in the case of Burkina Faso led to the removal of the Head of State.

40.

Underlying factors contributing to electoral violence include the deficit in democratic governance, alongside the huge political and economic advantages that can accrue to those in office. The increasing militarization of Africa, reflected in rapid expansions in defense budgets, feeding into efforts to consolidate security sector governance around the chief executive, is also a contributory factor. The rise in political militias, whether associated with government leaders or other political actors, is another factor.

Inter-State Contestation

41.

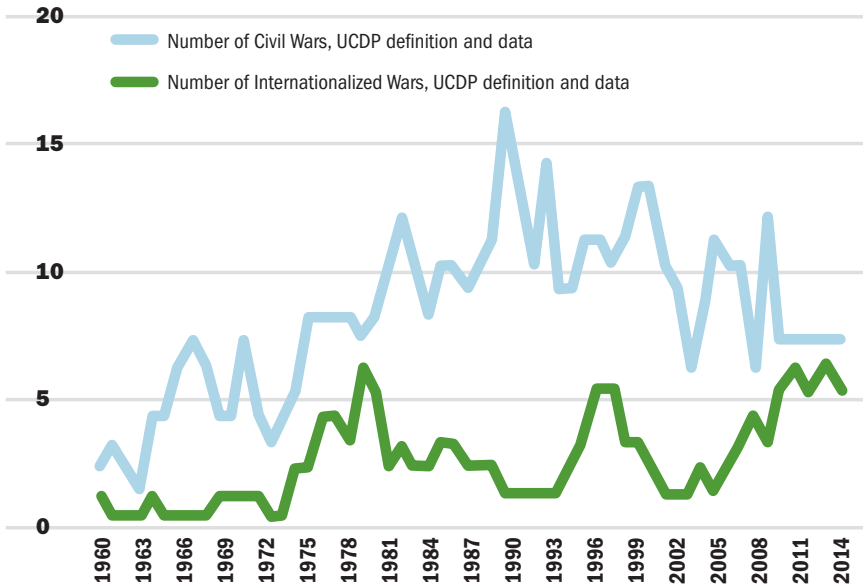
Inter-state contestation is a much-neglected feature of African conflicts. As part of the research for this Report, we systematically reviewed data on African conflicts. We investigated the extent to which armed conflicts conventionally regarded—and coded—as ‘internal’ had, in reality, an internationalized component. We discovered a very high level of clandestine cross-border military operations and various forms of support to proxies by neighboring countries (some covert, some openly acknowledged), not captured in the existing characterization. This analysis caused us to redefine the paradigmatic African armed conflicts from ‘internal’ to ‘internal conflicts with important internationalized political and military components.’ Competition and contestation among states emerged as an important feature of the African political landscape.

42.

One of the striking features of this analysis was the extent to which neighborly engagement in peace processes—both conflict mediation and also PSOs—reflected earlier patterns of political-military involvement. This has important consequences for the understanding of African conflicts and for the resultant policy recommendations. Among these consequences are the following:

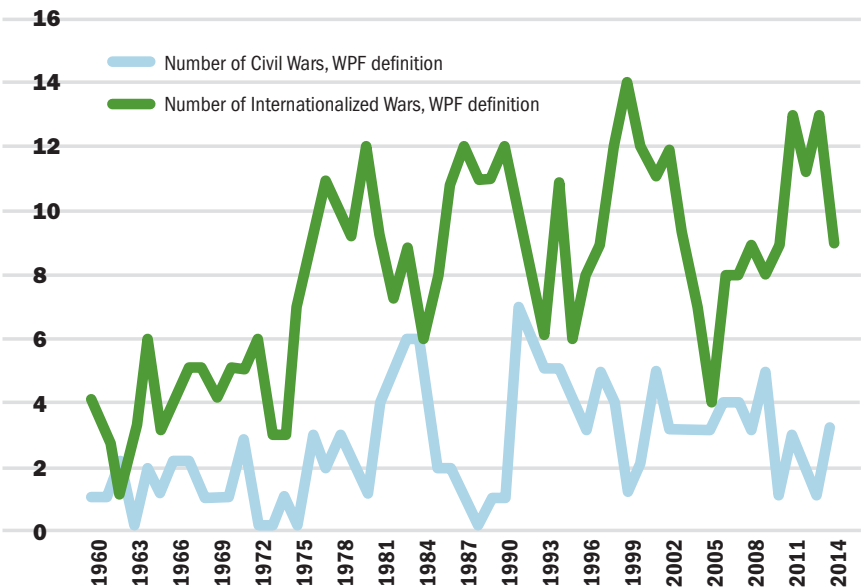
- a. Conflict resolution must be seen not only as an internal matter for the country concerned, but also as a mediation of the political interests of neighbors. It follows that, when the neighbors’ interests are in alignment or they have been resolved through a process of regional mediation, a resolution to the internal conflict is far more likely, than when those neighbors have conflicting interests. Thus, the common positions of the East African neighbors facilitated the Somali peace process and the deployment of AMISOM, while the differing positions of neighboring countries hindered the peace process in DRC and stood in the way of African leadership on peace missions in that country.
- b. The neighbors involved in peace missions (political and military) already have a stake in the country concerned. This may strengthen their ability to influence the outcome of the process, but it also means that there is a greater risk that their involvement is not

Figure 3. African Armed Conflicts by Type, original UCDP/PRIO Armed Conflict Dataset



Data from the UCDP/PRIO Armed Conflict Dataset v.4, 2015.

Figure 4. African Armed Conflicts by Type, World Peace Foundation Dataset



Data from World Peace Foundation, 2016.

impartial. This is the case in CAR, where Chad was obliged to withdraw its forces from a peace mission, and South Sudan, where IGAD determined that Uganda's deployment should be replaced by a wider regional force.

- c. PSOs and especially enforcement or stabilization missions sometimes consist of a continuation of earlier external military involvement in a country, with the important difference that the intervention is now internationally approved and mandated. This is notably the case in Somalia. It follows that the AU must respect and consider the national interests of members of coalitions of the willing while also establishing clear standards for the deployment of forces under AU authorization.
- d. This pattern of inter-state competition has significant consequences for how the AU engages in armed conflicts in the 'shared spaces' of the Mediterranean-North Africa and the Red Sea-Gulf of Aden. These contexts are adversely affected by Middle East inter-state competitions that are fueling conflicts across the region, a phenomenon that has been particularly marked in the case of Libya. The AU's politics-first approach is well-suited to address these crises, and other actors should therefore respect its norms and principles.

Resources and Boundaries

43.

Competition for resources can contribute to conflict. Local conflicts, for example among pastoralist communities and between pastoralists and farmers, are sometimes driven by resource scarcity, but these effects remain localized. The evidence points to shared natural resources, notably water in the form of transboundary rivers, being a driver of cooperation more than of conflict.

44.

We draw attention to overt manifestations of inter-state contestation triggered by contested boundaries. Underlying factors in border disputes between states include the fact that approximately 60% of Africa's borders are not delineated, that these borders do not often follow clear geographical features or established boundaries between communities, and that valued natural resources such as minerals may be located in these areas. There

are a dozen ongoing border disputes. Most such disputes are expressed in the form of political tensions and varying forms of political tensions, rather than outright armed conflict. Africa has begun to develop appropriate mechanisms for border delineation, demarcation and management, such as the AU Border Programme and the recently-adopted Niamey Convention on cross-border cooperation in Africa, but these are not applied sufficiently widely or consistently.

45.

The evidence for climate change contributing to conflict is scarce. The links between climate change, changing natural resource endowments and conflict are extremely complex, and in all cases the outbreak and escalation of armed violence is driven primarily by political factors. While many opinion-makers and policymakers fear that climate change will result in scarcity of key natural resources and provoke conflict, evidence suggests poor decision-making and political leadership—not scarcity as such—are the critical factors that escalate local tensions into larger conflicts.

Violent Extremism

46.

Violent extremism is a major contributor to armed conflict in Africa and has a notable tendency to become regionalized. Militants in Libya, Mali, north-eastern Nigeria, and Somalia have all pursued violent agendas in neighboring countries, with terrorist attacks in countries including Algeria, Burkina Faso, Kenya and Uganda. The armed conflict in northern Uganda, following the 2006 withdrawal of the Lord's Resistance Army forces from Uganda, has metastasized to affect neighboring countries.

47.

The effort, led by the United States after 2001, to respond to the threat of terrorism through military action, has contributed to instability and thereby to an escalation of armed conflicts across the Greater Middle East. Militarized policy in combination with political competition among the states of the region—notably the contest between Iran and Saudi Arabia, and between those states that support the Muslim Brotherhood and those that oppose them—has contributed to conflicts in and around the 'shared spaces' of the Mediterranean-North Africa and the Red Sea-Gulf of Aden.

Responses: the African Peace and Security Architecture

48.

Africa in general, and the AU in particular, have developed a set of responses to the peace and security challenges facing the Continent. These responses were initiated and developed in the 1990s and early 2000s, at a time when the international community's engagement failed adequately to address Africa's conflicts, and African leaders faced the challenge and took the opportunity of fashioning characteristically African norms, policies, and instruments.

49.

The African Peace and Security Architecture (APSA) consists of norms and instruments. The norms are contained in the Constitutive Act, the PSC Protocol, the Memorandum of Understanding between the AU and RECs/RMs, the Tripoli Declaration on the Elimination of Conflicts and the Promotion of Sustainable Peace, and a host of other agreed documents. The instruments include mediation, political missions, peacekeeping and enforcement missions, and Post-Conflict Reconstruction and Development mechanisms such as security sector reform and governance.

50.

The compendium of existing commitments to the norms, principles and instruments of the AU is comprehensive and far-reaching. The challenge facing the AU is primarily one of implementing these existing commitments. A major part of the implementation challenge is ensuring that the officials and staff entrusted with the continent's peace and security agenda are fully cognizant of their responsibilities and capabilities. Equally important is the domestication and integration of these commitments into national governance and foreign and security policy processes of AU member states. Another part is public education, so that the African public is similarly aware of what their leaders have undertaken to do.

Capabilities and Norms

51.

The AU has capabilities and norms that give it a comparative advantage *vis-à-vis* other international stakeholders in dealing with the peace and security challenges confronting the continent. By 'capabilities' we refer to the legal and political obligations and opportunities according to which an institution is able to act, as opposed to 'capacities', which are the

financial, organizational and human resources required for fulfilling those capabilities. The AU's capabilities were developed partly because of the way by which the AU emerged from a history of Pan-Africanism, which was always a people's movement, aspiring for the full emancipation of the Continent and the advancement of its people. This is reflected not only in provisions of the Constitutive Act, but also in important functional procedures of the PSC, for example: there are neither permanent members nor vetoes, and the powers of the PSC, which are far-reaching, are to be exercised jointly with the Chairperson of the AU Commission.

52.

These capabilities and norms also emerged from the unique circumstances of the 1990s, when Africa faced critical problems that were not adequately addressed by the UN and the international system at large, among them the 1994 genocide in Rwanda and military coups that overthrew constitutional order. The drafters of the Constitutive Act of the African Union explicitly laid down norms that reflected these realities and Africa's aspirations.

53.

Article 4(h) of the Act articulates the principle of 'non-indifference' and reflected the key concept that later become enshrined in the 'responsibility to protect': the right of the Union to intervene in a Member State in the event of grave circumstances, namely war crimes, crimes against humanity, or genocide. This article has been formally invoked only once by the PSC, in December 2015 in response to the fear that such grave circumstances might arise in the case of Burundi. The January 2016 Assembly of the AU did not endorse military intervention, reflecting *inter alia* the fact that such circumstances had not in fact transpired. The case highlights that the AU needs to develop principles to guide preventative actions.

54.

Article 4(p) of the Act condemns and rejects unconstitutional changes in government (UCG). In doing so, it implicitly considers a domestic political issue a matter for not only suspension from the activities of the AU, but also for the application of peace and security instruments, such as sanctions. During the so-called 'Arab Spring' in 2011, the principle of UCG was interpreted so as not to contradict popular uprisings in support of democratic change. The democratic impulse underpinning Article 4(p) echoes in today's debates over whether principled rejection of UCG should

apply to the alteration of national constitutions to extend incumbents' terms in office. The AU needs to develop the norms and principles appropriate to this situation, interpreting Article 4(p) in the light of Article 4(m) on respect for democratic principles.

55.

An important if unstated norm in the functioning of African conflict resolution is inclusiveness in peace processes. Inclusiveness is multi-faceted. It operates both at national and regional levels: no belligerent party should be excluded for political reasons, nor should any neighboring state be excluded from the deliberations. It also extends to the principle of ensuring the meaningful participation of non-belligerent political parties, civil society and women.

56.

The norm of including the broadest array of stakeholders is contained in the Livingstone Principles of 2008 and the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace of 2009. In practice, mediators have sought to balance the perceived efficacy of conducting negotiations that involve a smaller number of key belligerents, thus limiting the number of veto holders, with the legitimacy that arises from involving a broad spectrum of stakeholders from society. Multiple and diverse formulae for squaring this circle have been explored, including direct participation in talks, consultative fora for stakeholders, parallel tracks, and the inclusion of broader societal stakeholders in post-agreement political processes. Each conflict requires its own formula for inclusion based on its particular circumstances and dynamics. However, the overarching principle and norm of inclusion is rightly recognized in the African compendium of existing commitments.

57.

Our research finds strong evidence that the inclusion of civil society groups and women in peace processes and political transitions is important in several ways. This contributes to the prioritization of human security issues in the agenda, pressure for progress when peace processes stall, inclusion of women's rights and gender equality provisions in agreements, and a greater chance that a peaceful outcome will be sustained.

58.

This principle of inclusiveness faces a profound challenge on the question of groups that commit terrorist acts. In the African political discourse as in global usage, a group that is labeled as ‘terrorist’ is excluded from any political negotiations. However, Africans have a special historical perspective on the use and misuse of the label ‘terrorist’, because many African liberation movements were labeled in this way by colonial and racist governments. Many African leaders who came to power through armed liberation struggles have personal experience of being labeled ‘terrorist’. This points to the importance of identifying the political grievances of constituencies that may support insurgent groups, and responding politically to those grievances, without in any way condoning any terrorist actions committed by those groups. Reflecting this, in 2015, the annual retreat for African mediators was held in Windhoek, Namibia, under the title ‘Silencing the Guns: Terrorism, Mediation and Armed Groups.’

59.

The AU Constitutive Act contains some hitherto neglected capabilities. Among these is Article 4(d), a common defence policy, subsequently elaborated in the 2004 Solemn Declaration on a Common African Defence and Security Policy. Given that peace operations have become increasingly prominent in the defense operations of many African armies, this provides an opening to pursue for coordinated doctrinal development for PSOs, and coordinated procurement of the equipment required for PSOs. The PSC Protocol contains provisions on interaction between the PSC and civil society organizations. The Livingstone formula, adopted in 2008, aims to operationalize these provisions. The AU is yet to make full use of the opportunities offered by regular interaction with civil society. Renewed efforts are needed in this respect.

APSA and APSA Plus

60.

Our Report reveals important strengths in the APSA. The APSA emerged from the historic combination of circumstances that prevailed in the late 1990s, including: a vacuum of international engagement with African peace and security issues that allowed Africa to take an exclusive opportunity to provide leadership; active involvement of a variety of African leaders,

governments, international organizations and civil society in peace and security issues; and a collective understanding that Africa needed to seize the initiative if it were to avoid a future of war and the perpetration of atrocities. The APSA includes both norms and instruments, both internal to the AU organs and relating the AU to the UN, RECs/RMs and others.

61.

The key to ensuring the effectiveness the APSA is implementing commitments already undertaken by the AU, RECs/RMs and member states. The compendium of existing commitments would, if implemented consistently and creatively, resolve most of the peace and security challenges facing Africa.

62.

The APSA pillars consist of a mixture of an intergovernmental forum for member states (Assembly and PSC) and a Commission that serves as a mechanism for multilateral principles and practices. As the custodian of the AU's norms and guiding principles, the AUC currently plays a leading role in setting the agenda for the PSC and the Assembly in partnership with member states. It is therefore essential for the APSA to include mechanisms for managing Africa's growing web of relations with the UN, RECs/RMs and T/XROs which leads to diverse political and military peace missions.

63.

Existing pillars also need to be expanded to include measures such as strengthening the mediation support capacity of the Commission, to fully take advantage of the provisions of the PSC Protocol relating to the search of political solutions to African conflicts. There is also room for important norm development on interpreting existing commitments, so as to better respond to the challenges of democratic constitutionalism and inclusivity in peace processes, and on guidelines for distinguishing between terrorist acts and terrorist organizations.

64.

Africa's Regional Economic Communities and Regional Mechanisms (RECs/RMs) have played an increasing role in the area of peace and security. There is, however, considerable disparity among RECs and little consistency in how they are composed and their function is determined. Some RECs have well-established peace and security organs (e.g. ECCAS, ECOWAS, IGAD,

and SADC). Others have taken on peace and security roles but do not have well-established peace and security mechanisms (e.g. EAC and CEN-SAD). Others have only a limited peace and security role (e.g. COMESA).

65.

Chapter VIII of the UN Charter does not make a distinction between continental organizations (such as the AU) and regional ones: they all have equal standing. The UN does distinguish between regional and sub-regional organizations. More importantly, the AU has taken on unique capabilities. Through the Constitutive Act, Member States endowed the AU with special norms and instruments. Through the PSC Protocol (Article 16) and the Memorandum of Understanding between the AU and RECs/RMs, the AU Member States have recognized the AU as having a paramount status among Africa's multilateral organizations.

66.

The complementary principle to the paramouncy of the AU is subsidiarity, which means recognition of the leading role of RECs/RMs, working in close cooperation with the AU, in addressing the peace and security challenges in their neighborhood insofar as they have the capacity to find solutions. In taking a lead, RECs/RMs have the advantages of proximity and leverage. They are commonly the first responders and their existing political stakes mean that they are in principle well-placed to exert immediate pressure towards a solution. However, by the same token, they may lack impartiality, and their intervention may not always be constructive.

67.

The task of streamlining and fully implementing the provisions of Article 16 of the PSC Protocol on the relationship with the RECs/RMs is critical for the full operationalization of APSA. One complicating factor is the variability of the security mandates and instruments of RECs/RMs and the challenges encountered in acknowledging the primary role of the AU vis-à-vis its regional mechanisms in the promotion and maintenance of peace and security on the African continent. The PSC Protocol requires the AU and RECs/RMs to exercise more consistent decision-making about the appropriate level of leadership in each specific conflict situation. This is perhaps the most immediate and challenging task of the 'APSA+'.

68.

Africa faces challenges of ‘shared spaces’ with other regional organizations. The most important of these ‘shared spaces’ are the Mediterranean and its North African shore, and the Red Sea-Gulf of Aden. In these locations, the AU’s domain overlaps with important trans-regional organizations (TROs, namely the LAS and OIC) and abuts significant extra-regional organizations (XROs, including the EU, GCC and NATO). (Additional T/XROs of significance include the Commonwealth, La Francophonie and the Indian Ocean Rim Association.) The APSA+ must also of necessity explore mechanisms for engaging with T/XROs on problems in, and relating to, the shared spaces.

Prevention

69.

The AU recognizes the central challenge of conflict prevention. This issue is also emphasized by the UN and reiterated by the HIPPO Report. Yet active crises invariably generate most political attention, and conflict prevention involves political sensitivities which mean it is too often neglected.

70.

Our research noted that few African conflicts or political crises occur in countries in which there has not been prior AU attention. Most armed conflicts recur in countries formerly afflicted by conflict, due to shortcomings in the implementation of a peace agreement or relapse by the parties or the political leadership of the country. It follows that continuity and consistency in following up on peace agreements is an essential element in preventing future conflict.

71.

Our research also found that there are many political instruments that could be used by the AU in support of conflict prevention efforts. In this regard, we note that one of the main drivers of armed conflict and political violence is contest over power transitions. Human rights monitoring, election monitoring, and promoting democratic constitutionalism in all its respects provide important political instruments both for warning of possible crises, and also intervening to reduce the threat of such crises. Effective prevention requires the full integration of the instruments of the African Governance Architecture and the APSA. To that end, we propose

that the AU Commission ensure that there is fuller integration of the AGA and the APSA, and their respective departments, with particular attention to conflict prevention and early response.

72.

We recommend that the AU explore how better to deploy peace missions that combine political and security mandates, to assist in monitoring developments that might be of concern to the PSC. These missions may include human rights officers, political officers, civil affairs officers and uniformed personnel as military observers. We further recommend that the PSD develop the capacity and expertise for such preventative deployments, as provided for by the PSC Protocol, as consensual ASF-1 deployments. This will require, inter alia, transparent and merit-based process of resourcing such capacities.

73.

Preventative action to ward off political crisis demands exceptional political skills including access to Heads of State and Government to discuss the most sensitive political questions. The AU has pioneered the use of High-Level Panels consisting of current and former Heads of State and Government. Our research indicates that these Panels can be effective conflict prevention mechanisms, and we recommend that they be used more extensively and systematically.

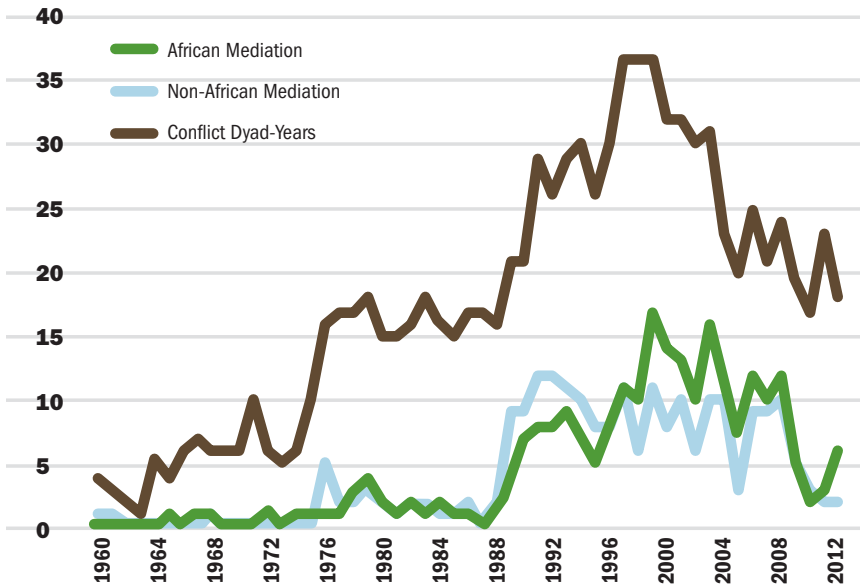
74.

One particular mechanism for conflict prevention is the fuller activation of the African boundary making tools and the resolution of actual and incipient boundary disputes. The AU Border Programme and the associated mechanisms should be mainstreamed and upgraded.

75.

The second main driver of conflict identified is militant extremism. The 1999 Algiers Convention on the Prevention and Combating of Terrorism and its 2004 Protocol provide the foundation for Continental efforts. The broader effort of countering violent extremism requires a set of actions to promote pluralism and tolerance and to reduce the influence of exclusive and intolerant political ideologies and politicized faith. This agenda also requires that the AU engage politically with T/XROs including the OIC, LAS and GCC.

Figure 5. Growth in African & International Mediation in African Conflicts



Allard Duursma, 2016

76.

Given the importance of conflict prevention activities, their low cost relative to the costs of conflict and responses to armed conflict, the reliance of preventative action on project-based discretionary funding should not continue. Prevention activities should be regarded as a core activity of the AU and should be funded accordingly.

Mediation

77.

Our research included an examination of all exercises in seeking a mediated end to conflicts in Africa. Almost all of these conflicts were defined according to the conventional categorization as internal conflicts, although our research also shows that most of them had an international dimension. The findings show a marked increase in both international and African mediation efforts from the early 1990s onwards.

78.

The findings show that the best outcomes, both in terms of agreements reached and the lasting nature of agreements, occur with mixed mediation consisting of African mediators in the lead acting with international support.

79.

This outcome may reflect one or more of the following factors: the cultural proximity of mediators to belligerents; the capacity to use the leverage of neighboring states, and the sense of solidarity with African mediators compared to the history of interactions with former adversaries, as well as the natural distance to ‘foreigners’.

80.

Our findings indicate that once a country has become the location of a peace mission, the process of graduating from that status is difficult and slow. Mediation efforts are initially envisaged as a time-limited, task-specific intervention. However, peace processes often transform into long-drawn out and complex mechanisms. Peace agreements, once signed, need close supervision during the implementation phase. Post-conflict reconstruction programs, notably SSR and DDR, need to be nurtured and monitored. As a result, conflict mediation may transform into a long-standing regional oversight and conflict management mechanism. This reality should be recognized. Follow-up mechanisms should be formalized as instruments of oversight to help prevent the recurrence of political crisis and armed conflict. The role of High-Level Panels may be significant in this context.

81.

The AU needs an enhanced Mediation Support Unit with the following tasks: to provide analysis and training in mediation; to guide mediators on dealing with the mediating at the three layers of stakeholders (concentric circle of national, regional, and international stakeholders); and to provide an effective support system that enables mediators to regularly access expert inputs of the quality and speed their task requires.

Political Missions

82.

The United Nations has developed and utilized a variety of forms of political missions, ranging from Committees of Experts to High-Level Envoys and mediators, to a substantial civilian presence that provides good offices, policy advice, and support to peacebuilding. The African Union has utilized a narrower range of political missions and could usefully explore how better to make use of instruments similar to those used by the UN. The AU currently has fourteen political missions and Liaison Offices in different countries and to RECs/RMs. These are important and should continue to be supported.

83.

The AU has used High-Level Panels in diverse ways, some of which are highly effective. The working definition of a High-Level Panel is that its members comprise serving or former Heads of State and Government.

84.

One category is investigative panels. These include the Panel on Darfur (2009), which innovated a consultative mechanism for determining the nature of the conflict and the wishes of the people concerned; the Panel on Egypt (2013-14), tasked with assisting the Egyptian authorities return to a democratic constitutional order, implicitly so as to facilitate the country's return to full participation in the affairs of the AU; and the Panel on Illicit Financial Flows, which was concerned with a broader continental challenge.

85.

A second category is mediation panels. These include both AU panels and mediation panels incepted, run and concluded by African leaders, under the African political supervision and guidance:

- a.** The Panel of Eminent African Personalities on Kenya (2008), headed by Kofi Annan, Benjamin Mkapa and Graca Machel, and appointed by the President of the AU, who was at the time Pres. John Kufuor of Ghana, endorsed by the AU and in operational and financial terms, sustained very largely by the UN;
- b.** The Panel on Eastern DRC, consisting of Olusegun Obasanjo and Benjamin Mkapa appointed by the International Conference on the Great Lakes Region Summit, endorsed by the AU, and sustained by the UN;
- c.** The AU High Level Implementation Panel for Sudan (and subsequently also South Sudan) (2009-present), which served as a standing mediation capacity, which had important successes in managing the process leading up to the independence of South Sudan;
- d.** The AU Panel for Côte d'Ivoire (2010), which was established in the wake of the November 2010 electoral crisis and made a first attempt to resolve that crisis in that country; and
- e.** The AU Panel for Libya (2011), which was an attempt to find a political resolution to the conflict in that country, but did not succeed.

86.

High-Level Panels have exceptional access to the most senior political leadership in the countries of concern. Their role as a preventative mechanism is therefore exceptionally significant, and should be promoted. We recommend that members of High-Level Panels meet to reflect on their experience and make recommendations for how to fashion this instrument for more effective use in preventative diplomacy.

87.

High-Level Panels have established committees and sub-committees for specific tasks and have de facto called upon Committees of Experts. For example, the AUHIP had committees dealing with petroleum, security issues, citizenship, borders, Abyei and the 'Two Areas'. The AU High Representative for Mali and the Sahel was able to convene an ad hoc group of experts and the AU High Level Panel on Egypt sought and received expert briefings and support. These possibilities need to be explored and formalized further.

88.

Expert committees established in support of sanctions imposed by the UN Security Council have a record of efficacy. This is as much related to the informational component of the committees of experts, as to the sanctions themselves. Africa has neglected both the instruments of expert committees and sanctions, and the PSC should consider them, as indeed provided for in the PSC Protocol. However, there are also innovative options not explored by the UN. For example, it would be possible to detach Committees of Experts from sanctions mechanisms and for the Panel of the Wise or High-Level Panels to use them instead as monitoring and early-warning mechanisms.

Peace Support Operations

Peacekeeping and Enforcement

89.

Peacekeeping and enforcement. The entire spectrum of peace missions is needed in Africa, namely: preventative missions; traditional-style PKOs, which remain important; consent-based multi-dimensional missions; more robust peacekeeping operations; and combat-based enforcement or

stabilization operations, which are invariably operationalized as coalitions of the willing. Below we make recommendations on which types of operations the AU should prioritize.

Troop Contributors

90.

Troop contributors. The number of African troops and police involved in peace missions has increased substantially. There is a notable increase in a set of ‘new’ TCCs—a group of countries that rarely contributed forces in the years before 2000, but now are major contributors, especially of combat forces for stabilization operations. These include Burundi, Chad, Ethiopia, Rwanda, South Africa and Uganda.

91.

A striking feature of the period since the establishment of the AU has been the increasing role of the AU in mandating and deploying PSOs. Today there are almost as many uniformed personnel deployed in PSOs with a distinctively African character—AU PSOs, REC/RM PSOs and the hybrid operation in Darfur—as in peacekeeping operations run by the UN. Additionally, AU operations have been ‘rehatted’ as UN PKOs (CAR and Mali), there is an exclusively African military contingent comprising a UN operation (Abyei, claimed by Sudan and South Sudan) and African-led special forces within UN operations (DRC). Further, African TCCs have provided an ever-increasing number of troops and police to UN peacekeeping operations on the Continent.

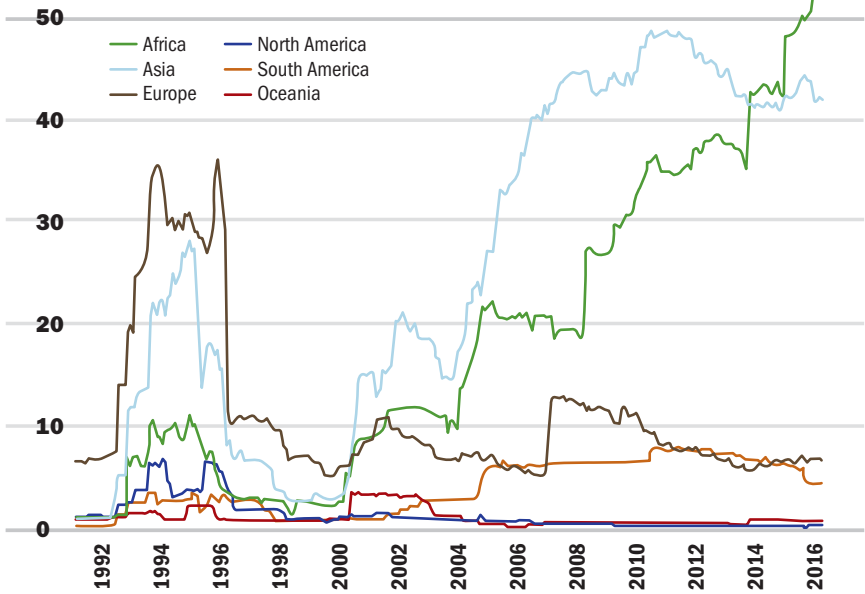
92.

The AU and UN have adopted a template for mission transition. It is important that this template is utilized and implemented in the right spirit, so that transitions from the AU to the UN are driven by substantive considerations.

93.

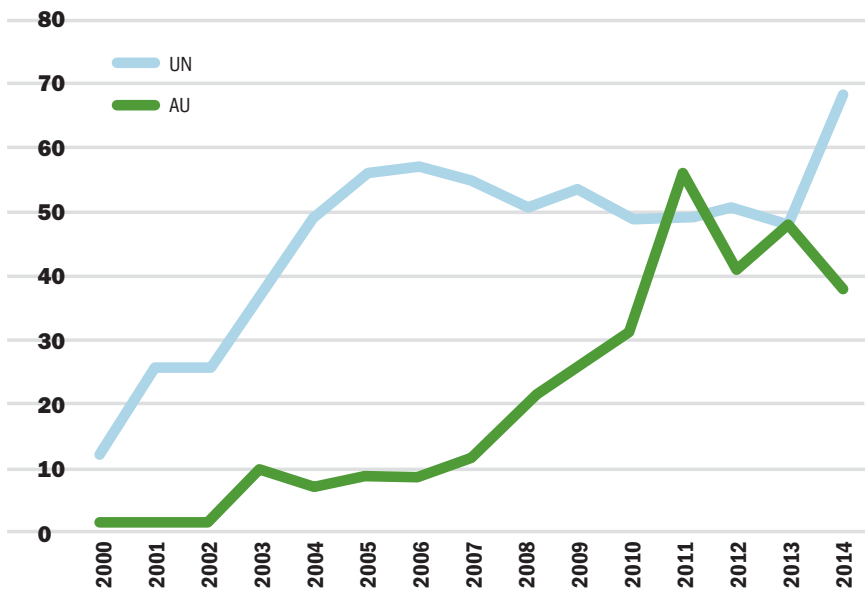
The diversity of mandating authorities, troop contributors and CONOPS in African PKOs and PSOs is striking. The principal African instrument for PSOs, envisaged in the APSA, is the African Standby Force (ASF), which has been declared operational but which has, as of now, no workable doctrine for its operations. Among the findings of our research are the following.

Figure 6. Africa: Today's Leading Contributor to UN Peacekeeping



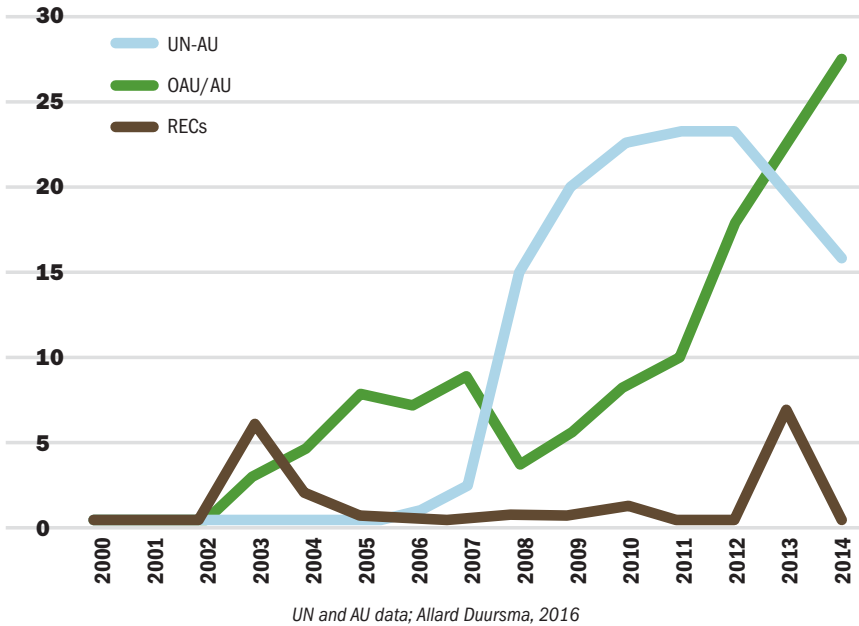
Reprinted From Chris Perry and Adam C. Smith, "Trends in Uniformed Contributions to UN Peacekeeping: A New Dataset, 1991–2012," New York: International Peace Institute, June 2013. retrieved from https://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_trends_un_peacekeeping.pdf Copyright International Peace Institute 2013

Figure 7. Peacekeepers Deployed by UN and African Organizations



UN and AU data; Allard Duursma, 2016. Note: UNAMID classified as African.

Figure 8. African Peace Missions by Mandating Authority



Mandating Authorities and 'Rehatting'

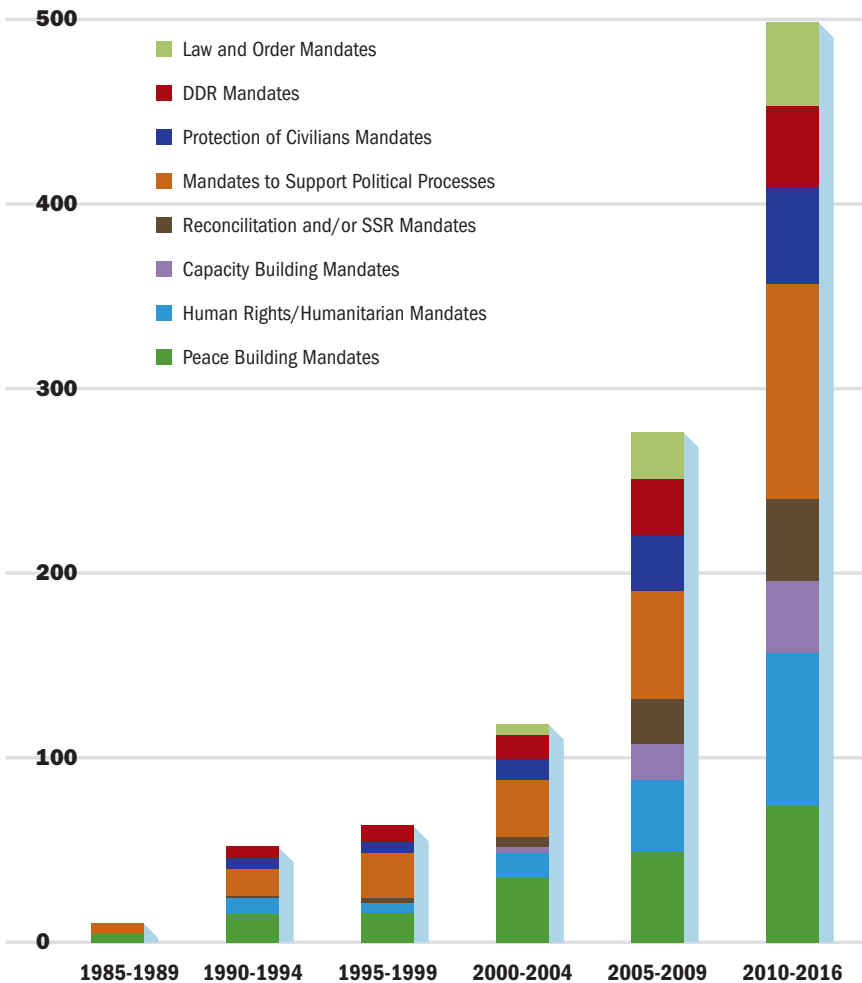
94.

The practice of 'rehatting' AU missions as UN missions has occurred several times, beginning with Burundi where the AU operation was transferred to the UN in 2004. In Mali, the AU and ECOWAS were first-responders and the AU mission was transferred to the UN, in a manner that drew an unusual public rebuke from the AU PSC. Central African Republic has seen multiple rehatting, from MICOPAX (ECCAS-led), to MISCA (AU-led), to MINUSCA (UN-led). In each case, the new peacekeeping intervention was an added layer on top of the one before it, as opposed to being a strategically well-thought out operation. Many of the troops were merely inherited and lacked the training and capacity for a peace operation, and the necessary vetting of troops was not done, with sometimes disastrous consequences for civilians. The plan to transition the African Mission in Sudan (AMIS) from the AU to the UN in 2006 ran afoul of Sudanese governmental objections, resulting in the creation of the hybrid operation UNAMID.

95.

Often, the rehatting exercise seems to be driven by resource constraints of the AU, and the UN's capacity to fill those gaps, rather than by the realities on the ground. This has led to significant problems, for instance, AU- and REC-mandated missions are prepared to engage in offensive action, but troops on UN operations (sometimes the very same troops) are constrained by UN mandates, rules of engagement and operating procedures. Thus in Mali, when the African force had been 'rehatting' as a UN force, it remained the target for attacks by insurgents, but was not able to engage in military action against those insurgents. In CAR, rules over authorizing patrols and

Figure 9. The Growth of PSO Mandates



Data from the World Peace Foundation, 2016

other activities meant that the peacekeepers were slower and less flexible in responding to incidents following the transition from the AU to the UN. Therefore, rehatting, despite providing relief to the resource constraints of the missions, may impede the capacity of the missions to deal with spoilers as a result of the CONOPS of the UN.

Mandates and CONOPS

96.

Across the range of missions, the mandate and CONOPS of peace missions are increasingly multidimensional, despite the varying context into which they are deployed. In some cases, peace missions can only achieve a reduction in violence, while in other contexts, missions can contribute to reducing violence and also address key institution-building tasks. The determination of a realistic mandate requires a thorough understanding of the specific case context, as emerges through a consultative process including the internal actors. The best approach for designing a peace mission mandate that achieves this goal is to enable the parties in conflict to include the mandate for a new mission (or a revised mandate of an already-deployed mission) as part of their negotiations on a peace agreement.

97.

Formulaic mandates and CONOPS are not designed for specific situations. The HIPPO report reflects the clear emergent consensus that missions should be designed for particular political tasks in accordance with the circumstances of the countries into which they are being deployed, rather than adopting standardized templates aimed at achieving pre-ordained goals.

98.

The UN has a fixed process for determining initial mandates and force composition. Based on the tasks demanded of the mission, the DPKO makes an assessment of the force numbers required based on a standard formula for the protection required for military observers and other personnel. It can subsequently adjust numbers and mandates. The AU process is more flexible and in several cases, mandates have expanded and changed in response to the circumstances. This occurred in Darfur as AMIS's mandate was substantially expanded during 2004-05, and in Somalia in 2012-13 as AMISOM shifted its focus.

Figure 10. Ever-Expanding Mandates: The Case of CAR

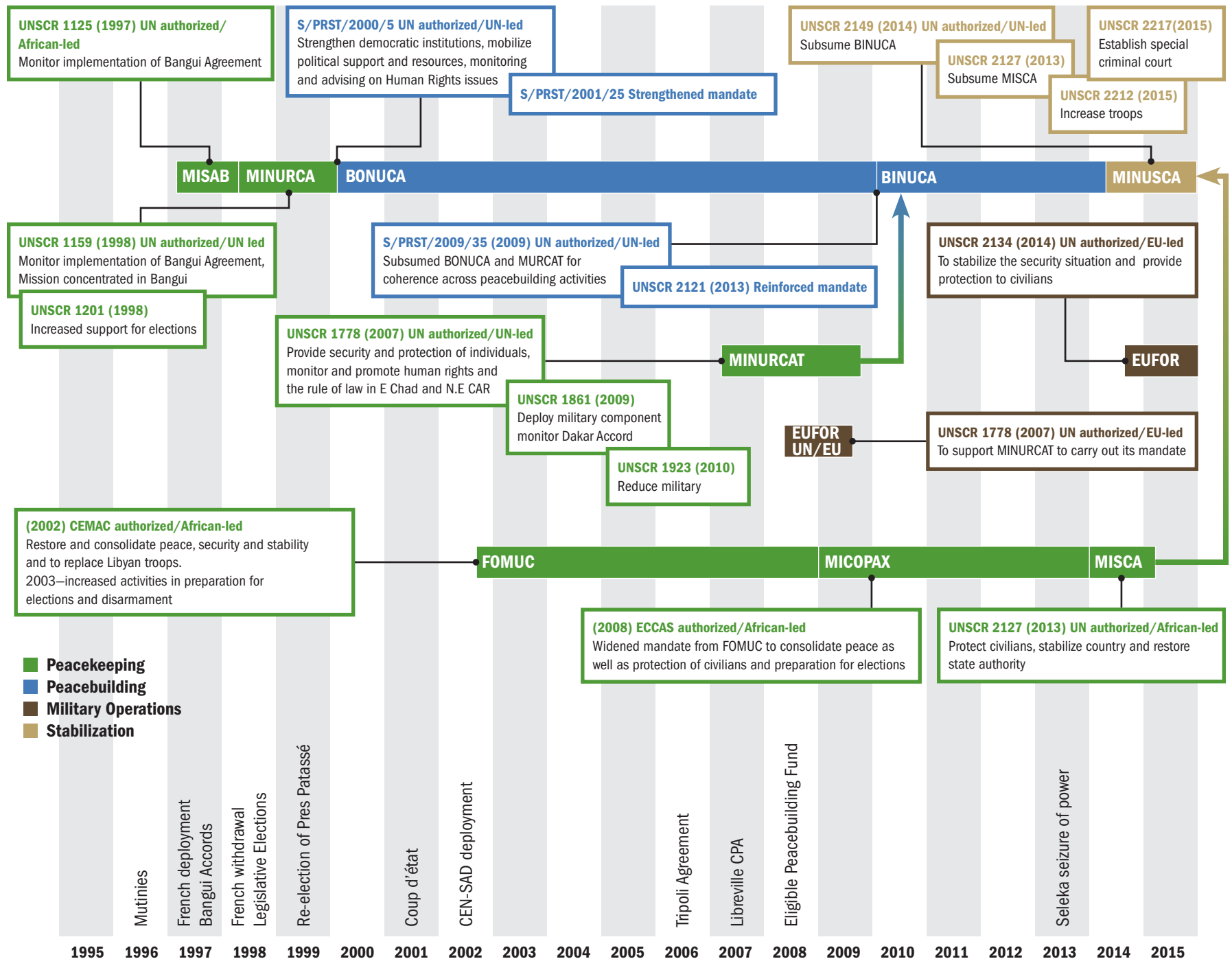
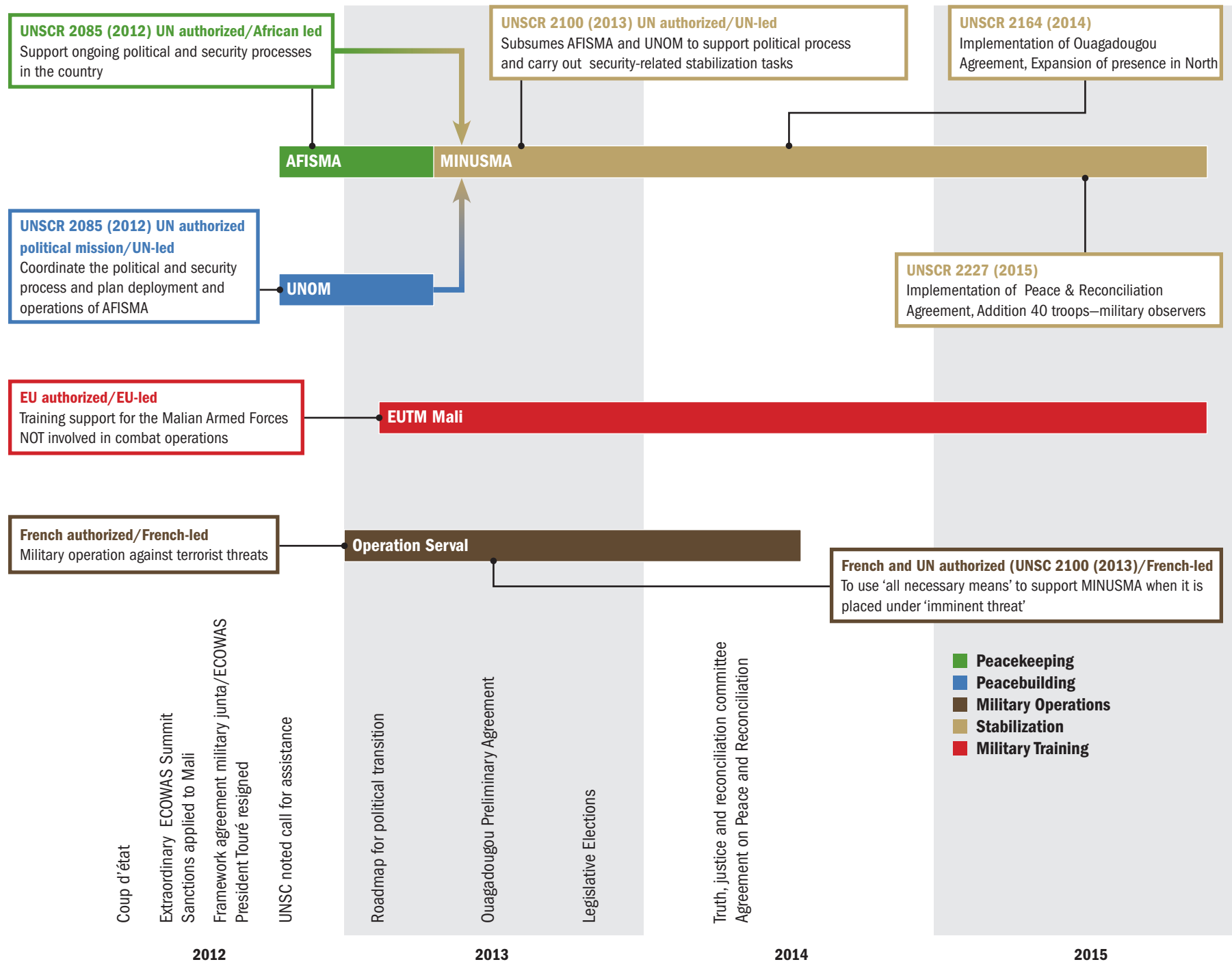


Figure 11. Ever-Expanding Mandates: The Case of Mali



99.

There are interesting exceptions to the standard process whereby mandates are determined solely by the mandating authority. The Joint Military Commission (JMC) in Southern Kordofan, Sudan, was a military observer mission mounted from 2002-05. It was established as part of a ceasefire agreement between the parties and there was no mandate provided by IGAD, the AU or UN. The status of mission agreement and CONOPS were determined solely by the parties. The JMC was extremely successful. A second example is UNISFA in Abyei Area, contested between Sudan and South Sudan. The mandate, troop contributor and CONOPS of UNISFA were determined in the AU-mediated Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area (2011). That mission has enjoyed a relatively good degree of cooperation from the authorities on both sides of the border.

Protection of Civilians

100.

The most distinctive and consistent element in mandating since 1999 has been the inclusion of protection of civilians (PoC) in PSO mandates. This has become standard in the twenty years since the genocide in Rwanda in both UN and AU peace missions. While coercive intervention under the rubric of Responsibility to Protect, as in Libya, has become more controversial, the centrality of efforts by peace missions to protect civilians from lethal and other harms—including sexual violence—is widely accepted. Thus, PoC is an integral element of African PSOs.

101.

Our review indicates that widespread violence against civilians is primarily prevented through political engagement, particularly by paying attention to the political context and calculations within which decisions to systematically target civilians take place. This de-emphasizes the role of non-consensual international military deployments and further underscores the importance of AU investment in mechanisms for prevention.

102.

Additionally, in line with the findings of the HIPPO Report (p. 41), we emphasize that establishing a PSO with a principal mandate to protect civilians runs the risk of raising unrealistic expectations among the civilian population and may thereby doom the PSO to disappointment. Even with the best efforts, a PSO cannot protect all civilians all the time. The protection needs of populations far exceed the capacities of even the most robustly mandated and sized missions. The greatest gains in protection for the broadest portion of the population are made when the core political issues are addressed. As noted earlier, there may however be exceptional circumstances in which deployments have to be made with the principal goal of PoC particularly where there is an imminent threat and there is no meaningful political process in place.

103.

Our Report underscores the findings of other investigations, including internal investigations by the UN, which find that peacekeepers frequently fail to use force to protect civilians in immediate risk of harm. While UN guidance for PoC stresses the importance of engaging host governments to enable and support their responsibility of protecting their citizens, and monitoring their protection activities, PSOs have struggled to translate these principles into effective strategic action. Among the shortcomings are: discrepancies in understanding where protecting civilians fits within the hierarchy of mission priorities at both the strategic and tactical level; consistency in interpreting mandates across contingencies; the particular role of Heads of Mission in providing leadership on these issues; and PSOs' limited capacity to engage in intelligence gathering which would enable them to deploy proactively to protect civilians. Nonetheless, our research indicates that overall, the addition of PoC mandates to peace missions, and the growing expertise and experience in the implementation of these mandates, has contributed to declines in violence against civilians in conflicts in which peace missions are deployed.

104.

An important case of a PSO struggling with the question of protection of civilians is AMISOM. The principal mandate of AMISOM is to support the Government of Somalia in its offensive military operations against Al-Shabaab. AMISOM operations were subject to international humanitarian law from the outset, yet the mission failed to minimize harm to civilians particularly during its offensive in Mogadishu. With focused efforts, its overall record improved, but the mission continued to receive unclear and mixed messages regarding the place of civilian protection activities until 2013, when that it was given a specific and explicit PoC mandate.

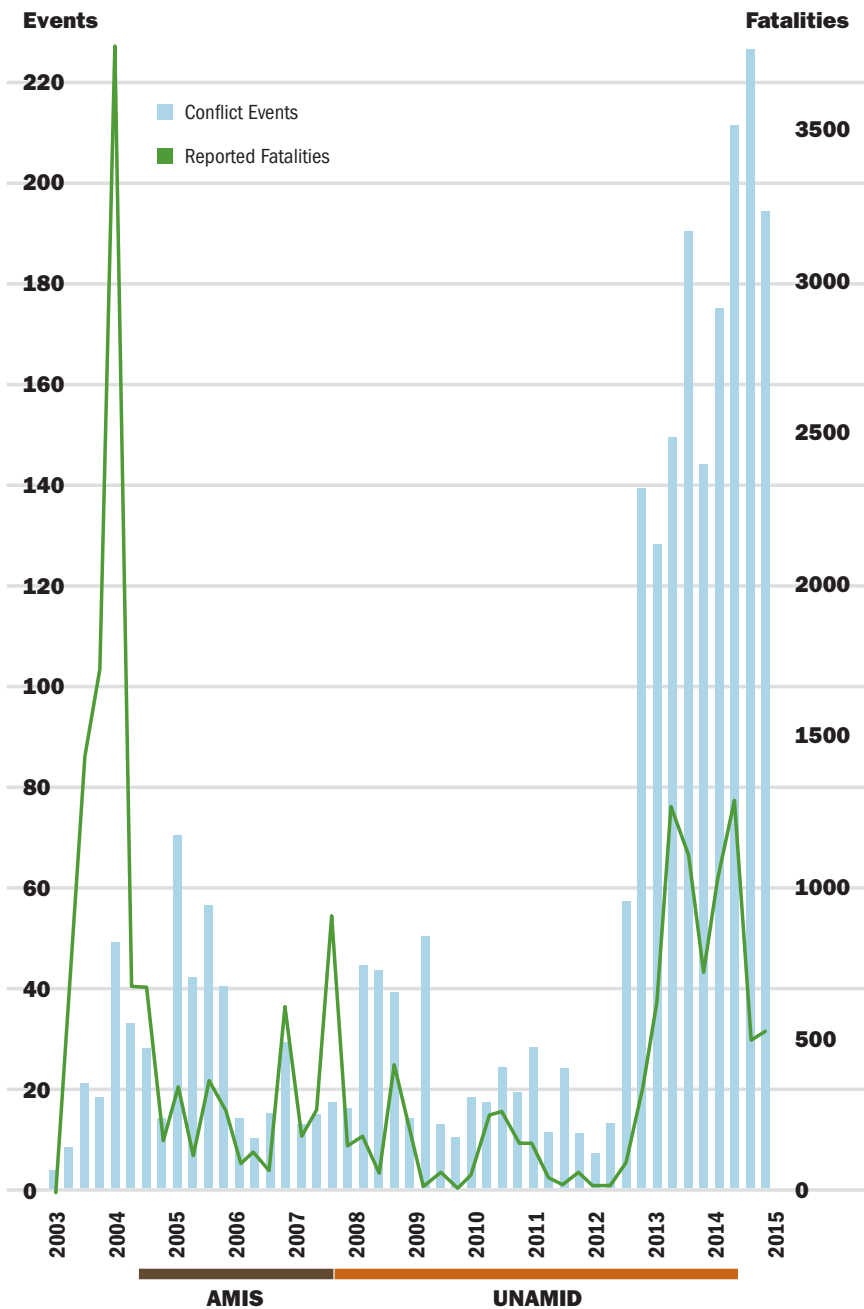
105.

The evidence for correlation between the size of a military peace operation, and its effectiveness in reducing violence against civilians, is mixed. Cross-case studies suggest that missions of large-size with significant policing components have greatest overall impact on protecting civilians, while statistically, observer missions correlate with increases in violence. However, in some cases, the deployment of military observers alone contribute to reducing violence. For example, the level of violence in Darfur was massively reduced at the time the AMIS was deployed. Its subsequent transition to UNAMID with a four-fold increase in forces, a much bigger budget and elaborate mandates did not reduce the violence further. The following graph plots violent fatalities in Darfur over time, showing the trends that occurred during the periods when AMIS and UNAMID were deployed. In other cases, observer missions have been correlated with increases in violence against civilians. The variations in the outcomes of such missions generally relate to the overall character and quality of the political environment and whether a political process is progressing in parallel.

106.

The limitations of having a PoC mandate without sufficient emergency contingency planning are well-illustrated by UNMISS in South Sudan. When the war broke out in December 2013, tens of thousands of civilians fled massacres and the threat of massacres to UN bases. The UN allowed them to enter and stay, despite the fact that these bases had not been designed to host displaced civilians. Thereby UN forces quickly found themselves

Figure 12. Violence in Darfur and the Deployment of AMIS and UNAMID



ACLED, 2016

in a novel situation in which it is responsible for all aspects of law and order for a substantial civilian community that is unwilling to leave. Up to 200,000 civilians reside in these 'protection of civilians sites.' However, the requirements of supporting, administering and protecting these people has so stretched the capacity of UNMISS that its ability to perform other tasks is severely limited, including most notably providing protection for the millions of war-affected South Sudanese who do not reside in the PoC sites.

107.

The limitations of external PoC instruments are evident. Peace missions should, at a minimum, undertake efforts to understand what self-protection measures civilians employ, and seek to build bulwarks for those that are most effective. This can be facilitated through community-based forums, which enhance the analysis of threats to civilians and protection from those threats. African Union political missions and PSOs have opportunities to engage with communities to explore these options. These consultative processes should be inclusive, making sure that vulnerable groups such as ethnic and religious minorities are fully involved. Of particular importance is ensuring the full participation of women, with particular attention to the particular threats that are faced by women and girls, and protection from those threats.

108.

Sexual and gender based violence (SGBV) is one of the foremost issues in PoC. Sexual violence committed by parties to an armed conflict is prohibited under international law. Most assessment of the risks to civilians focus on risks to life, and there is usually a serious underestimation of the severity of SGBV during conflict, the life-long affects, the gendered multipliers of this violence, and the ways in which women, men, girls and boys lives are cut short as a consequence.

109.

Documenting SGBV and mapping their variations and patterns can strengthen strategies and approaches to protect civilians before, during and after armed conflict. The prevalence of SGBV during conflict is closely related to the levels and patterns of such violence in pre-war society and as such responses should examine evidence for this. By documenting the

types of SGBV present, mapping their variation, and understanding if the crimes are systematic, opportunistic or a practice (i.e., not ordered but tolerated by commanders) the AU will be in a much stronger position to devise strategies for protecting civilians from this violence.

110.

Many of these issues are addressed in the AU *Draft Guidelines for the Protection of Civilians in African Union Peace Support Operations*, which are being further studied, even while some limited training on their core principles is on-going. Among the core recommendations of the Draft Guidelines is the centrality of protection as part of the political process, as well as the need to mainstream PoC within the African Peace and Security Architecture, with special attention to how PoC mandates are crafted, resourced, trained for and enacted. The Guidelines call for the development of mission-specific strategies for protection, which ‘link political, military, police and civilian efforts within the mission’ while taking into account and coordinating ‘with, as appropriate, activities of host State authorities, the civilian population and external protection actors’ (7). The draft Guidelines should be further advanced and supported to achieve these goals.

111.

The documentation of SGBV occurring in situations in which PSOs are deployed is an important measure for PoC and reducing SGBV. This documentation is best done in close and careful engagement with the affected populations, by civilian, women and children protection advisers to the peace mission.

Sexual Exploitation and Abuse by Peacekeepers

112.

Sexual exploitation and abuse (SEA) is a serious issue and one that gravely damages the reputation of the mission and troop contributors. Since 2006, the missions with the highest levels of SEA allegations against peacekeepers are nearly all located in Africa: missions in the DRC, Burundi, Liberia, Cote d’Ivoire, Sudan, and Haiti. In over half the reported cases, the crimes are egregious forms of SEA, including rape, and in over a third of the cases, the victim was a child.

113.

Currently, the AU falls short when it comes to addressing, preventing and taking action against perpetrators of SEA on peace missions.

114.

Primary responsibility for action against perpetrators falls upon troop contributors, which have very variable records on this score. The main problem the UN has faced in dealing SEA is to get TCCs to investigate, prosecute and where appropriate punish in a timely way. Recent steps have been taken in the UN to put pressure on the TCCs, such as sending home contingent commanders and entire contingents, naming the nationalities of the accused, monitoring the progress of investigations.

115.

Another important measure to prevent SEA has been the creation of a robust Conduct and Discipline Unit at Headquarters and within each peacekeeping mission. For political missions, this is usually a conduct and discipline advisor. A third key factor associated with reduced SEA by peacekeepers is the presence and continued empowerment of Gender Focal Points, Gender Advisors or Special Representatives who use their positions to help empower local populations.

116.

Another important initiative is pre- and post-deployment (i.e. upon arrival at the mission) training for all military, police and civilian members of a peace mission, including on addressing and preventing SEA. Effective training is comprehensive and situation based, in which commanders and senior civilian personnel heading units for the peace mission are given detailed training, including on issues of accountability, reporting and investigation, and SGBV and protection. Such training is already available within the UN and could be requested by the AU and tailored to the contexts in which AU missions are operating.

The African Standby Force

117.

The African Standby Force (ASF) was originally envisaged as an instrument to respond to five specific scenarios plus coercive intervention under Article 4(h) of the Constitutive Act. These scenarios for deployment, as outlined in 2003 Policy Framework for the Establishment of the ASF, need to be revisited.

The original ASF concept reflected little awareness of stabilization missions and their tasks. The scenarios made reference to ‘the management of spoilers’ as a task for possible deployment of its forces. They did not cover situations in which dealing with ‘spoilers’ becomes the primary strategic task, as happened with Al-Shabaab or Boko Haram, or could have occurred in the event of a non-consensual deployment in Burundi in 2016.

118.

The forces of ASF come from mandatory troop contributions of AU member states involving time-consuming multilevel force mobilization and decision-making procedure. This has impeded the progress of the ASF, and will continue to limit its operability, a fact that hampers African leaders’ ability to rapidly respond to crises. These obstacles have sometimes allowed for external actors to intervene as first responders. Given that today’s conflicts and security threats demand deploying rapid, robust and agile intervention forces, it is doubtful if the ASF as designed is suited to the task. There is a significant gap between the model of ASF and the realities it might respond to.

119.

This reality has in effect made the AU depend on standing armed forces from Member States, which in effect come together as coalitions of the willing, for its stabilization missions in situations in which the urgent political and security concerns of neighboring states require military intervention.

120.

As a result, the AU depended on the IGAD region for the greater part of its operations in Somalia, and on five countries of the West and Central African regions for its mission to tackle Boko Haram. In the case of Somalia, the AU’s initial decision not to allow frontline states to participate in the mission was later set aside, as only those neighboring states whose own security was at risk were willing to commit to a mission of stabilization and counter insurgency. Likewise, the anti-Boko Haram campaign consists of the most affected five neighboring states that created a coalition to deal with the task that was later authorized by the AU PSC as an African Union operation.

121.

The AU's decision to authorize the flexible deployment of troops from a coalition of the willing is relevant given the challenges of peace and stability in Africa to which peace missions must respond and the amount of risk these missions may confront. However, the leadership capacity of the AU PSC and the AUC should be further strengthened by developing the doctrine and norms for such stabilization missions. Currently, there is no AU-organized, legally commissioned and formally adopted doctrine for peace missions to guide the ongoing PSOs. The current CONOPS of AU PSOs come from an eclectic set of inherited doctrinal guidance. Some originated from the Constitutive Act of the AU and summit decisions, some from the CONOPS of DPKO that are clearly developed for a consensual peacekeeping, and some from the national doctrine of the contingents in their deployment sectors on these missions. The stabilization missions in practice are operationally led by joint defense staffs of the members of the coalition, and the AU's role has been limited to providing legitimacy and mobilization of international support to run these missions.

122.

One can therefore see that the ASF is currently struggling with how to specify its particular roles within the full spectrum of peace operations. Different kinds of mission require different force structures, doctrines and CONOPS. In principle ASF operations could cover the entire spectrum of peace missions, as envisaged in the six scenarios for deployment envisaged when the ASF was first envisaged. This would replicate the capacities of the UN and also, given the wider legal and political capabilities of the AU compared to the UN, it would enable the AU undertake an even broader range of operations than the UN. However, given that the UN has comparative advantage in certain well-established kinds of peacekeeping operation, it would be appropriate for the ASF to focus its immediate efforts on those kinds of operation for which the UN has limited capabilities.

123.

One option for the ASF consists of variants of traditional peacekeeping based on consent, impartiality and limited use of force, appropriately adapted for current circumstances, with a particular focus on preventative missions. The second option is enforcement and stabilization operations, which lack the consent of at least one party, are politically partial, and

involve offensive military operations. We found it useful to separate these two functions, regarding the former as ASF-1 and the latter as ASF-2, and treat each one differently. Possibilities for this approach are elaborated in the recommendations section, below.

Women in Peace Missions

124.

Our research included a focus on the inclusion of women in military, police and in the gender units of the civilian components of UN peace missions. A similar analysis of AU peace missions is not possible because no sex-disaggregated data of peace mission personnel is kept. AU peace missions need to immediately establish a system to record and make public sex-disaggregated data on its peace mission personnel. However, given that the majority of UN peace missions are deployed in Africa, the findings from a review of UN peace missions are relevant and applicable for the AU's future planning, policy and implementation.

125.

Military personnel make up the vast majority of most peacekeeping operations. In 2015, only 3% of military personnel in UN peacekeeping missions were women. This is primarily due to the fact that women make up low numbers of most national armed forces and both UN and AU missions rely on national armed forces. Currently, women comprise 10% of CIVPOL, though there are concerted efforts to increase the quotient.

126.

There are a number of ways women in the military and police can enhance a peace mission. Importantly, no woman peacekeeper has ever been accused of SEA on a mission, though the mere presence of women peacekeepers alone does not deter male peacekeeper abuse of local women. Women tend to have better disciplinary records and serve particularly well in investigative capacities. Women in uniformed contingents are seen as more accessible by local populations, particularly local women, which assists greatly in relations with communities and hence the overall success of the mission.

127.

Gender units and women protection advisors are now part of all multidimensional UN peacekeeping missions. There is a need for both UN and AU missions to scale up and integrate gender-sensitive best practices in peace missions.

Security Sector Reform

128.

Post-conflict Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR) have poor records of success. In large part this is because the same types of mistakes, namely underfunded and badly-sequenced DDR, failures of police training and vetting, and failures of military integration, occur over and over again. Despite extensive efforts, these errors have proven resistant to fixes because template-based approaches, designed and implemented by international partners, are politically palatable to donors and host governments alike. It is an error to regard the success or failure SSR and DDR as primarily issues of policy engineering, when these outcomes are in fact symptoms of underlying political conditions.

129.

Our review indicates that SSR and DDR can work when there is the combination of political demand from local, national and regional actors such that a strategy tailored to the security requirements of a particular context can be developed and pursued. Essential to that context is the political capability of national actors. This is most likely to occur when there is no reasonable expectation of a return to war in the country concerned. By contrast, SSR and DDR are certain to fail when there are insufficient political incentives for its success.

130.

In the absence of conducive conditions, SSR and DDR programs are usually coopted into political-security management strategies, framed by political-military leaders' expectations that there is a high likelihood of a new armed conflict, and their preparations for such an eventuality. In the context of a PSO involving neighboring countries as TCCs, elements in the national security sector will often be controlled by those TCCs' contingents.

131.

Failures in post-conflict reconstruction and development and subsequent lapses into conflict are commonly associated with failures in SSR and DDR. This indicates the importance of re-calibrating post-conflict reconstruction and development as a preventative mechanism, with a focus on security sector governance.

Recommendations

132.

The recommendations arising from our review fall into three parts:

- *Philosophy*: ‘Primacy of the Political’, which in turn consists of: norms, African ownership, developing political instruments for conflict prevention and resolution, and political control over PSOs;
- *Instruments*, consisting of: the AU Assembly, the PSC, conflict prevention and resolution, traditional peacekeeping and preventative deployments (ASF-1), enforcement operations (ASF-2), and resourcing;
- *Relationships*, consisting of: AU-UN, AU-Regional Economic Communities and Regional Mechanisms (RECs/RMs), and AU-trans-regional and extra-regional organizations (T/XROs).

Philosophy: ‘Primacy of the Political’

Norms

133.

The key norms for African peace missions are (in no order of priority) multilateralism, constitutional democracy, non-indifference and inclusivity.

134.

Multilateralism. The foundational principles of the AU, as with the OAU before it, are: collective security, respect for international law, and multilateralism. Africa, as a Continent that is weak within the global order, has much to gain from respect for these norms; and it should always bear this basic concern in mind. In this regard, the AU shares its foundational commitment with the UN. The two organizations need each other. To strengthen one, should be to support the other; and conversely, the weakening of one, implies the weakening of the other.

135.

Constitutional democracy. The animating principle underlying Article 4(p) of the Constitutive Act of the AU is not only respect for constitutional government, but also respecting and promoting constitutional democracy. That principle was made abundantly clear in early 2011 when the AU resolved to support the ‘Arab Spring’ popular uprisings that overthrew authoritarian

governments in Tunisia and Egypt. Those uprisings, of necessity, used means that were not compatible with those countries' Constitutions.

136.

The paradox of the AU's response to UCG is that it utilizes peace and security mechanisms (designed for situations that threaten international peace and security) to respond to domestic political developments. Taking this further entails an extension of the AU's concerns with political affairs (elections, the rule of law and human rights) in the field of constitutional democracy and integrating these governance and democracy issues with peace and security. Implicit in this project is the norm of constitutional democracy: a refinement and further articulation of Article 4(p), read in light of Article 4(m) that defends and promotes democracy, and the African Charter on Democracy, Elections and Governance of 2007.

137.

This in turn has implications for how the AU should respond to amendments to Constitutions, especially those that permit incumbents to extend their terms in office. There is nothing sacred about a two-term limit in office and neither should there be a prohibition on the amendment of Constitutions by legitimate means. However, the AU is entitled to be concerned with interference in Constitutional processes in such a way that important principles of a constitutional democracy are violated and the likelihood of a conflict or relapse into violence increases. The AU possesses not only the requisite norms in this area but also special capacities, in the form of High-Level Panels of serving and former Heads of State and Government, who are best-placed to intervene on these sensitive issues to the best effect.

138.

Non-indifference and intervention. Article 4(h) of the Constitutive Act provides for the right of the Union to intervene in a Member State in the event of grave circumstances. This norm has informed preventative diplomacy and can be understood as the basis for using other relevant political, and peace and security instruments. It can therefore further guide AU engagements to prevent and respond to crises.

139.

Inclusivity. The AU has adopted a norm of inclusivity in peace processes, both domestically and regionally. This norm warrants elaboration.

140.

Domestically within a conflict-affected country, there are two particular challenges. The first is how to ensure that all domestic stakeholders are involved in a political process. The principle of extending participation in peace processes to include non-belligerent political groups (such as civilian political parties), civil society groups, youth and women has already been adopted. While each peace process should also be determined by the realities of the actual situation, rather than imposing an inflexible template, this norm should always be borne in mind as an essential contributor to the legitimacy of the resulting peace agreement and political settlement in the country concerned.

141.

The norm of inclusion entails the involvement of a broad range of stakeholders in the resolution of a conflict and the political settlement that should follow. It is morally problematic to entrust peace exclusively to those who have waged war, and the evidence shows that peace processes that are more inclusive are more likely to result in durable peace.

142.

Recognizing that conflicts involving groups labeled as terrorists, require political solutions, the AU needs further to explore how negotiations can be conducted in these circumstances.

143.

Regionally, the challenge is that all the engaged neighboring States must be involved in the resolution of a conflict in a country. Those States are already engaged politically and often militarily, and must therefore also be part of the solution. The focus of mediation and a political process should be internal. But the interests of regional actors should be mediated and negotiated wherever they are divergent, as not doing this increases the likelihood that regional actors will play the role of spoilers. To a large extent, the involvement of RECs/RMs in conflict resolution already ensures that this principle of inclusivity is adequately implemented.

African Ownership

144.

Beyond Chapter VIII. The AU is a regional organization under Chapter VIII of the UN Charter, but it is more than a subcontractor of the UN. The AU Assembly and PSC have authority in their own right. The key principles of the AU Constitutive Act and the practices of the AU PSC represent unique African capabilities that, when adopted, go beyond those of the UN.

145.

The case of Libya in 2011 is a pivotal example, in which the AU approach was brushed aside by the UN Security Council, NATO and certain Arab countries. There are important lessons to learn from this and it raises a critical question: how can the AU ensure that its own principles are asserted in contexts where others do not wish to respect them?

146.

Finance and ownership. The AU cannot expect to have ownership of the continent's peace and security agenda until such time that it is financially autonomous. It is unclear how African ownership can be retained if the AU is seeking funds from others that have their own political priorities for its activities. The AU Member States and African private sector should demonstrate their commitment to the African peace and security agenda by taking the responsibility to finance it. The AU's resource requirements should also be streamlined by primarily focusing on its strength, political initiatives, which by nature are less expensive, more efficacious, and should set the agenda for all other forms of engagement. Military deployments are almost always reactive, expensive, and tend to subordinate the political agenda to the interests of sustaining the military effort.

Developing Political Instruments for Conflict Prevention and Resolution

147.

Strengthening the political instruments of the AU PSC and Commission are an integral element of enhancing peace missions. These include not only those instruments contained within the APSA, but also within the AGA and the APSA+ (engagement with UN, RECs/RMs and T/XROs). Details of the recommended political instruments are explored in the section on 'instruments', below.

148.

Our central recommendation is to fuse the APSA, the AGA, and the APSA+ at the highest level. We recommend that there should be a joint and consolidated report on all these elements to the AUC Chairperson every six months in advance of the Assembly. This report should include the activities of High-Level Panels.

149.

The AU and its Member States should also increase their actions aimed at preventing and reducing border conflicts. Every effort should be made to ensure the delimitation and demarcation of African borders where such exercises have not yet taken place. Furthermore, efforts should be intensified towards the implementation of the Niamey Convention on cross-border cooperation. The Convention, which was adopted by the AU Assembly in 2014, has the following objectives: promoting cross-border cooperation at all levels; facilitating the delimitation, demarcation, and reaffirmation of interstate borders; transforming border areas into catalysts for growth and socio-economic integration of the continent; and promoting peace and stability through the prevention of conflicts, the integration of the continent and the deepening of its unity. The Niamey Convention calls for establishing a Continental Border Consultative Committee comprising the RECs that, under AU auspices, is tasked to promote cross-border cooperation and the establishment of the AU Border Programme fund.

Political Leadership of PSOs

150.

Peace support operations are deployed to fulfill a political purpose. There is an ever-present danger that once a PSO has been deployed, the energies of political leaders are then focused on sustaining PSOs. This danger cannot entirely be avoided, but the AU must be vigilant to minimize the risk. The most important recommendation in this regard is for strong political leadership of PSOs. The officials appointed must be politically and managerially competent.

151.

Among the measures that can assist in ensuring political oversight of PSOs are the following:

- a. Systematize coordination between the mediation and peace support operations (in those cases in which they are institutionally separate),

as a peace agreement is only the beginning of a long process of implementation that involves continuous negotiation and mediation as well as the emergence of new issues and developments;

- b.** Require a political representative to serve as the senior official in every African PSO;
- c.** Require regular reporting mechanisms to the PSC for each PSO; and
- d.** Mandate that revisions and exit strategies are politically determined.

Instruments

152.

The key instruments are: the AU Assembly, the Peace and Security Council, conflict prevention and resolution mechanisms, traditional peacekeeping and preventative deployments (ASF-1), enforcement operations (ASF-2), and the African Peace Facility and other resourcing mechanisms.

AU Assembly

153.

The principles in the AU Constitutive Act and the mechanisms of APSA remain relevant. The principal challenge is implementation. A critical step for implementation is greater awareness of the content of the relevant Protocols, Declarations and Decisions of the AU.

154.

Principles such as non-indifference and the rejection of UCG may need to be interpreted in a creative manner to make them relevant to changed circumstances, as outlined above.

155.

The APSA needs to be enhanced to APSA+, to engage more fully with UN, RECs/RMs and T/XROs, noting that the AU has unique capabilities that others do not possess.

Peace and Security Council

156.

The PSC works; its effectiveness should be recognized and applauded. The PSC has demonstrated particular capabilities, especially on occasions when consensus at the UNSC may be hard to achieve. Key elements in the PSC functioning should be retained and enhanced, including the

absence of veto power by any Member States, and the partnership between Member States and the AUC in setting the agenda, and drafting statements and communiqués.

157.

The Assembly, the PSC and the Commission need to pay particular attention to certain important provisions contained in the PSC Protocol. *Inter alia*, the requirements for membership of PSC, should be consistently observed. Members of the PSC should be chosen on the basis of respect for constitutional governance (Article 2(g)), and having sufficiently staffed and equipped Permanent Missions at the Headquarters of the Union and the United Nations, to be able to shoulder the responsibilities that go with the membership (Article 2(h)).

158.

The PSC should have enhanced interface/coordination with the UN (including especially the three African members of the UN Security Council, the 'A3') and RECs/RMs and also interface with T/XROs. This could be done by, *inter alia*:

- a. Monthly briefings between the PSC and representatives of the 'A3' in Addis Ababa on the respective agendas of the PSC and the UN Security Council;
- b. Enhanced representation of REC/RM representatives at the PSC, and periodic joint meetings between the PSC and the decision-making bodies of the relevant REC/RM;
- c. Joint meetings between the PSC and the peace and security organs of T/XROs. This already occurs with the European Union and could occur with other T/XROs; and
- d. The capabilities of the PSC can be augmented with political instruments such as Committees of Experts. For example, the PSC could consider establishing Committees of Experts (including under the Panel of the Wise) to provide monitoring of situations of concern, without any formal link to enforcement mechanisms such as sanctions.

Conflict Prevention

159.

The AU possesses effective capabilities and instruments for conflict prevention that can be utilized more effectively. Our central recommendation on this point is to enhance the use of High-Level Panels consisting of

serving and former Heads of State and Government, as a conflict prevention mechanism. Serving and former Heads of State and Government can undertake the high-level, discreet, sensitive and effective political interventions that are essential in preventing political crisis and armed conflict. We propose that the Chairperson of the AU Commission expands and formalizes the existence and role of High-Level Panels, in coordination with the Panel of the Wise, accordingly. As a first step, we propose that an *ad hoc* Advisory Group of former Heads of State and Government meet to develop a proposal for how to implement this recommendation.

160.

We emphasize the need to fuse the APSA, the AGA, and the APSA+ (engagement with UN, RECs/RMs and T/XROs) at the highest level. We propose that this is done through integrated analysis and reporting to the Chairperson every six months.

161.

Concerning the early warning of conflicts, we recommend that the AU establish Committees of Experts to advise the PSC and the Commission routinely on countries of concern, especially those emerging from conflict. We further recommend that monitoring SSR and DDR be a particular focus of attention in the post-conflict phase.

162.

In line with the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace of August 2009 (para. 19), we also emphasize that making and sustaining peace and security is also an intellectual challenge. We observe that the best analysis arises from a spectrum of expertise and from active debate among specialists, and therefore also recommend that the AU encourage an expanded role for independent think tanks and research institutes.

Conflict Resolution

163.

Effective conflict resolution requires that attention be paid at four levels: local, national, regional and extra-regional. The APSA has mechanisms for each of these. However, we propose that an additional set of mechanisms for engagement with extra-regional and trans-regional conflict drivers is needed. This could begin with political fora for engagement with T/XROs on the challenges of the ‘shared spaces.’

164.

We propose the enhancement of the Mediation Support Unit (MSU) within the Commission. This entails expanding its capabilities, to undertake preventative action, long-term follow-up, mediation including neighboring states, and liaison with election monitors, border experts and other relevant specialists. The MSU should have a role in documenting of Africa's experiences in mediation, maintaining an archive of these exercises, and providing a forum for reflection and analysis. The MSU's capacity can also be expanded through training, establishing rosters of mediators and experts, and liaison with UN and AU committees of experts. The enhancement of the MSU should build upon the Action Plan to Build the AU's Mediation Capacity (2009) and the Standard Operating Procedures for Mediation Support (2012).

Traditional Peacekeeping and Preventative Deployment (ASF-1)

165.

Traditional peacekeeping is under-appreciated. There are circumstances in which it is appropriate and effective, in which the deployment of military observers alone can play an important role in monitoring temporary cessation of hostilities/ceasefires; broader political agreements; humanitarian assistance protocols with significant security components; DDR and broader SSR activities integrated into peace agreements; and other activities significant in promoting peace. All of these play significant roles in reducing armed conflict and political violence. The recent trend towards ever-more-ambitious mandates should be questioned. Rather, mandates should be designed for specific circumstances. AU political missions and mediation activities should be more active in considering traditional peacekeeping options, to be undertaken by the UN, AU and RECs/RMs as appropriate.

166.

The AU should formally establish doctrine for peacekeeping. The doctrine, among other things, should provide broader directions around the following issues:

- a. The diversity of these operations, requires each mission to be designed for its specific circumstances;
- b. The need to develop strategies for civilian protection that link political, military, police and civilian efforts within a mission, and

in coordination with the host government as appropriate and its responsibility to protect civilians, and civil society;

- c.** The need for missions to gather intelligence as related to proactive deployment for civilian protection purposes, when and if the host government cannot or will not itself protect the population on its territory;
- d.** ‘Standardization’ of troop preparation and training, rather than solely focusing on equipment. Consider ‘fit to purpose’ criteria for equipment and enablers for PKOs;
- e.** Primary responsibility for development and teaching of peacekeeping doctrine relies with national militaries and military academies. However, the AUC should encourage and support the African Peace Keeping Trainers’ Association (APSTA) to upgrade and standardize the peacekeeping training provided by its members recognized as the Regional Centers of Excellence.

167.

Mediators should include more substantive negotiation of traditional peacekeeping operations mandates and CONOPS as part of peace deals, involving the belligerent parties, the UN, AU and other stakeholders.

- a.** There should be opportunities for revising mandates and CONOPS as circumstances change. Consultations on the revision of mandates should be as inclusive as circumstances permit, ideally involving all key stakeholders.
- b.** The principle of PoC and the responsibility to protect civilians in imminent danger should be upheld, and empowered through greater strategic and tactical guidance.

168.

We recommend a general shift from conceiving civilian protection as an operational task for peacekeepers, in two directions. First, it should become integral to political strategies. Second, it should move towards facilitation of community-level self-organization for protection. Our research findings indicate that the greater part of civilian protection is achieved by the political conditions in which civilian communities live, and especially their opportunities for organizing themselves. It follows that AU PSOs should develop political strategies for PoC as an integral part of their CONOPS.

169.

We propose that the AU Commission and High-Level Panels develop principles and modalities for preventative peace missions. These should include both purely political missions, which can include human rights monitors and Committees of Experts, and also deployments of uniformed personnel such as military and police observers, and where necessary and possible, armed peacekeepers that can help the parties to achieve peace in dealing with spoilers.

170.

We recommend that the African Union enforce a zero tolerance policy on all forms of harm committed by peacekeepers, and in particular sexual abuse and exploitation.

171.

We also observe that the greater involvement of women at all levels in political missions, mediation and PSOs, including military observers, peacekeepers and civilian police, leads to a higher quality of operation at all levels. We recommend that the AU should aim for a target of 5% of military peacekeepers and 15% of civilian police to be female by 2025.

172.

The AU has paid insufficient attention to the important roles that can be played by civilian police including formed police units in PSOs. We recommend that in the development of PSO doctrine, beginning with training, procurement and force generation, pay greater attention to the opportunities presented by civilian police.

173.

Mediators and senior officials within the APSA should seek to design peace missions' exit strategies as part of the CONOPS from the outset, and missions should begin implementing elements of exit such as handover at the earliest opportunity.

Enforcement Operations (ASF-2)

174.

The PSC has the authority to mandate these operations and should continue to do so. The AU can identify a both the necessary REC/RMs and states to be the lead for such stabilization missions on a case-by-case basis whereby it solicits for their commitment and engages in facilitating funding through a

special basket of the African Peace Facility. The AUC should not seek to administer these operations. The AU should also develop the doctrinal aspects of ASF-2 PSOs to set the norms for stabilization missions. The ASF-2 doctrine among other things should outline key issues related to:

- a. The threats that lead to the deployment of stabilization missions;
- b. The mechanisms of getting reasonably faster authorization to deploy missions from the policy organs of the AUC;
- c. The particular political and military tasks involved in stabilization missions, with particular attention to the conduct of military engagements against forces that combine terrorism and insurgency;
- d. The focus on enhancing the internal capacity and legitimacy of the national political and security institutions;
- e. Greater clarity in detailing the CONOPS of such operations;
- f. More precision in the division of between the AU PSOD and the Joint chiefs of staff of the TCCs in running operations;
- g. Implement the Draft Guidelines for proactive civilian protection;
- h. Stronger standards for civil-military relations (including PoC and stopping gender violence as related to PoC) and mechanisms of sanctioning contingents that fail to meet the norms; and
- i. The implementation of exit strategies.

175.

Close cooperation between the AU and UN will be required for such missions. Insofar as UN Security Council approval is required and the financial contribution of UN Member States through assessed contributions is obtained, the two organizations will need to work together on the mandate, CONOPS, budget, oversight and other aspects of the operation.

176.

The AUC (PSOD) should not attempt to manage ASF-2 operations. These should be operationally managed by the joint chiefs of staff of the TCCs. They should report regularly to the PSC.

Zero Tolerance for Sexual Exploitation and Abuse

177.

The AU should immediately ensure that its Zero Tolerance policy for sexual exploitation and abuse (SEA) by peace mission personnel, which is essential for the AU to reach international standards, is fully and rigorously implemented. The AU needs to internalize this Zero Tolerance policy

through adopting and publicizing norms, socializing them into peacekeeping doctrine, policies and practices. All aspects of the Zero Tolerance policy should to be incorporated in training of peacekeepers and enforced through monitoring and disciplinary action at HQ, by the peace missions, and by the troop contributing countries. Furthermore, the policy should be promoted within host nations, so that local people are also aware that SEA by peacekeepers is prohibited.

178.

Troop contributing countries should act on their responsibilities to prevent SEA, beginning with the recruitment and training of soldiers and police officers. The AU should take steps to ensure that, when troops are deployed under AU command or with an AU mandate, the TCCs give effect to the Zero Tolerance policy through timely investigation, prosecution and—if found guilty—punishment for SEA.

179.

The AU should immediately put into place a robust Conduct and Disciplinary Unit at HQ, with monitoring officers on the ground, design more effective reporting mechanisms, and increase outreach to communities.

180.

Military observers, ceasefire and human rights monitors should include monitoring of SEA as part of their mandates and standard operating procedures.

The African Peace Facility and Other Resourcing Mechanisms

181.

Africa's peace efforts need solid and reliable financing. The principal responsibility for this falls upon AU Member States. The principle of the 'primacy of the political' implies that political activities should be prioritized for financing. It does not make sense to focus on financing massive stabilization missions while the AU Commission is left short-staffed and under-resourced and political missions are short-changed. This review wholeheartedly supports the efforts of the AU High Representative for the Peace Fund to find workable solutions to the challenging of financing peace missions.

182.

Our Report recommends that the core activities of the AUC be financed in their entirety as an absolute priority. This is the exclusive responsibility of the AU and its Member States.

183.

Africa's political instruments for achieving peace should also be financed fully, as a priority. While this review does not recommend any particular formula for financing political missions, it emphasizes that prevention and mediation should be prioritized for funding. Africa's capacity to finance its peace missions is directly related to its ownership of those missions and its capacity to set priorities.

184.

The sustainable financing of African PSOs is also important. In this regard, the most recent proposal by the AU and supported by Obama Administration to encourage the UN to raise 75% of funding for peace operations with Africa raising the remaining 25%, is an important opportunity to be seized until Africa is capable of self-financing its operations. To this end, the AU Member States should be encouraged to increase their contributions to meet the requirements of the peace fund. Mechanisms for soliciting funds from the African private sector and peace taxation from all Africa-bound international businesses should be explored. Africa cannot own its agenda as long as it fails to take financial responsibility for it.

185.

Africa should also seek economies in its PSOs. The unit of comparison should be the political outcome, not comparison with financing arrangements provided through the UN. Efficiencies can be achieved in PSO resourcing. Article 4(d), Common Defence Policy, provides a mechanism for coordinated procurement of military assets appropriate for PSOs (e.g. heavy lift aircraft, transport helicopters, etc.). African TCCs could be encouraged to contribute to the Peace Fund by accepting reduced reimbursements from the current level.

186.

The distinction between ASF-1 and ASF-2 allows for separate funding baskets for the two, albeit following the same principles of contributions. Thus, ASF-1 operations, conducted by the Commission, should be financed through the African Peace Facility. ASF-2 operations, implemented through coalitions of the willing, could have case-specific funding mechanisms including the option of centralized funding through a separate basket of the African Peace Facility.

Relationships

187.

For the purpose of more effective peace missions in Africa, the key relationships of concern to the AU are the following:

- a. AU-UN;
- b. AU-Regional Economic Communities/Regional Mechanisms (RECs/RMs);
- c. AU-trans-regional and extra-regional organizations (T/XROs).

African Union-United Nations

188.

The UN and AU share a foundational commitment to multilateralism: each needs the other. The relationship is not just based on Chapter VIII but also on the AU's unique capabilities.

189.

The division of tasks between the UN and the AU should, in principle, be allocated on capabilities rather than capacities. The AU's capacities can be developed in line with its capabilities. It follows that the AU should be neither a transitional mechanism used for expedience before re-hatting to UN nor a vehicle to fight wars as an effort to by-pass limitations on UN peacekeeping

190.

There are already important initiatives to improve coordination and communication between the A3 at UNSC and AU PSC, such as the annual consultation organized by Algeria. These should be supported and enhanced through regular briefings and observer status for A3 at PSC.

191.

The coordination between the AU Commission (PSD) and the UN Secretariat (Department of Peace-Keeping Operations and Department of Political Affairs) is strong. The UN Office to the AU is an important mechanism. Coordination can be further enhanced, including by increasing engagement of the AUC Political Affairs Department. Should the recommendation of the HIPPO Report, to create a UN Deputy Secretary General for Peace and Security, be implemented, then the AU Commission will need to engage with this official at the commensurate level.

AU-Regional Economic Communities/Regional Mechanisms

192.

The PSC Protocol and the Memorandum of Understanding provide the necessary mechanisms for AU PSC-REC/RM coordination, at the level of PSC and each REC/RM peace and security organ. Those instruments need to be implemented consistently and creatively.

193.

The principle of subsidiarity needs to be examined closely in the light of the findings on inter-state conflicts. Neighboring states retain important assets in taking the lead on peace and security issues. However, it is important to seek a balance between proximity and neutrality with an appropriate formula for mediation, and the mandating and dispatch of PSOs accordingly. We recommend that decisions regarding which is the appropriate regional or continental organization to lead a particular peace and security initiative, should be taken under the advice of the Chairperson of the AUC in consultation with the relevant REC/RM.

AU-Trans-Regional and Extra-Regional Organizations

194.

The AU and T/XROs such as the Arab League, OIC, GCC, EU and NATO, need mechanisms for the shared spaces such as the Mediterranean Sea and its southern littoral, and the Red Sea-Gulf of Aden.

195.

A host of issues in relation to the 'shared spaces', need to be addressed in such forums. These include: resolving the Libya conflict; addressing the migration and refugee crisis; tackling transnational organized crime; addressing the conflict in Yemen and the Red Sea-Gulf of Aden crisis; responding to threats of maritime terrorism and piracy.

Appendix A

Compendium of Existing Agreements

Organization of African Unity (OAU), *OAU Convention on the Prevention and Combating of Terrorism*, 14 June 1999

African Union (AU), *Constitutive Act of the African Union*, 1 July 2000

African Union, *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, 9 July 2002

African Union, *Policy Framework for the Establishment of the African Standby Force for the Establishment of the African Standby Force & the Military Staff Committee*, 15-16 May 2003

African Union, *Solemn Declaration on a Common African Defence and Security Policy*, 28 February 2004

African Union, *Protocol to the OAU Convention on the Prevention and Combating of Terrorism*, 8 July 2004

African Union, *Memorandum of Understanding on Cooperation in the area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the The Regional Standby Brigades of Eastern Africa and Northern Africa*, 9 February 2007

African Union Peace and Security Council, *Conclusions on a Mechanism for Interaction between the Peace and Security Council and Civil Society Organizations in the Promotion of Peace, Security and Stability in Africa*, Livingstone, Zambia, Retreat of the Peace and Security Council of the African Union, 4-5 December 2008, PSR/PR (CLX)

African Union, *Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace*, 31 August 2009

African Union, *Draft Guidelines for the Protection of Civilians in African Union Peace Support Operations*, March 2010

African Union, *African Union Convention on Cross-Border Cooperation (Niamey Convention)*, 27 June 2014

African Union, *Windhoek Declaration: Report of the 6th Annual Retreat of Special Envoys and Mediators on the Promotion of Peace, Security, and Stability in Africa, "Silencing the Guns – Terrorism, Mediation, and Armed Groups,"* 21-22 October 2015

Appendix B

Research Papers Produced

1. Mulugeta Gebrehiwot Berhe: The APSA: Norms and structures for AU's peace missions
2. Mulugeta Gebrehiwot Berhe: Transition from war to peace: The Ethiopian DDR experience
3. Mulugeta Gebrehiwot Berhe: The post- transition Ethiopian SSR experience
4. Tatiana Carayannis and Mignonne Fowlis: Lessons From AU-UN Cooperation in Peace Operations in the Central African Republic (CAR)
5. Tatiana Caryannis and Aaron Pangburn: Lessons From AU-UN Cooperation in Peace Operations in The Democratic Republic of Congo (DRC)
6. Bridget Conley-Zilkic: Advancing an Anti-Atrocity Agenda for the 21st century
7. Sophia Dawkins: Do mediations forge missions without end? Dynamics of mission exit
8. Marielle Debos: Behind the *Cliché* of the 'Desert Warriors': Militianization and Impunity of the Chadian Armed Forces
9. Solomon Dersso: Constitutional changes of government and unconstitutional practices in Africa
10. Sarah Detzner: The Evolution of Post-Conflict Security Sector Reform in Africa
11. Allard Duursma: African Solutions to African Challenges?: A Statistical Overview of International Mediation in Civil Wars in Africa
12. Ann Fitz-Gerald: Bottom-Up or Top-Down? The Need for a Relevant, 'Grounded' and Distinguishing Peace Operations Doctrine for the African Standby Force
13. Ann Fitz-Gerald, Paula MacPhee, and Olga Romanova: Mandates or 'Blind' dates? Addressing the challenges of mandate development processes supporting African peace operations
14. John Parkyendu Frinjuah: Decoding the triumph of doctrine: The success of Ghana's international peace support operations

15. Lansana Gberie: The United Nations Mission in Liberia
16. Abebe Teklehaymanot Kahsay: Peace support operations in South Sudan
17. Dyan Mazurana: Protection of Civilians from Sexual and Gender-Based Violence (SGBV) Insights for African Union Peace Missions
18. Jean-Louis Romanet Perroux and Tarek Megerisi: International interventions in Libya since 2011: Lessons learned
19. Benjamin J. Spatz: Hitting the Political Heart of Decision-Making Power: Targeted Sanctions, Multilateral Peace Missions and the Key Role of UN Panels of Experts in Africa
20. Dawit Toga: The African Union and responses to the crisis in Libya
21. Noel Twagiramungu: Interstate Transnational Armed Politics in Africa
22. Alex de Waal: Reflections on Peace in Sudan
23. Dawit Yohannes Wondemagegnehu and Daniel Gebreegziabher Kebede: AMISOM: Charting a New Course for African Union Peace Missions

Introducing the Report

African Politics, African Peace charts an agenda for peace in Africa, focusing on how the African Union can implement its norms and use its instruments to prevent and resolve armed conflicts.

This is an independent report of the WPF, supported by the African Union.

It is the most extensive review of the African Union's peace missions ever conducted. It is based on detailed case studies and cross-cutting research, and draws on consultations with leading experts, peacekeepers, and mediators.

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