

De-securitising conflict responses in Africa

What prospects for a structural
conflict prevention approach?

By Faten Aggad and Sophie Desmidt

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Key messages

Lessons on the implementation of the African security agenda, new challenges to stability in Africa (e.g., constitutional coups d'état) and changing global security agenda are factors to move beyond a responsive approach to conflicts.	There are competing narratives and approaches on what the African security agenda should focus on. The result is a limited commitment, in practice, to a preventive agenda.	There is merit in strengthening current processes aimed at conflict prevention especially as evidence shows that the AU's prevention efforts have been successful.
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Table of Contents

Table of Contents	iii
List of Boxes	iii
List of Figures	iii
Acknowledgements.....	iv
Acronyms.....	v
1. Introduction.....	1
1.1. The region in a new global conjuncture	1
1.2. The rise of the regional approach and African frameworks.....	1
2. Current Debates and Approaches.....	3
3. A stronger global partnership on prevention and mediation?	12
4. Institutional and political capacity of the AU to carry the shift	14
4.1. Authority to engage	14
4.2. Acceptance	15
4.3. Capacity	17
5. Conclusion.....	19

List of Boxes

Box 1: Implementing the Continental Structural Conflict Prevention Framework (CSCPF).....	5
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List of Figures

Figure 1: The performance of the APSA in 2015.....	7
Figure 2: Resource division per area in the African Peace Facility between 2004-2015.....	10

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Acronyms

ECDPM	European Centre for Development Policy Management
WANEP	West Africa Network for Peacebuilding
ACDEG	African Charter on Democracy Elections and Good Governance
AGA	African Governance Architecture
AMISOM	African Union Mission in Somalia
APF	African Peace Facility
APRM	African Peer Mechanism
APSA	African Peace and Security Architecture
AU	African Union
CADSP	Common African Defence and Security Policy
CAR	Central African Republic
CEWS	Continental Early Warning System
CSCPF	Continental Structural Conflict Prevention Framework
CSVA	Country Structural Vulnerability Analysis
CSVMS	Country Structural Vulnerability Mitigation Strategies
DFID	Department for International Development
EAC	East African Community
GIZ	Gesellschaft für Internationale Zusammenarbeit
HIPPO	High Level Independent Panel on United Nations Peace Operations
IDTCP	Inter-Departmental Taskforce on Conflict Prevention
IGAD	Intergovernmental Authority on Development
LRA	Lord's Resistance Army
MAPROBU	African Prevention and Protection Mission in Burundi
NGO	Non-governmental Organisation
OAU	Organisation of African Unity
PCRD	Post-Conflict Reconstruction and Development
PSC	Peace and Security Council
PSO	Peace Support Operation
RCI	Regional Cooperation Initiative
REC	Regional Economic Community
RM	Regional Mechanism
SRSG	United Nations Secretary General Special Representative
UN	United Nations
UNAMID	African Union-United Nations hybrid mission
UNOCA	United Nations Office for Central Africa
UNSC	United Nations Security Council
SAIIA	South African Institute of International Affairs

1. Introduction

1.1. The region in a new global conjuncture

The end of the Cold War has brought to light the importance of regional dynamics in conflicts in Africa. In a bi-polar world, “regional conflicts tended to be defined by reference to the global competition for influence between the superpowers, with only limited appreciation shown of regional dynamics and indigenous sources of conflict”.¹ This perspective often failed to explain the interstate dynamics that led some governments to engage in regional conflicts, which were often perceived as an extension of domestic tensions due to the presence of non-state actors across modern state borders (e.g., ethnic groups in the Great Lakes Region). Furthermore, the state-centric approach failed to acknowledge the upsurge of transnational processes, such as conflicts involving pastoralists and farmers in East Africa or drug and human traffickers in the Sahel and West Africa.²

As the regional context grew more evident, it became necessary to understand the interdependence among the actors involved and, indeed, to move from a state- and country-focused approach to a cluster approach that better explains the complexity of a given situation. Today, it is, for instance, more appropriate to speak of the conflict in the Sahel as a *conflict cluster* along an *arc* that stretches from northern Mali through southern Algeria and Libya into Egypt, as opposed to a conflict in *Mali*, per se.

Events of the 1990s, notably the genocide in Rwanda and the crises in Sierra Leone and Liberia also put the spotlight on the responsibility of regional actors and institutions in preventing atrocities. Indeed, the then-strictly respected doctrine of non-intervention meant that regional bodies such as the Organisation of African Unity (OAU) “became a silent observer to the atrocities committed by some of its member states”.³ The failure to react to such situations have resulted in a push to rethink the nature of regional engagement in the affairs of sovereign states.

1.2. The rise of the regional approach and African frameworks

It is against this background that regional approaches to conflict management and resolution started gaining traction in Africa in the late 1990s. This culminated in the launch of the African Union (AU) in 2002 and its African Peace and Security Architecture (APSA), which emphasised the role of regional actors in conflict management and resolution.

The AU’s Constitutive Act, enforced the regional dimension by introducing a number of principles, chief of which is Article 4(h), which prescribes “the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity”.⁴ Article 4(h) was a *normative shift* from the principle of non-intervention to *non-*

¹ Berdal, M. 1999. International security after the Cold War: Aspects of continuity and change. In *Towards the 21st Century: Trends in Post-Cold War International Security Policy*, K. Spillmann, A. Wenger and D. Mockli. Bern: Peter Lang Pub. Inc.: 21-68.

² Adetula, V.A.D. 2015. *African conflicts, development and regional organisations in the post-Cold War international system*. Current African Issues 61. Uppsala: Nordic Africa Institute.

³ Apuuli, K.P. 2012. *The African Union’s notion of ‘African solutions to African problems’ and the crises in Côte d’Ivoire (2010–2011) and Libya (2011)*. In *The African Journal on Conflict Resolution* Vol. 12, No.2. <https://www.africaportal.org/dspace/articles/african-journal-conflict-resolution-vol12-no2-2012>

⁴ African Union. 2002a. *Constitutive Act of the African Union*. Addis Ababa: African Union. October 2016: www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf.

indifference.⁵ To enable this shift, Heads of State adopted two accompanying instruments, which form the legal basis of the APSA, namely the *2002 Protocol Relating to the Establishment of the Peace and Security Council of the African Union* (PSC Protocol) and the *Common African Defence and Security Policy* (CADSP). The PSC Protocol, in its turn, defined the institutions of the APSA, including the Continental Early Warning System and the Panel of the Wise (see Annex 1).

Responding to and managing conflict situations was however not sufficient to stabilise the continent. The changing nature of conflict in Africa required a stronger focus on the root causes, including in the area of governance. To this end, the AU introduced additional clauses on governance in the AU Constitutive Act, including the following:

- Article 4(o): “respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;”
- Article 4(m): “respect for democratic principles, human rights, the rule of law and good governance;” and
- Article 4(p): “condemnation and rejection of unconstitutional changes of governments.”⁶

These clauses have empowered the AU to adopt a number of complementary policy frameworks. First, the Post-Conflict Reconstruction and Development (PCRD) framework was adopted in 2006, the purpose of which was to “address the demobilization, disarmament and reintegration of former combatants; the return and reintegration of displaced populations, grassroots level reconciliation; as well as lay the foundations for good governance in both the political and socio-economic spheres”.⁷ Although receiving limited attention when it was launched, the PCRD framework is now influencing the thinking on the AU’s engagement in unstable and post-conflict countries such as the Central African Republic (CAR).

Most recently, in 2012 the AU adopted a new legal document – the African Charter on Democracy Elections and Good Governance (ACDEG) – to anchor governance standards on a single legal foundation. The implementation of the ACDEG is coordinated by the so-called African Governance Architecture (AGA).⁸

Lessons on the implementation of the African security agenda, new challenges to stability in Africa (e.g., constitutional coups d’état) as well as a changing global security agenda have fuelled a debate on the relevance of the current focus of the AU’s peace and security agenda. Its focus on building its responsive – as opposed to preventive – capacity as well as the role it played in sensitive issues such as governance have led to a number of questions on the potential role the organisation can play to stimulate stability on the continent.

At a time when the AU readies itself for a reform to enhance its impact in the areas of conflict and governance, it is important to take stock of the efforts that have been done so far. For actors such as the EU and European bilateral donors, which have been key supporters of the APSA, such stocktaking is equally important ahead of the expiry of the African Peace Facility.

⁵ Williams, P.D. 2014. Reflections on the evolving African Peace and Security Architecture. *African Security* 7:3, 147-162.

⁶ African Union. 2002a, *op. cit.*

⁷ African Union. 2006. *Policy on post-conflict reconstruction and development*. Addis Ababa: African Union, p v.

⁸ The AGA is the AU’s platform for coordinating its efforts on promoting governance as well as its engagement on elections and human rights. It involves all AU organs and mechanisms working on governance-related issues, including the African Court on People’s and Human Rights, the Pan-African Parliament, the African Commission on People’s and Human Rights, the RECs and the African Peer Review Mechanism.

In an attempt to contribute to such exercise, this paper reviews the efforts of the AU in moving beyond a reactive agenda. It attempts to connect narratives to implementation and impact. The paper looks at the role played by different stakeholders (African and international) in shaping the regional agenda with regards conflict prevention. The paper also briefly assesses the different elements that have a bearing on the capacity of the AU to act as a conflict prevention force in Africa.

2. Current Debates and Approaches

By and large, it is the APSA that has attracted attention in Africa. The establishment of the APSA has undoubtedly enabled the continent to boost its responsive capacity to conflicts. It also allowed Africa to put a strong stamp in shaping the global peace and security architecture and its application on the continent. However, conflicts are increasingly complex processes to manage. They require a multifaceted approach that involves different actors at different levels. The experience accumulated through the implementation of the APSA has highlighted this complexity and opened opportunities for reflection on the nature of future African engagement in the area of peace and security. The evolution of thinking in this respect has given rise to three competing narratives and approaches. The interests of the different actors shape these narratives, and subsequently their application. Such interests include issues such as short-term security concerns as opposed to wariness about military intervention, financial considerations, the difficulty of structural prevention, etc.

Structural prevention of conflicts is a more effective and sustainable way to address conflict on the continent than responding to crises.

This premise is grounded in the notion that current models being embraced on the continent are inherently reactive in the short run and unsustainable in the long run. Responses to conflict in Africa tend to tackle conflicts only when they erupt, resulting in loss of human life, a breakdown in dialogue and costly and, at times, unsuccessful interventions. Earlier interventions could help de-escalate conflicts at an early stage. Furthermore, new security threats in Africa require new and more pro-active models. Proponents of this premise argue for a more structured approach to conflict prevention, one that focuses on building resilient and transparent governance structures. This would mean redirecting the resources away from peace support operations (PSOs) to strengthen the ability of regional organisations to engage in structural prevention of conflicts.

The conflict prevention premise is – at least rhetorically – put forward by African actors as a more cost-effective way of addressing conflicts, one that also puts fewer lives at risk. It has been largely driven by the surge of governance-related conflicts in Africa, especially attempts at constitutional change to extend term limits and subsequent disputed elections that resulted in a roll back of peace agreements, as showcased in the Burundi. This has increased the urgency of strengthening the linkages between conflict prevention and governance.

Conflict prevention has always been on the AU's agenda. In the 2002 PSC Protocol, the PSC is stated to be the AU's standing decision-making body for conflict prevention, management and resolution. The PSC's mandate includes anticipating and preventing conflict, in addition to conflict management and peace building. The Continental Early Warning System (CEWS) is the APSA's instrument for early detection of conflict. Together, the PSC and CEWS form the preventive side of the APSA.

In 2011, this premise, which was largely enshrined in earlier AU documents such as the African Peer Mechanism's (APRM) base documents, has been re-evaluated, due arguably to the events in North and

West Africa. Subsequent to a meeting in Cairo in November 2011 at ministerial level, the AU PSC issued a Declaration on the State of Peace and Security in Africa in which they noted “the unprecedented nature of the new pattern of challenges facing the continent, which call for the evaluation and strengthening of existing frameworks and instruments so as to efficiently and effectively anticipate, prevent, manage and resolve them, as well as appropriately assist the countries concerned”.⁹ The PSC went on to stress the importance of good governance, democratic culture and rule of law as “means for preventing conflicts and enhancing the people’s participation in fostering solutions to the prevailing problems”.¹⁰

In 2012, the ACDEG, which provided a legal basis to support the AU’s activities in elections and governance, entered into force. In 2014, the Continental Structural Conflict Prevention Framework (CSCPF) was launched with the aim of strengthening the AU’s efforts at direct prevention by assisting Member States in addressing and identifying the structural vulnerability of countries to conflict at an early stage (see Box 1). The activities of the AU were to be supported by the AUC Inter-Departmental Taskforce on Conflict Prevention (IDTCP), which was established in 2015.

During its summit of June 2015, the AU Assembly of Heads of State reiterated the prevention premise by appealing for “stronger action in the area of conflict prevention, management and resolution, as well as in the area of peace building and post-conflict reconstruction”.¹¹ To this end, the Assembly stressed “the critical importance of promoting good governance and respect for the rule of law, in keeping with the commitments made by Member States within the framework of relevant AU instruments”.¹² It further mandated the AUC to “continue its efforts towards ensuring synergies and complementarity between the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA) and for establishing the AU Commission Interdepartmental Conflict Prevention Task Force”.¹³ The linkages between conflict and governance have thus clearly become more and more explicitly vocalised by the AU.

⁹ African Union. 2011. *Declaration of the Ministerial Meeting of the Peace and Security Council on the State of Peace and Security in Africa*. 275th meeting of the PSC, Addis Ababa, Ethiopia, 26 April 2011. PSC/MIN/BR.1(CCLXXV). Addis Ababa: African Union, para 2.

¹⁰ *Ibid.*

¹¹ African Union. 2015a. *Decision on the report of the Peace and Security Council on its activities and the state of peace and security in Africa*. In *Decisions, declarations and resolutions*, Assembly of the African Union (Doc. Assembly/AU/7(XXV)). June 2016: www.au.int/en/sites/default/files/decisions/9664-assembly_au_dec_569_-_587_xxiv_e.pdf.

¹² *Ibid.*

¹³ *Ibid.*

Box 1: Implementing the Continental Structural Conflict Prevention Framework (CSCPF)

The CSCPF responds to the need (1) to hasten the implementation of the APSA, (2) to strengthen the coordination and harmonisation role of the AU vis-à-vis the RECs as stipulated in the Protocol Relating to the Establishment of the Peace and Security Council (2002), (3) to mainstream policy implementation within the AUC in line with the recommendation of the 2007 AU Internal Audit and the 2010 APSA Assessment Report and (4) to address the structural or root causes of conflict in Africa more systematically.

It will be rolled out through two tools:

1. Country Structural Vulnerability Analysis (CSVA)

The proposed voluntary CSVA reports are a precursor to strategising appropriate initiatives for preventing conflicts arising from structural issues. They would thus enable decision makers to devise country-specific courses of conflict-preventive peace-building, development and disarmament activities.

The CSVA is to be jointly undertaken by the AU and the RECs following a specific voluntary request by a Member State. Focusing on structural dimensions, the CSVA will assess the levels of structural stability for any given country/region (*stability* here defined as sustainable economic development, democracy and respect for human rights, viable political structures and healthy environmental and social conditions, with the capacity to manage change without resort to conflict). The CSVA builds on an existing tool, the CEWS' *Africa Prospects*, which is part of the AU CEWS application suite.

The analysis would include reference to root causes of conflict, related, among other things, to (1) good governance, rule of law, democracy, human rights and corruption, (2) the security sector, (3) socio-economic development (including poverty alleviation, resource management and the private sector), (4) environment and climate change, (5) gender and youth, (6) post-conflict peace-building, including civil society (media, NGOs) and (7) transitional justice and reconciliation. The CSVA will therefore identify a set of key structural issues that require attention. These are partly similar to the APRM indicators, as the review of a country's democratic and political governance acts as an early warning system for possible conflict. The CSCPF will therefore complement the work already being done by the APRM.

2. Country Structural Vulnerability Mitigation Strategies (CSVMS)

Having collaboratively developed the CSVA at the request of a Member State, the AU and the RECs must develop a comprehensive structural prevention programme for the country concerned with clear and realistic objectives.

The aspect of preventive peace building includes measures focused on preventing threats to core aspects of human security from causing an escalation of conflict. It can focus on the sectors of governance and on human rights, societal stability and economic factors.

Within structurally related preventive measures, preventive development is directed at preventing the emergence of inter-group polarisation and hostility within society through the promotion of social norms of tolerance and strategies to manage potential economic inequity and crisis. These may include support to educational programmes to promote tolerance, technical cooperation for human rights education, social welfare and healthcare programmes to address the needs of vulnerable groups, economic measures to alleviate poverty in marginalised groups, and strategies to address patterns of discrimination and inequitable economic development.

In practice, however, successes in the area of early warning have been mixed. Although the AU engaged in monitoring conflict situations across the continent, investing in de-escalation at an early stage has proven to be difficult.¹⁴ Interviewees have attributed this to two key factors, namely the justification to engage with the country on its domestic politics and (financial and human) resources. These challenges are not new as such. Past experiences with processes such as the APRM have faced similar challenges, notably in the case of Kenya where it warned about political instability ahead of the 2008 elections. The adoption of legal frameworks such as the ACDEG necessitated a great degree of political manoeuvring.¹⁵ In practice, this resulted into a competition between the *reformers* (pushing for a stronger role for regional

¹⁴ Interviews with two African Union interlocutors (Department of Peace and Security). Addis Ababa, November 2016.

¹⁵ Interview with an AUC respondent, Addis Ababa, 23 May 2016.

actors to promote governance and the need for countries to comply with a set of common standards) and the *traditionalists* (who wish to maintain the status quo where governance reforms remain the prerogative of the country's government). Practitioners have also argued that intervention before the conflict reaches a tipping point would require the AU to equip itself with a broader set of tools than it currently has. This could include defining the threshold for mediation efforts. Currently, it is rather difficult to engage with a country in a dialogue on its political situation unless it has escalated. Matters of sovereignty continue to limit the powers of regional groupings, such as the AU.

Nonetheless, it is worth noting that the evolution of the AU's engagement in governance over the last several years indicates that, despite the challenges, it has been able to draw attention to governance issues in areas where it had capacity (e.g., increasing capacity in the area of elections) and when the continental governance agenda was aligned with the efforts of a national group (e.g., in ensuring the successful transition in Burkina Faso¹⁶).

International partners, including the EU, have also sought to promote a strong focus on prevention. The EU's Global Strategy on Foreign and Security Policy (2016) reinforces the case for prevention when it notes that "it has long been known that preventing conflicts is more efficient and effective than engaging with crises after they break out. Once a conflict does erupt, it typically becomes ever more intractable over time."¹⁷ Furthermore, in the Action Document for the 2014-2016 Action Programme of the African Peace Facility (APF), the EU notes that "mediation, conflict prevention and early phases of post-conflict peace-building activities are increasingly being recognised as essential areas for support".¹⁸ Indeed, the EU continues to support governance at the country level and, since 2012, the AGA and the AU's efforts to strengthen its long-term election monitoring.

A number of European bilateral donors have equally invested heavily in strengthening the preventive capacity of the AU as well as its engagement in governance. Countries such as the UK (through its Department for International Development, DFID), Sweden, and Germany (through the Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) are increasingly investing in several processes aimed at strengthening the AU's prevention capacity, including support to the work of the AU's Department of Political Affairs on the operationalization of the AGA and the implementation of the Continental Structural Conflict Prevention Framework, as well as the capacity of other AU organs such as the African Court on People's and Human Rights.¹⁹ Such engagement, however, remains relatively small compared to investments in the area of peace and security and especially PSOs.

Responding when conflict arises, mainly through high-level and African-led mediation efforts, as a more realistic and cost-effective approach.

From observations regarding the mediation efforts of the AU and regional economic communities/regional mechanisms (RECs/RMs) and their engagement in conflict situations since the AU's establishment, the reliance on high-level mediators seems to be an obvious approach. In the sense used here, *high-level* means mediation efforts led by former heads of state and government, or former ministers of foreign affairs, often in a team deployed following the emergence of a conflict situation. Institutionally, the AU has embraced this approach through the establishment of the Panel of the Wise, which is to be composed of "highly respected African personalities from various segments of society who have made outstanding

¹⁶ The strong push for compliance to the clauses of the ACDEG in relation to election and unconstitutional changes of government helped shape the mediation efforts of regional actors following the coup of 2014.

¹⁷ European Commission. 2016a. *Shared vision, common action: A stronger Europe*. Brussels: European Commission, p 29.

¹⁸ *Ibid.*

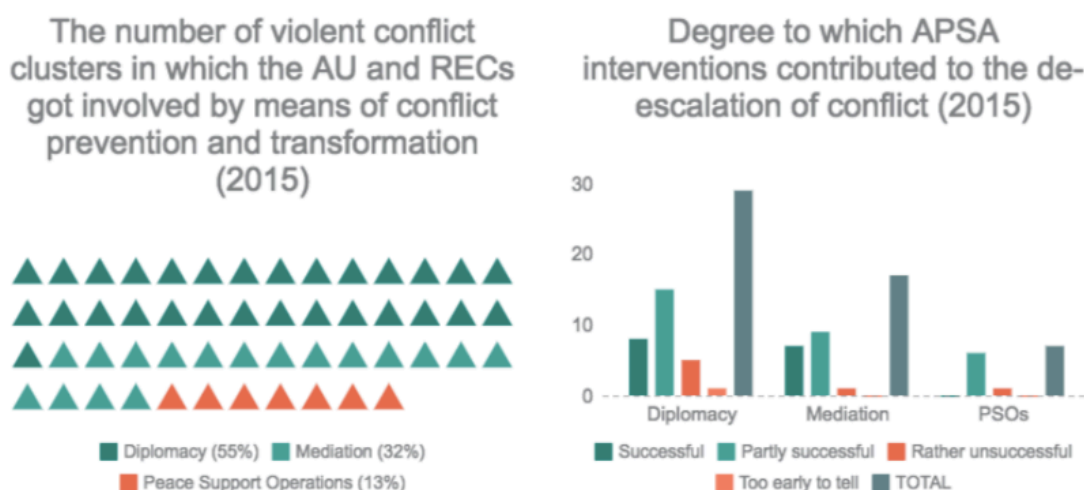
¹⁹ Interviews with Addis-based donors. 24-25 May 2016 and 16 June 2016.

contributions to the cause of peace, security and development on the continent”.²⁰ These individuals are expected to support the AU’s mediation efforts under the umbrella of the APSA and to lead the way to peace and security on the continent. The goals and strategies of the deployment of high-level and African-led mediation efforts are outlined in the AU Constitutive Act and the PSC Protocol in general, while country-specific objectives are outlined in more detail in communiqués by the PSC and the AUC Chairperson.

This presumably builds on the assumption that African former high-level political figures will be able to exert more influence on political actors and incumbent leaders when engaging in mediation efforts. African high-level mediators are furthermore expected to have a good (or better) understanding of the conflict, given their former experience at the highest level of politics. This assumption is widely accepted not only within the AU and RECs/RMs but also by the United Nations (UN). The role of AU special representatives and special envoys is widely commended and recognised, for example, in UN reports and in public communiqués.

The AU has arguably been more successful in de-escalating conflict through mediation and efforts at preventive diplomacy. In 2015, 77% of the interventions of the AU took the form of diplomacy and mediation, with these efforts registering the highest degree of success (See Figure 1²¹).

Figure 1: The performance of the APSA in 2015



However, African-led mediation efforts admittedly face a number of questions. While we currently observe a common assessment in West Africa and the AU regarding the situation in The Gambia, responses to conflicts have not always garnered a similar level of consensus. Questions were in the past raised about the effectiveness of African-led mediation due to the perceived lack of impartiality of the mediators or the complacency of regional efforts. The mediation by the East African Community (EAC) in Burundi in 2015 is an example. As part of these efforts, in July 2015, the current President of Uganda, Museveni, was appointed to facilitate a dialogue at the highest level between President Nkurunziza and opposition parties in Burundi. But the role of President Museveni was severely criticised, since, in 2005, he, himself, orchestrated the removal of term limits in Uganda to allow himself more time in office. Arguably, his role

²⁰ African Union. 2002b. *Protocol relating to the establishment of the Peace and Security Council of the African Union*. Addis Ababa: African Union, art. 11(2). Note that the special envoys and special representatives of the Chairperson of the AU Commission [AUC] are also high level, equal to the members of the Panel.

²¹ ECDPM 2013-2016. For more information on ECDPM’s APSA Monitoring Project, go to <http://ecdpm.org/publications/peacebuilding-conflict-prevention-monitoring-apsa/>.

was therefore not impartial in addressing President Nkurunziza's attempt to extend his time in office. In addition, in the latter half of 2015, President Museveni was distracted by Uganda's own upcoming presidential elections, scheduled for February 2016. According to some observers, Uganda was far from a neutral force in the region, and its involvement was more likely to stir up regional tensions than to calm them.²²

In March 2016, another high-level mediator was brought in to support the dialogue, when former Tanzanian President Mkapa was appointed by the EAC to be in charge of the day-to-day management of the talks while reporting to President Museveni, who remained EAC mediator.²³ Tanzania's position in the Burundi crisis has been clear and outspoken, as Tanzania's public reservations about the African Prevention and Protection Mission in Burundi (MAPROBU) prepared the ground for the PSC's backtracking in January 2016. With the appointment of Mkapa, a high-level regional mediator with extensive understanding of the region was put in place, this time with reportedly more support from conflict parties (especially the opposition) than President Museveni has had.

Clearly, the appointment of high-level mediators is a political decision, informed by regional political dynamics and power structures, yet not always the most effective approach. When the Intergovernmental Authority on Development (IGAD) appointed mediators following the outbreak of violence in December 2013 in South Sudan, the IGAD Council of Ministers ruled out Uganda, but incorporated Sudan. This led to effectively sidelining one of the parties with the most influence in Juba (Uganda), but failed to fully neutralise Sudan as part of the team of mediators. In 2015, the inability of IGAD to overcome some of these challenges became increasingly evident. Whereas the regional body, and the Council of Ministers in particular, has been seen as an effective platform to reconcile the diverging political and economic interests of AU Member States in the past, mediation efforts stumbled significantly in 2015 with the absence of any high-level consensus from the IGAD Council of Ministers, in contrast to 2014 when explicit political support to the mediators was voiced during no less than seven extraordinary summits of the Council. The perceived lack of impartiality and the lack of consensus between IGAD member states and, more importantly, heads of state and government presumably undermined the effectiveness of IGAD's mediation over the course of 2015.

The centrality of a notion of 'political solutions' in AU mediation efforts is another important dimension in its efforts to de-escalate conflicts. The AU noted that it "remains fundamentally committed to the principle that political solutions are necessary and preferable and that the dispatch of an armed peace-support operation is a last resort, to be undertaken solely and exclusively in support of a political process".²⁴ In applying this approach, the AU emphasises the role of mediation in unlocking political blockages and securing a political solution to conflict. This premise has gained traction following the crisis in Libya in which the AU and African countries argued for a political solution while the international community opted for an intervention.²⁵

²² Allison, S. 2016. African Union goes backwards on Burundi. *Daily Maverick*, 31 January 2016. October 2016: www.dailymaverick.co.za/article/2016-01-31-african-union-goes-backwards-on-burundi/#.WA3Y1f95D9.

²³ Finnan, D. 2016. Opposition has high hopes for new Tanzanian facilitator in Burundi mediation. *RFI* 3 March 2016. October 2016: <http://en.rfi.fr/africa/20160303-opposition-has-high-hopes-new-facilitator-burundi-mediation>.

²⁴ African Union. 2015b. *Common African Position on the UN review of Peace Operations*. AU Peace and Security Council, 502nd meeting, Addis Ababa, 29 April 2015. PSC/PR/2(DII). Addis Ababa: African Union.

²⁵ Most recently, the validity of the African position was confirmed by the UK's Parliament Foreign Affairs Committee's inquiry into the intervention in Libya, which noted that not enough was done to find a political solution, which would have been preferable to the military intervention. See www.parliament.uk/business/committees/committees-a-z/commons-select/foreign-affairs-committee/news-parliament-2015/libya-report-published-16-17/ (October 2016).

The UN, through the HIPPO report has also argued that, “lasting peace is not achieved nor sustained by military and technical engagements, but through political solutions. The primacy of politics should be the hallmark of the approach of the United Nations to the resolution of conflict, during mediation, the monitoring of ceasefires, assistance to the implementation of peace accords, the management of violent conflicts and longer-term efforts at sustaining peace.”²⁶ The UN Secretary General subsequently supported this claim in his response to the report.²⁷

The debate between the AU and its international partners on the primacy of political solutions gained momentum following the crisis in Libya. One of the first responses of the AU to the Libyan crisis followed the PSC meeting of 10 March 2011, which was held at the level of heads of state. The meeting aimed to forge a common African diplomatic response to the crisis. Subsequently, the PSC proposed a high-level ad hoc committee made up of heads of state. While it was recognised that Qaddafi was unlikely to survive the turmoil in his country, the desire to focus on a political solution was guided by a concern that there would be more instability. The other key intervention was from Chadian President Déby: “beware of opening the Libyan Pandora’s box”²⁸ as he feared spill-over to his and other neighbouring countries. The PSC’s resolution therefore sought to balance the need to acknowledge the downfall of Qaddafi while ensuring that the country did not fall into chaos. Paragraph 7 of the Communiqué stated: “The current situation in Libya calls for an urgent African action for: (i) the immediate cessation of all hostilities, (ii) the cooperation of the competent Libyan authorities to facilitate the timely delivery of humanitarian assistance to the needy populations, (iii) the protection of foreign nationals, including the African migrants living in Libya, and (iv) the adoption and implementation of the political reforms necessary for the elimination of the causes of the current crisis.”²⁹ The AU’s efforts to convince the international community to back its proposed peace deal failed; however, the lessons from Libya continue to inform the African position, and the AU continues to argue for the need to prioritise political solutions over costly military interventions.

Although the HIPPO report and the UN Secretary General, in his response to the HIPPO report, supported the notion of political solutions first, it is not clear how the EU, one of the main African partners in the area of peace and security at present will respond to this issue, about which the recently published EU Global Strategy remained silent. While committing to support regional organisations, including the AU and the RECs, it noted that such support will take place only “[w]here possible and when in line with [EU] interests”.³⁰

Interventions in the area of peace and security should continue to focus on peace operations.

This premise is based on the perspective that the main challenge of peace and security in Africa continues to be armed conflict in key regions (e.g., the horn of Africa and the Sahel). Such challenges are difficult to address without a military presence, but while political dialogue and mediation should accompany military interventions where possible, they should not take place in a climate of chaos. In practice, where more offensive measures, such as deploying or maintaining peace operations, have been taken by the AU and REC/RMs, the combination with mediation efforts is less common than a combination of mediation efforts with sustained diplomatic interventions. PSOs in key conflict regions would preferably be led by the AU, but

²⁶ HIPPO, *op. cit.*

²⁷ The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations [S/2015/682] of 2 September 2015

²⁸ Verbal report on the PSC meeting by AU staff.

²⁹ African Union. 2011. *Decision of the PSC of African Union on Libya*. Addis Ababa: African Union. October 2016: www.voltairenet.org/article168888.html.

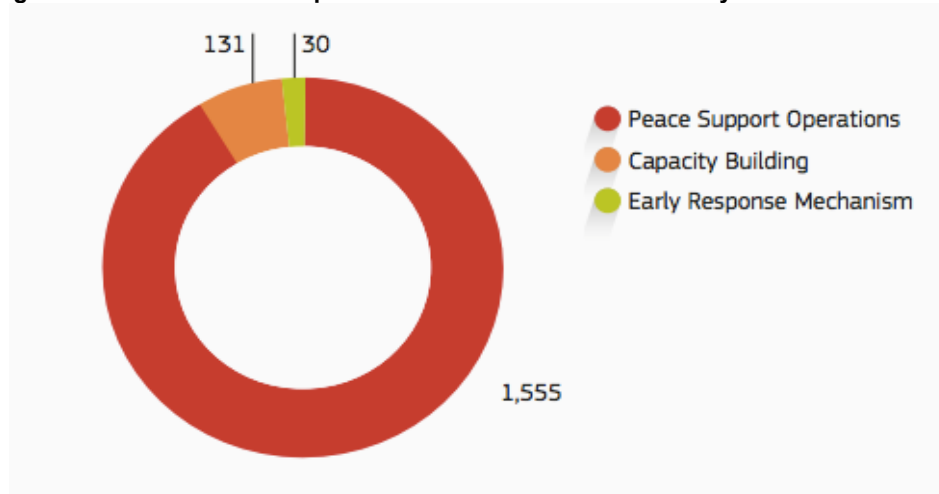
³⁰ European Commission. 2016a, *op. cit.*, p 32.

could also be led by an internationally mandated force. Indeed, in a number of prominent conflicts, the AU has been seen as preparing the ground for a UN force to be deployed. This premise has also gained support due to the migration crisis, as it is associated with the assumption that instability leads to an outflow of refugees. Creating a zone of stability when a conflict erupts is therefore important.

Despite the emphasis on prevention and governance, reality on the ground shows that the AU continues to securitise its responses to conflict. Unlike peace operations that are designed to respond to a clear conflict, the AU's involvement in domestic governance remains delicate despite the provisions of its Constitutive Act. The securitisation of the AU's response is further compounded by the allocation of financial resources, including those from the European donors, which continue to prioritise PSOs. The internal political economy of the AUC itself further supports this premise. The well-known tensions between the Department of Peace and Security (PSD) and the Department of Political Affairs have compounded this issue, although there is hope that the forthcoming reform of the AUC might allow for more synergies to be built between the two departments.

Similarly, PSOs are unmistakably the focus of the EU in practice. The EU is a key partner of the AU on the implementation of the APSA. The APF constitutes the core of the EU's engagement in peace and security efforts in Africa. In this respect, the EU notes that its "efforts consist in providing political backing as well as predictable resources to African Peace Support Operations, capacity-building activities as well as mediation activities at both continental and regional levels".³¹ As a result, the APF, the main vehicle to support African peace and security, "has been and will continue to be crisis-driven".³² This is reflected in the division of resources, as shown in Figure 2.

Figure 2: Resource division per area in the African Peace Facility between 2004-2015



(Source: European Commission³³)

³¹ European Commission. 2016b. *The Africa-EU partnership: Peace and security*. Brussels: European Commission. See www.africa-eu-partnership.org/en/priority-areas/peace-and-security, October 2016.

³² European Commission. 2016c. *Action document for the 2014-2016 action programme of the African Peace Facility*. Brussels: European Commission. See https://ec.europa.eu/europeaid/sites/devco/files/apf-ad-2-measure-2014_en.pdf, October 2016.

³³ European Commission. 2015. *African Peace Facility: Annual Report 2015*. Brussels: European Commission. See <http://ec.europa.eu/europeaid/sites/devco/files/apf-report-2015-en.pdf>

While the EU's approach is praised in some quarters, some actors criticise it for maintaining the status quo. The strong focus on PSOs has inevitably come at the detriment of structural solutions.³⁴ Interlocutors confirmed the criticism that "by paying excessive attention to the institutions that constitute the African Peace and Security Architecture, the Joint EU-Africa Strategy seems to have forgotten that the present crisis on the continent is the weakness of African states".³⁵ Furthermore, the strong focus on the AU has meant that the capacity of the RECs, largely seen as the implementing actors in the APSA, has been neglected.³⁶

Debates within the EU on the future of the APF will inevitably also fuel the discussion on the need to move away from PSOs. Should the Cotonou Partnership Agreement not be renewed beyond 2020 and the European Development Fund be held to a budget, the EU will struggle to contribute to most APF expenditures that are not eligible for official development aid. This has triggered a discussion on the need to design new funding modalities for the APF, and has elevated the discussions on how to sustainably finance PSOs in the future.

Clearly, there is a convergence, in practice, between the AU and its international partners who continue to focus on PSOs. This push to strengthen AU-led PSOs is largely driven by their flexibility and mandate. The flexibility of the AU has allowed it to play the role of a "willing first responder"³⁷ that has proven to be an important stabilising force across the continent. The 2015 report of the UN High Level Independent Panel on United Nations Peace Operations (HIPPO) noted: "recent experience of the AU and RECs/RMs in for instance, Central African Republic, Mali and Somalia has demonstrated the increasing capability, reliability and assertiveness of African forces serving under the African Union flag. This experience shows that troops from regional and neighbouring countries are essential as first responders and often bring political commitment, understanding of the context, and a direct link to regional political influence and leverage."³⁸

However, the challenge to AU-led PSOs is how to ensure that the AU can play a stronger role beyond short-term stabilisation. Indeed, "far too little attention has gone into the development of the operational capacities required to plan for, deploy, manage and liquidate AU-mandated peace operations. As such, deploying and sustaining AU peace operations remains a herculean task. The AU's exit strategy is too often 're-hatting' as a UN operation, a procedure that results in the AU repeatedly losing its capacity to the UN."³⁹ Furthermore, recently observed challenges related to financing, notably in relation to AMISOM, raise more questions on the sustainability of such missions.

³⁴ Interview with AUC respondent and REC respondent. Addis Ababa, 23 May 2016.

³⁵ Mpyisi, K. 2009. *How EU support of the African Peace and Security Architecture impacts on democracy building and human security enhancement in Africa*. Stockholm: International IDEA. October 2016: www.idea.int/resources/analysis/loader.cfm?csmodule=security/getfile&pageid=35035.

³⁶ Kokolo, W. 2015. *The role of the EU in the African Peace and Security Architecture*. The Jean Monnet Papers on Political Economy, 13/2015. Greece: Jean Monnet Chair on EU's Relations with Less Developed Countries.

³⁷ De Coning, C. 2016. *A unique model of African peace operations*. Chicago: University of Chicago Press. October 2016: <http://peaceoperationsreview.org/interviews/cedric-de-coning-a-unique-model-of-african-peace-operations>.

³⁸ HIPPO. 2015. *Uniting our strengths for peace – politics, partnership and people*. Report of the High-Level Independent Panel on United Nations Peace Operations. Rome United Nations, p 14.

³⁹ Tana High Level Forum on Security in Africa. 2016. *Africa in the global security agenda*. Background Paper. October 2016: www.tanforum.org/content/3b03ff2295f7308fafc2/?ms=8adb5cb6d960e02c0a7a&ps=7823486jjsf687jjkfk&ls=3b03ff2295f7308fafc2&sub=5abd78ce84dbf2c40be6.

3. A stronger global partnership on prevention and mediation?

By and large there is a rhetorical convergence around the need to focus on prevention among African, European and international actors (including the UN). But implementation has highlighted an important gap between rhetoric and practice. Considering the web of actors involved in African peace and security efforts, a successful move towards conflict prevention requires a new approach in the global architecture itself. Indeed, the crises in Libya and subsequently in Mali brought to the fore the question of the international division of labour between the AU and its international partners, notably the UN.

Article 52(1), Chapter VIII of the UN Charter provides for the “existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations....”⁴⁰ However, the Charter reserves for the UNSC the right to authorise enforcement action. Article 53(1) states that “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council”.⁴¹ In other words, all enforcement actions by regional organisations such as the AU require the authorisation of the UNSC, meaning that the latter continues to hold primacy over international peace and security.

In this respect, African actors note that “the challenge for the AU and the UN is how to apply the spirit of Chapter VIII without prejudice to the role of the UNSC, on one hand, and without undermining or otherwise curtailing the efforts of the AU to develop its own capacity to provide adequate responses to the peace and security challenges in Africa, on the other. What is the appropriate consultative decision-making framework, division of labor and burden-sharing that should be put in place, and how would these impact on peace operations, as undertaken by both the UN and the AU?”⁴²

The lack of clarity on the division of labour permeates mediation, especially due to the lack of clarity between the role of the AU Chairperson’s special envoys and the Panel of the Wise on the one hand and the UN Secretary General’s special representatives (SRSGs) on the other. In this respect, it is important to highlight a number of caveats. SRSGs head UN peacekeeping missions, or political missions, and thus come with a whole institutional set-up, with all the political opportunities as well as obstacles that it sometimes brings with it. AU special representatives or special envoys (both terms are used interchangeably) do not always head an AU mission. This is the case for the special envoys who focus on thematic areas, such as the Special Representative for Women, Children and Armed Conflicts, but also those that focus on countries (for example, Tunisia or Western Sahara). In contrast, others head dedicated missions, such as the AU High Representative for Mali and the Sahel, or the Special Representative for the Great Lakes Region.

Evidence collected by ECDPM indicates that specific relationships of cooperation and coordination are evidently informed by the political economy of the conflict theatre. For example, in Libya, the UN and its SRSG (head of the UN Support Mission in Libya) undoubtedly played a leading role in mediating an agreement and the intention to establish a government of national accord. Coordination with the AU special envoy (then Dileita from Djibouti, now Kikwete from Tanzania) is evident, and the supporting role by the AU

⁴⁰ United Nations. 1945. Charter of the United Nations. Rome: United Nations.

⁴¹ *Ibid.*

⁴² AU Peace and Security Council. 2015. *Common African Position on the UN review of Peace Operations*. PSC/PR/2(DII). 502nd meeting, Addis Ababa, 29 April 2015. Addis Ababa: African Union.

special envoy was deemed critical in facilitating the SRSG's work. This begs the question of why the AU has been *reduced* to a supporting role, no matter how effective. Is it because of the lack of traction of the AU in general in North Africa (*vis-à-vis* sub-regional leaders and players and other regional organisations, such as the League of Arab States) and the lack of a functioning African organisation in the region? Does the UN really have a larger presence in the region? Is the UN given the role because of the high level of vested and competing interests in the region (Algeria vs. Egypt vs. certain *Sahel* states, e.g., Chad)?

In other situations, the AU special representatives had leverage over similar individuals from the UN. For example, the AU special envoy for issues involving the Lord's Resistance Army (LRA), who is also head of the Regional Cooperation Initiative for the Elimination of the LRA (RCI-LRA), generally coordinates efforts with the Head of the United Nations Office for Central Africa (UNOCA), also a UN SRSG. The SRSG for Central Africa reports on efforts to support regional initiatives to combat the LRA as part of his mandate; which includes, for example, efforts to maintain support for the RCI-LRA by regional states and the co-chairing of biannual meetings of LRA focal points with the AU special envoy. In September 2015, the AU special envoy for LRA issues visited Khartoum, following an invitation by the Government of the Sudan to the African Union Commission and the African Union Peace and Security Council. The AU special envoy held discussions with senior Sudanese officials, which included the reported presence of the LRA in Kafia Kingi. Arguably, given the tense relationship between the UN and Khartoum around the presence of the United Nations-African Union Mission in Darfur (UNAMID), a similar invitation would never be extended to the United Nations, indicating that the AU and UN built a working relationship informed by political realities.

There is, however, little evidence on how this actually plays out, and little has been written or researched about the cooperation of AU and UN special envoys/representatives on the ground. Some speculative elements can, however, be highlighted. In Darfur, UNAMID (the African Union-United Nations hybrid mission) has *traditionally* been led by an African joint special representative. There, too, reports suggest that this element is seen as beneficial for ensuring some line of communication with the Government of Sudan in Khartoum. In reality, however, the mission has been seen as completely dominated by the UN for day-to-day operations, guidelines and human resource management. Given the ongoing tense relations with the government, and ongoing discussions on the drawdown of the mission (the AU and UN are in agreement that this should happen gradually against clear improvements in the political, security and humanitarian situation), this situation has perhaps not been effective and has undermined the AU and UN's objectives in Darfur.

Clarifying the division of tasks between the global and regional levels is important for the future architecture of global peace and security. The HIPPO report noted, for instance, that this presents a challenge to the UN and the UNSC "to craft a collective vision for a future global and regional architecture to maintain international peace and security".⁴³ This is especially important to capitalise on the added value of each partner; an issue that the African actors we interviewed repeatedly emphasised. In this respect the following points were raised: first, the AU and its sub-regional groups have proven to be more flexible and adaptable (compared to the UN) in dealing with security challenges in their region and, second, the political legitimacy of external actors is increasingly controversial. External interventions are increasingly being viewed with reluctance by national actors for a range of reasons, including sovereignty, historical considerations and perceptions linked to impartiality.

⁴³ HIPPO, *op cit.*

4. Institutional and political capacity of the AU to carry the shift

The role of African actors, and notably the AU, in facilitating a shift towards conflict prevention in Africa will be important if the agenda is to be carried by the continent in the same manner as it did with peace operations up until now. However, a number of legitimate questions could be raised as to the capacity (legal, political and financial) of institutions such as the AU to carry the agenda forward. This section looks at three dimensions of such capacity, namely authority/mandate, levels of acceptance and the means to engage.

4.1. Authority to engage

The African Union has strong mandates to engage in and mediate high-intensity conflicts across the continent. As noted above, the AU Constitutive Act provides the legal basis for the AU to intervene in member states to protect the principles enshrined in the Act. The Protocol Relating to the Establishment of the AU's Peace and Security Council⁴⁴ outlined the different components of the APSA and their function (see Figure 3).⁴⁵



Figure 3: Components of the APSA

The PSC Protocol also provides the process to be followed by different actors in discharging their mandate. For instance, although the AU Constitutive Act empowers the AU to intervene in member states, the Protocol notes that the PSC could “recommend to the Assembly, pursuant to Article 4(h) of the Constitutive Act, intervention, on behalf of the Union, in a Member State in respect of grave circumstances, namely war crimes, genocide and crimes against humanity, as defined in relevant international conventions and instruments” and that it has the power to “approve the modalities for intervention by the Union in a Member State, following a decision by the Assembly, pursuant to article 4(j) of the Constitutive Act”.⁴⁶

On mediation and diplomacy, the PSC Protocol identifies the PSC as the AU's standing decision-making body for conflict prevention, management and resolution. The PSC's mandate includes anticipating and preventing conflict in addition to conflict management and peace building (Article 3). These functions cover diplomacy and peacemaking, including offering good offices, mediation, conciliation and enquiry (Article 6). Under this Protocol, under the authority of the PSC and in consultations with the parties involved in a conflict, the AUC Chairperson may deploy those efforts and take those initiatives deemed appropriate (Article 10(1)). To prevent and resolve conflicts, the Chairperson may, when so requested by the PSC or at his/her own initiative, use his/her good offices, either personally or through special envoys, special representatives, the Panel or the regional mechanisms (Article 10(2)(c)). In addition, the PSC has also sought to strengthen its engagement on governance issues. A dialogue was subsequently established with

⁴⁴ African Union. 2002. *Protocol relating to the establishment of the peace and security council of the African Union*. Addis Ababa: African Union. October 2016: www.peaceau.org/uploads/psc-protocol-en.pdf.

⁴⁵ For more information on the evolution of the APSA see ECDPM. 2015. *Peace and Security in Africa: The Story of Peacebuilding, Conflict Prevention and Conflict Monitoring in the African Peace and Security Architecture*. <https://social.shorthand.com/ECDPM/nCJUa3ZNf/peace-and-security-in-africa>

⁴⁶ *Ibid.*

the AU's department of political affairs in order to strengthen cooperation in elections as well as the implementation of the AGA.

As regards subsidiarity with similar structures in the RECs, two key legal instruments complement some of the practical joint interventions by the AU and similar structures at the level of the RECs. These include, first, the *Protocol on Relations between the African Union and Regional Economic Communities*, adopted in July 2007. Second, some key areas of cooperation were defined in article 5 of the *2008 Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities, and Standby Brigades of Eastern and Northern Africa*. These explicitly include ensuring the operationalisation and functioning of the APSA; preventing, managing and resolving conflicts; and capacity building, training and knowledge sharing. Overall, these goals are expected to be pursued on the basis of “adherence to the principles of subsidiarity, complementarity and comparative advantage” as per Article 4 of the Memorandum.⁴⁷

Internationally, there is however, the UNSC remains the lead body on matters relating to peace and security although a shift, largely in the level of acceptance of the AU, is noticeable as will be discussed below.

4.2. Acceptance

The AU is largely accepted as a *first responder* in conflicts in Africa. The failure of the AU to deploy in Burundi, however, is an important case that sheds some light on the limits placed on the AU when it seeks to intervene in conflict situations against the wishes of a member state. Indeed, the AU's proposal to intervene in Burundi was supported by the PSC in December 2015 but not approved by the Assembly. In addition, besides the disagreement among members of the EAC on the course of action to be taken, international support for the position of the AUC was not evident. An intervention in Burundi, even with the backing of the majority of African Member States would have needed to overcome the hurdle of a division within the UNSC with both China and Russia indicating that they would not support a military intervention.⁴⁸

With respect to mediation, the role of the AU (as opposed to regional efforts) has not always been easily accepted. Such tension is often triggered by a competition among different actors for influence. For instance, there are a number of competing views between experts as regards the relationship between the Panel of the Wise (the APSA's main channel for mediation) and the AUC Chairperson's special envoys and representatives and with similar bodies and individuals in the RECs. Some have argued that the Panel's visibility and interaction with the PSC has been limited.⁴⁹ Indeed, the 2010 APSA Assessment Study recommended clarifying the relationship between the PSC and the Panel of the Wise, noting that the

⁴⁷ African Union. 2008. *Memorandum of understanding on cooperation in the area of peace and security between the African Union, the regional economic communities, and standby brigades of Eastern and Northern Africa*. Addis Ababa: African Union. October 2016: www.peaceau.org/uploads/mou-au-recs-2008.pdf.

⁴⁸ Article 52(1), Chapter VIII, of the UN Charter provides for the “existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.” The Charter recognises the added value of delegating the responsibility to finding peaceful solutions to conflicts to regional actors. However, it reserves the right for the UNSC to authorize enforcement action in line with Article 53(1), which states “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council”. Thus, all enforcement actions by regional organisations require the authorisation of the UNSC.

⁴⁹ Peace and Security Council. 2014. New Panel of the Wise has a lot on its plate. PSC Report. Addis Ababa: Institute for Security Studies October 2016: www.issafrica.org/pscreport/addis-insights/new-panel-of-the-wise-has-a-lot-on-its-plate.

relationship between both institutions had been very limited.⁵⁰ The study specifically recommended clarifying the role of the Panel in the AU's broader preventive strategy, to establish whether the Panel would be involved in direct mediation or continue to play a supporting role.⁵¹

It seems that divergent issues stem from a divergent understanding of what the role of the Panel should entail, which could impede the Panel's acceptance to engage. One of the reasons for this, according to some, is that "discussions of the Panel have been undertaken without considering existing and potential linkages with the AU Commission's special envoys, special representatives, and chief mediator".⁵² Indeed, a significant number of special envoys and representatives have been deployed by the AUC Chairperson, either at the request of the PSC or at her own initiative. Between 2007 and 2014 the AU deployed special envoys, special representatives or mediators to Guinea, Madagascar, Guinea-Bissau, Comoros, Niger, Burundi, the Central African Republic, Somalia, Sudan, the Great Lakes Region, Liberia, Darfur and Mali. Recent examples include the AU Special Representative for South Sudan and AU mediator for the Democratic Republic of Congo. In the 2010 and 2014 APSA assessment studies, the need for enhanced and more systematic linkages between the Panel, the AU special envoys, special representatives and chief mediators was recommended, and the lack of institutionalised input and exchange with the Panel was pointed out.

The AU's role in governance has seen equally mixed results. Continental frameworks and efforts undertaken by the AU have at times gone further than regional mechanisms and standards at the REC level. The lack of a common approach has led to fragmentation in efforts between the AU and the RECs and has at times also provided an opportunity for some Member States to pick and choose the frameworks that best suit their interests.⁵³ Efforts to address these discrepancies have been initiated, notably within the framework of the AGA. While the AU's efforts in governance are likely to continue to face resistance among some Member States due to their delicate nature, past experience has shown that countries have been receptive to voluntary diagnostic processes related to governance. Although non-mandatory, processes such as the APRM have not only been able to generate a debate at the country level but have also been successful in introducing important policy changes.⁵⁴

Internationally, the engagement of the AU in international fora, such as the UNSC, to garner support for a shift in approach will be critical. In this respect, the role of the African non-permanent members in the Security Council (A3) will be critical. The on-going efforts to ensure coherence between decisions of the PSC⁵⁵ and the voting pattern of the A3⁵⁶ could prove to be a useful tool if indeed the PSC also embraces the conflict prevention agenda fully.

⁵⁰ African Union Peace and Security. 2010. *Report of APSA Assessment Study conducted: July - October 2010*. Addis Ababa: African Union. <http://www.peaceau.org/uploads/report-of-the-apsa-assessment-study-july-oct-2010-eng.pdf>

⁵¹ *Ibid.*

⁵² Porto and Ngandu, *op. cit.*, pp 181-206.

⁵³ See Maru, M. and S. El Fassi. 2015. *Can the regional economic communities support implementation of the African Governance Architecture (AGA)?* Maastricht: ECDPM.

⁵⁴ In South Africa for instance, the APRM is said to be behind the decision to scrap the *floor-crossing* practice in the South African parliament, which often left voters disenfranchised. Similarly, the APRM is said to be behind the decision of the Ghanaian government to reduce the size of the cabinet. See Turianskyi, Y. and S. Gruzd 2015. *Why Africa is losing out by letting the peer review process collapse*. Johannesburg: South African Institute of International Affairs (SAIIA) October 2016: www.saiia.org.za/opinion-analysis/the-african-peer-review-mechanism-time-to-stop-treading-water.

⁵⁵ Recently, a series of warnings were issued to the A3 because some members failed to align their position at the UNSC with the decision of the PSC. In the most recent spat between the PSC and some members of the A3, the most recent PSC communiqué "on the role of African non-permanent Members of the United Nations Security Council (A3) and the AU Permanent Observer Mission to the United Nations" emphasised "the need for the A3 to respect, protect, promote in all circumstances, decisions and positions of the AU, on all matters of peace and security in Africa and urge them to redouble efforts and do everything possible to strengthen the cohesion and coordination within the A3 and with Council".

4.3. Capacity

Inter-institutional capacity and relations

The inter-institutional dynamics around the division of labour in conflict prevention and mediation currently still work as disabling factors. The coordination between the different organs and the specialised agencies is not fully laid out in the Constitutive Act, and as a result the human capacity tends to be scattered. Furthermore, the Protocol on Relations between the AUC and the RECs⁵⁷ remains vague and needs further adjustments. As a result, fragmentation is visible in a number of areas. Take for instance the area of governance where poor coordination between the Secretariat of the African Peer Review Mechanism (APRM), the African Union Commission, the Pan-African Parliament, the regional economic communities, the Commission on People and Human Rights, etc., has diluted the AU's role in governance. The decision to establish the African Governance Architecture (AGA) was an attempt to strengthen synergies and reduce fragmentation. There is a similar challenge in the peace and security area. The most recent assessment study by the African Peace and Security Architecture (APSA) notes that “beyond the ASF [African standby Force] and CEWS [Continental Early Warning System], there appears to be limited coordination between the other APSA components. At the time of writing this report, there was no direct linkage between the PSC [Peace and Security Council], Panel of the Wise and similar structures in the RECs/RMs [regional economic communities/regional mechanisms], although this is envisaged for the future.”⁵⁸

The APSA Roadmap (2016–2020) confirms this and notes a “low level of interaction between the PSC and similar structures at the REC level” as well as a low level of “interaction between the PSC, the Panel of the Wise and the Chairperson’s Special Envoys, Representatives and Mediators”.⁵⁹ Indeed, mediation efforts in South Sudan are a case in point. Despite the existing structures of the APSA – notably the Panel of the Wise – the involvement of the AU relied partially on its AU High Representative for South Sudan and the mobilisation of other African *elders* such as former Nigeria President, Olesegun Obasanjo. Although it is not fully clear why the Panel of the Wise was not mobilised to act on behalf of the AU, it is easy to discern

⁵⁵ The PSC further noted that “the A3 should report to the Council, particularly, through the report of the PSC on its Activities and the State of Peace and Security in Africa, by devoting part of this report to A3 activities and how they have worked to defend the decisions and positions of the Council and the African Union”

⁵⁶ Interview conducted with Ethiopian official, Addis Ababa, 26 May 2016.

⁵⁷ For the AU, the relationship between the continental, regional and sub-regional organisations has been formalised through the Protocol on Relations between the African Union Commission and the Regional Economic Communities. The Protocol aims to consolidate and promote closer cooperation between the AU and the RECs in all fields and sectors. The objective of intensified cooperation and harmonisation of policies is the establishment of a framework that contributes to realising the objectives of the AU Constitutive Act and Treaty by strengthening the RECs in accordance with its provisions. The Protocol parts from the acknowledged need to define the role of the AU and the RECs by taking into account the principle of subsidiarity in order to allow the RECs to share experiences and effectively advance their agendas in specific areas. The key principles of sovereignty and subsidiarity have an important bearing on the effectiveness of the AU. In this context, subsidiarity means that, when exercising its powers, the AU must leave RECs or its Member States certain responsibilities, which can best be performed by them. The general aim of the principle of subsidiarity is to guarantee a degree of independence for a lower authority in relation to a central authority. However, subsidiarity continues to be a difficult issue within Africa. Not only has it been difficult to implement due to competition for space between the actors but some actors have also noted that the principle is “abused” and has “limited the ability of the AU to drive its agenda”.⁵⁷ One case where the principle has been abused is in the area of governance. Indeed, the lack of alignment and unclear hierarchy between continental governance standards (placing limits on presidential terms) and regional standards have provided some countries, notably in West Africa, the option of opting out from continental standards, notably by avoiding the ratification of the African Charter on Democracy, Elections and Good Governance (ACDEG), by arguing that (more favorable) pre-existing governance standards take precedent. This has pushed a number of civil organisations, notably the West Africa Network for Peacebuilding (WANEP) to advocate the transposition of continental standards to the regional level, which would subsequently facilitate the domestication of instruments and empower regional organisations to track progress at their level.

⁵⁸ African Peace and Security Architecture. 2010. *2010 Assessment Study. Op cit*

⁵⁹ African Union Commission. 2015. *APSA Roadmap 2016-2020*. Addis: African Union Commission, p 13.

the competing interests between actors that have contributed to the balancing act that was adopted by the AU chairperson. The different interests in South Sudan had an important role to play as “rivalry between Uganda and Ethiopia over their respective influence on regional security has coloured the mediation process. Ethiopia, Kenya and Sudan have dedicated envoys mediating the process while Uganda is only involved at the level of the Intergovernmental Authority on Development (IGAD) heads of state. Kampala’s military deployment in support of Juba creates facts on the ground and precluded it sending an envoy to the talks, while Addis Ababa seeks to control the mediation and eventual balance of power in the region.”⁶⁰

Vertical fragmentation between AU organs operating at the regional and continental levels is another example of the interplay between politics and institutions. In this instance, the lack of agreement on the subsidiarity principle has resulted, at times, in disjointed efforts between the AU and the RECs. At the initiative of Nigeria, the AUC PSC met with the RECs in order to address coordination in the area of conflict prevention, management and resolution.⁶¹ A number of important concerns were raised during the meeting. For instance, in an attempt to strengthen the role of the PSC in Addis, the meeting concluded that “should the REC/RM concerned not have a common approach on how to address a specific conflict/crisis situation, the peace-making responsibility shall revert to the PSC.”⁶² This would avoid a situation where divisions within a given region on the best way forward paralyse the AU response. It will be important in future to observe how this agreement will be implemented, especially in situations where the PSC takes decisions that counter the wishes of a regional hegemony. Some observers have argued that fragmentation has compounded the financial difficulties of the AU.⁶³

Financing

The issue of financing is the Achilles heel of the AU’s engagement in conflict prevention.⁶⁴ Although no firm figures are available on the AU’s efforts to promote governance, the price tag for mediation and preventive diplomacy efforts has been estimated at \$35 Million in 2016 (compared to \$1.2 billion/annum for PSOs) with an estimated increase to \$43 million in 2020.⁶⁵

The state of the current debate around financing seems to be placing emphasis still on peace operations. In 2015, the AU launched a debate on the division of labour between itself and the UN, especially in PSOs in Africa, with its Common Position on the work of the UN’s HIPPO. The AU argued for the use of UN assessed contributions to support AU-led peace operations.

In January 2015, the AU appointed Donald Kaberuka as the AU Special Envoy for the Africa Peace Fund (APF), who presented his proposal to activate a peace fund, primarily for peace support operations in July 2016, but also for the AU’s overall budget. The special envoy proposed a 0.2% levy on imports to African countries, with regions expected to contribute US\$65 million to the peace fund, to achieve the AU’s

⁶⁰ International Crisis Group. 2015. *South Sudan: Keeping faith with the IGAD peace process*. Africa Report No. 228. www.crisisgroup.org/africa/horn-africa/south-sudan/south-sudan-keeping-faith-igad-peace-process.pdf.

⁶¹ African Union. 2015. Report on the retreat of the Peace and Security Council on Enhancement of Cooperation between the African Union Peace and Security Council and the Regional Economic Communities and Regional Mechanisms for Conflict Prevention, Management and Resolution in the Promotion of Peace, Security and Stability in Africa. PSC/Retreat/8. October 2016: www.peaceau.org/uploads/abuja-psc-retreat-14-16-september-2015-en.pdf.

⁶² *ibid*

⁶³ Skype Interview, AU organ leader, 8 September 2016

⁶⁴ For more information on the estimated African Member States contribution to the AU see ECDPM. 2017. *Estimated Assessed Contributions of Member States of the AU: An Interactive Map*. <http://ecdpm.org/multimedia/interactive-map-contribution-member-states-au/> Also see Miyandazi, L. 2016. *Is the African Union’s financial independence a possibility?* ECDPM Talking Points blog, 24 August 2016. <http://ecdpm.org/talking-points/african-union-financial-independence/>

⁶⁵ African Union Commission. July 2016. *Progress Report of the African Union High Representative for the Peace Fund*.

commitment to finance 25% of peacekeeping operations in Africa. Although a significant portion of the resources, if raised, would be dedicated to PSOs, the report also provides space for investments in mediation and preventive diplomacy (so-called Window 1 of the APF). The AU Summit in July 2016, Heads of State and Government adopted the recommendations of the Kaberuka Report to have three thematic windows, namely, Mediation and Preventive Diplomacy, Institutional Capacity, and Peace Support Operations. However, steps for implementation as well as a clear incentive structure for countries are yet to be outlined.

5. Conclusion

The APSA has come a long way in strengthening the *responsive* capacity of African actors to conflict situations. It has however struggled, despite the different mechanisms put in place, to build its *preventive* capacity. As demonstrated above, the AU and its international partners recognise the importance of conflict prevention in ensuring sustainable peace in Africa. This requires a new approach; one that focuses more on politics and less on military interventions. Such shift is even more pressing today.

The changing nature of conflicts in Africa be it as a result of tensions between state actors or the emergence of threats emanating from non-state actors (e.g. organised crime and terrorism) requires an approach that delves deeper into the political, social and economic governance systems within countries. Sustaining the regional approach remains relevant, and by extension the role of regional groupings will continue to be important. However, the toolbox at their disposal will need to be updated and where processes exist (e.g. the APRM, the IDTFCP), more sustained efforts to ensure their implementation will be critical.

However, a shift towards conflict prevention in the short term will be challenging not least due to allocations of resources and short-term interests. In this respect both the international community and the AU seem to envisage a stronger financial commitment to PSOs. The current proposal of the African Peace Fund is expected to perpetuate a focus on PSOs, although resources are also envisaged for conflict prevention. However, setting up the necessary mechanisms to ensure a transition towards a sustainable approach is within reach.

About ECDPM

ECDPM was established in 1986 as an independent foundation to improve European cooperation with the group of African, Caribbean and Pacific countries (ACP). Its main goal today is to broker effective partnerships between the European Union and the developing world, especially Africa. ECDPM promotes inclusive forms of development and cooperates with public and private sector organisations to better manage international relations. It also supports the reform of policies and institutions in both Europe and the developing world. One of ECDPM's key strengths is its extensive network of relations in developing countries, including emerging economies. Among its partners are multilateral institutions, international centres of excellence and a broad range of state and non-state organisations.

Thematic priorities

ECDPM organises its work around four themes:

- Reconciling values and interests in the external action of the EU and other international players
- Promoting economic governance and trade for inclusive and sustainable growth
- Supporting societal dynamics of change related to democracy and governance in developing countries, particularly Africa
- Addressing food security as a global public good through information and support to regional integration, markets and agriculture

Approach

ECDPM is a “think and do tank”. It links policies and practice using a mix of roles and methods. ECDPM organises and facilitates policy dialogues, provides tailor-made analysis and advice, participates in South-North networks and does policy-oriented research with partners from the South.

ECDPM also assists with the implementation of policies and has a strong track record in evaluating policy impact. ECDPM's activities are largely designed to support institutions in the developing world to define their own agendas. ECDPM brings a frank and independent perspective to its activities, entering partnerships with an open mind and a clear focus on results.

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ECDPM Discussion Papers present initial findings of work-in-progress at the Centre to facilitate meaningful and substantive exchange on key policy questions. The aim is to stimulate broader reflection and informed debate on EU external action, with a focus on relations with countries in the South.

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