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On the Agenda

PSC members elected by consensus

At the 30th African Union (AU) summit in Addis Ababa, the Executive Council of Ministers, on 26 January 2018, elected 10 new members for a two-year term to the PSC. They were: Morocco (North Africa); Togo, Sierra Leone, Liberia (West Africa); Djibouti, Rwanda (East Africa); Gabon, Equatorial Guinea (Central Africa); and Angola and Zimbabwe (Southern Africa). These elections went without much debate after the withdrawal of candidates such as Algeria and Ethiopia. The configuration of the new PSC will have profound implications for the issues discussed, and shows an enhanced consultation process at regional level.

At the January 2018 elections of the new PSC members, none of the seats was contested. That followed Algeria's withdrawal of its candidature for the one seat available for North Africa, leaving Morocco as the only candidate. Ethiopia also withdrew its candidature, leaving only two candidates for the two open seats for East Africa. Another AU heavyweight, South Africa, did not throw its hat into the ring either, leaving the two open seats to Angola and Zimbabwe.

The withdrawal of Algeria and South Africa from the PSC might reflect the uncertainty both countries face domestically

PSC Chairperson

H.E. Catherine Mwangi

Kenya's Ambassador to Ethiopia, the Republic of Djibouti and Permanent Representative to the African Union and the United Nations Economic Commission for Africa

Current members of the PSC:

Algeria, Botswana, Burundi, Chad, Egypt, Kenya, Niger, Nigeria, Republic of Congo, Rwanda, South Africa, Sierra Leone, Togo, Uganda, Zambia

With time, AU member states therefore seem to have found consensual methods of rotating membership of the main decision-making body of the African Peace and Security Architecture (APSA). What does this mean for the organisation?

The withdrawal of Algeria and South Africa from the PSC might reflect the uncertainty both countries face domestically. In a way, it also attests to the fact that these two continental powers do not feel the need to be on the PSC in order to exert influence in the AU, since they remain major financial contributors to the organisation.

Angola and Zimbabwe are back on the council for only their second term since the establishment of the PSC. Both countries experienced changes of power last year and it remains to be seen what foreign policy positions the two new leaders, Emmerson Mnangagwa in Zimbabwe and João Lourenço in Angola, intend to pursue at the continental level.

Morocco's entry into the PSC, one year after its accession to the AU, is the major event of this election. While it illustrates its growing diplomatic clout on the continent, the challenge will be to show that the North African kingdom is not a single-issue member state. Indeed, Morocco was elected with 39 votes, facing 16 abstentions, despite being the sole contender for the open seat in North Africa. This shows that its return to the AU in January 2017 remains a sore point with some member states.

ECOWAS has ruled that Nigeria should occupy the three-year seat for West Africa on a permanent basis

The anti-UN Security Council

Two years ago, the *PSC Report* in its analysis of the new PSC, speculated whether the body was morphing into an 'African UN Security Council'. This was because regional powers, notably South Africa, Nigeria and Algeria, were serving long and barely interrupted mandates on the council. In January 2018 this no longer applies, as these powers have shown themselves willing to leave the PSC in favour of rotation within their respective regions, and to allow all parties to the PSC Protocol to become a member at one time or another.

While it is unsure whether this practice fits into the spirit of article 5.2 of the protocol – which sets certain criteria for prospective PSC member states, such as sufficient diplomatic capacity to handle the position – it reveals the enhanced consultation within regions on their representation in the PSC.

Enhanced dialogue at the regional level

West, Central and Southern Africa chose their candidates based on an alphabetical rotation, without contestation in their ranks. In West Africa, the rule is to allow outgoing members to contest consecutive second terms based on the alphabetical rotation. Liberia was given priority because it had ratified the PSC Protocol in 2017 and was seeking a seat for the first time. The Economic Community of West African States (ECOWAS) has ruled that Nigeria should occupy the three-year seat for West Africa on a permanent basis.

In East Africa, the candidacies of Djibouti and Rwanda resulted from consensus. In North Africa, Algeria invoked the principle of rotation within the region to withdraw its candidacy and allow Morocco to be the only candidate for the two-year seat on the PSC. Except for 2013–2016, Algeria has been a PSC member since 2004.

In Central Africa, Gabon and Equatorial Guinea replaced Chad and Burundi. As the only member of both the UN Security Council and the PSC, Equatorial Guinea will play a critical coordination role between the two bodies; especially in a year when the political crisis in the Democratic Republic of the Congo (DRC) is likely to be high on the PSC's agenda.

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ABSTENTIONS DURING
MOROCCO'S ELECTION

The regionalisation of APSA continues

The reversal of the decision by PSC ambassadors to send a protection force to Burundi in early 2016 saw the PSC taking a backseat in managing crises, in favour of regional initiatives. This regionalisation of APSA, with the principle of subsidiarity being invoked by regions, is expected to continue in 2018.

This issue is especially critical for the Southern African Development Community (SADC), as few of the crises in this region have made it onto the agenda of the PSC in the last few years, other than the DRC. The DRC and the Great Lakes region accounted for 21% of the discussions on specific crises in 2017.

SADC has handled the political crises in Zimbabwe, Swaziland and Lesotho with little interaction between itself and the PSC

SADC has handled the political crises in Zimbabwe, Swaziland and Lesotho with little interaction between the regional body and the PSC. Will the new member states on the PSC promote a strict observance of the subsidiary principle or will they encourage more delegation at the AU level, especially in a context where the Southern region is perceived to be reticent about the AU's institutional reform?

In West and North Africa, just as the G5 Sahel Joint Force is starting its operations, no country from the Sahelo-Saharan strip is represented on the PSC. With the withdrawal of Algeria, none of the countries directly affected by – or involved in – the crisis in Mali will be on the council for the next year. The situation is almost similar in the Lake Chad region, where only Nigeria remains in the PSC. It will be critical to see how consultations between the PSC and the Permanent Representatives Committee in Addis Ababa will function in this case to ensure that the body remains committed to these crises.

A less interventionist PSC?

In 2016 the newly elected PSC began its mandate on the heels of the AU heads of state and government's reversal

of the decision on Burundi. Back then, the new PSC was perceived by many observers as more conservative and dominated by authoritarian regimes. During the following two years, these features saw the PSC delegating crisis management to regional mechanisms, with the exception of Somalia, owing to the presence of the 22 000 troops of the African Mission in Somalia (AMISOM).

It is unlikely that this trend will be reversed with the 10 new members. Indicators on democracy, human rights and governance, and peacekeeping operations reveal a declining trend in the number of democracies from the previous PSC to the one that has just been elected. Based on Freedom House's reports, the average score for political freedom in countries represented on the PSC dropped from 44,33 in January 2016 to 36,33 in 2018. (See Figure 1)

The trend is similar, with a slightly smaller drop, if one looks at the Mo Ibrahim Index of African Governance reports of 2015 and 2017. The average score of the elected PSC in 2016 was 53,42, against 50,42 for the one elected this January. The exit of South Africa and Botswana – respectively 73 and 74.3 – from the PSC contributes to the decline of the overall governance score of PSC members. (See Figure 2)

The exit of South Africa and Botswana from the PSC contributes to the decline of the governance score of PSC members

In the area of contributions to UN peacekeeping operations, there is a slight decline as well. In 2016 incoming members of the PSC deployed an average of 1 574 troops in UN peacekeeping operations. Rwanda, Egypt, Nigeria and Niger were leading in terms of contributions. In 2018 this average dropped to 1 067. (See Figure 3)

This figure does not take into account contributions to Africa-led peace-support operations (PSOs) such as AMISOM, the Multinational Joint Task Force against Boko Haram and the G5 Sahel Force. However, all three of these PSOs are composed of troops from countries neighbouring the epicentre of the crisis.

The aforementioned benchmarks lead to questions about how the incoming member states will address governance-related crises on the continent, and to what extent they will be willing to deploy troops beyond their immediate neighbourhood.

Figure 1: A less democratic PSC

Freedom House			
2018		2016	
Morocco	39	Algeria	35
Egypt	26	Egypt	27
Sierra Leone	66	Sierra Leone	65
Togo	47	Togo	48
Liberia	62	Niger	52
Nigeria	50	Nigeria	48
Equatorial Guinea	7	Chad	20
Gabon	23	Burundi	19
Congo	20	Congo	28
Angola	26	Botswana	73
Zambia	55	Zambia	60
Zimbabwe	30	South Africa	79
Kenya	48	Kenya	51
Rwanda	23	Rwanda	24
Djibouti	26	Uganda	36
Total	548		665
Average	36.533		44.333

Figure 2: A decline in good governance

Mo Ibrahim Index			
2018		2016	
Morocco	60.1	Algeria	52.9
Egypt	49.4	Egypt	51.3
Sierra Leone	51.7	Sierra Leone	51
Togo	51.7	Togo	48.4
Liberia	51.4	Niger	50.7
Nigeria	48.1	Nigeria	44.9
Equatorial Guinea	36.8	Chad	32.8
Gabon	52	Burundi	45.8
Congo	42.8	Congo	42.8
Angola	39.4	Botswana	74.2
Zambia	57.7	Zambia	59.5
Zimbabwe	45.4	South Africa	73
Kenya	59.3	Kenya	58.8
Rwanda	63.9	Rwanda	60.7
Djibouti	46.4	Uganda	54.6
Total	756.3		801.4
Average	50.42		53.427

Figure 3: Fewer engagements in peacekeeping

UN Peacekeeping Troop Contributors			
2018		2016	
Morocco	1 605	Algeria	0
Egypt	3 274	Egypt	2 787
Sierra Leone*	114	Sierra Leone*	99
Togo	1 442	Togo	1 803
Liberia	79	Niger*	2 041
Nigeria*	876	Nigeria*	2 955
Equatorial Guinea	0	Chad*	1 489
Gabon	441	Burundi*	1 212
Congo	156	Congo	888
Angola	0	Botswana	0
Zambia	1 118	Zambia	899
Zimbabwe	97	South Africa	2 128
Kenya*	191	Kenya*	1 230
Rwanda	6448	Rwanda	5990
Djibouti*	168	Uganda*	58
Total	16 009		23 579
Average	1 067.267		1 571.933

* Countries participating in African-led peace operations



On the Agenda

30th AU summit: reforms at a crossroads

More than three weeks after the end of the 30th AU summit in Addis Ababa, on 28 and 29 January 2018, AU member states have still not agreed on a way forward to implement the planned institutional reforms. These reforms were officially adopted a year ago, but there are strong disagreements among member states on both the substance and the form of the proposals by Rwandan President Paul Kagame.

At the 30th AU summit Kagame presented a progress report on the AU reforms to the heads of state and government that included various recommendations on decisions that should be taken in order to implement these reforms.

The recommendations included, for example, three sets of measures to ensure compliance with AU decisions and the sanctioning of member states that do not comply. They propose enhancing the quality of decision-making through a classification of decisions (either directives or regulations); improving monitoring and follow-up by the AU Commission (AUC); and adopting a sanctions mechanism involving the African Court of Human and Peoples' Rights.

The progress report may have given the impression that there is consensus on reforms among heads of state

The progress report stated that an administrative reform plan of the AUC was under development, but would not require a decision by the Assembly to be put in place. This notion is highly contested within the AUC. It also proposed the adoption of quotas for youth (targeted 35% of AU staff) and women (targeted 50% of AU staff) by 2025.

While the presentation of this progress report may have given the impression that there is consensus on reforms among heads of state, the 30th summit revealed the deep divisions within the AU on the matter.

50%

WOMEN IN THE AU
COMMISSION BY 2025

Complaints by SADC

At the summit, member states of the Southern African Development Community (SADC) circulated a document outlining many disagreements on the reforms – concerning both their form and their substance. It included reservations about the legality of the process and of the 0.2% levy to fund the AU. SADC complained in the document of a lack of consultation and the reform team's refusal to take note of opposing views.

The regional body stressed that the AU is a 'member state-driven multilateral organisation' and worried about the 'transformation of the AU Commission into a supra-national organization with limited accountability to its member states'.

As a result of this disagreement, the reform team gave an assurance that the reservations raised by SADC would be included in the final decisions of the Assembly. However, it is still unclear which specific reservations in the long list of SADC's complaints about the reforms will in fact be taken on board.

At this stage, it seems that there was no consensus on SADC's call to hold an extraordinary executive council meeting to discuss the reforms.

There was no consensus on SADC's call to hold an extraordinary executive council meeting to discuss the reforms

A challenging year

While only SADC has expressed its reluctance as a region, other regions seem to harbour similar reservations. It is unclear how far a reform process can go if the fundamental principles are still contested by a significant number of important stakeholders. Yet constant negotiations could end up affecting the coherence of the package of recommendations, while the shape of the final consensus would remain unknown.

In addition, the fate of the reform process will also be affected by the fact that Egypt is to chair the AU next year. It remains to be seen whether the Egyptian head of state shares the same enthusiasm for reform as his predecessors from Rwanda, Guinea and Chad. In this regard, 2018 could be a challenging year.

In order for the reforms to go through, at least partially, the current AU chairperson, Kagame, will have to mediate between those supporting the reforms and the detractors.

The other 'silent' reform

While the official reform process is struggling, it is worth noting that a number of other decisions adopted during

the 30th summit are likely to force the organisation to reform its structures, in a parallel process that on the surface has nothing to do with the current institutional reform process. Indeed, the establishment of a single air transport market, the adoption of a protocol on free movement and the finalisation of discussions on a continental free trade area – which will advance the integration of the continent – will concomitantly shape the institutional structure of the AU.

Logically, such initiatives would mean that the AUC would have to play a bigger role in overseeing, regulating and assessing member states' compliance. Therefore, the supranational role played by the AUC, which is currently very limited, is bound to increase even if many regional powers resent such an evolution of the institution.

However, the continuing disagreements on institutional reform, a year after the formal decision was made, reveal critical gaps between the AU's decision and its implementation. The fate of the 'silent' reform that would result from furthering the integration of Africa depends on the closure of this gap.



On the Agenda

Nepad and the battle for the soul of the African Union

Heated discussions about the future of Nepad took place at the 30th AU summit in Addis Ababa in January 2018. Transforming Nepad into the AU's development agency is part of the proposed reforms of the AU, spearheaded by Rwandan president Paul Kagame. A final decision on the matter was, however, postponed until the next summit in Mauritania.

Algerian Prime Minister Ahmed Ouyahia was one of the first to speak at the Nepad orientation committee meeting on the sidelines of the recent AU summit. He said that although his country supports the AU reforms, Algeria is against scrapping Nepad. Algeria was one of its founding members.

According to the reform plan, Nepad is to be integrated into the AU Commission as the AU Development Agency. 'Let me remind you that Nepad was created in 2001 and played an integral part in the continental architecture,' Ouyahia said in Addis Ababa. 'Nepad isn't something that was tagged onto the AU, but represented a new methodological approach.'

Nepad and the African Peer Review Mechanism represented a radical shift from the Organisation of African Unity

He's right. In the heady days of the AU's creation, Nepad and the African Peer Review Mechanism (APRM) represented a radical shift from the Organisation of African Unity (OAU). Both Nepad and the APRM are voluntary organisations. Former South African president Thabo Mbeki and others had so little confidence in the OAU, that they adopted a two-speed approach, hoping that large states would eventually pull others along.

Jakkie Cilliers, head of African Futures and Innovation at the Institute for Security Studies, describes this new approach as follows: 'Mbeki led the charge in making a deal with the West. Instead of imposing the Bretton Woods institutions upon Africa, Africa would assume ownership and self-regulate (through Nepad and the APRM). Nevertheless, it still needed aid and debt relief. This new approach was a major shift in Africa's relations globally.'

Things didn't quite turn out as planned, mainly because once Mbeki stepped down as president, Nepad lost its founder and advocate. And without its own funds, Nepad tried to raise money from business people who were

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THE CREATION OF NEPAD

supposedly eager to benefit from the organisation's continental network. Nepad's operational costs, according to AU documents, are just over US\$10 million annually, excluding programmes. So despite pleas by the likes of Ouyahia, there is little proof that these huge sums have really been worth it.

Reports on pan-African issues

The Nepad Agency, housed near Johannesburg, produces interesting reports on pan-African issues like agriculture, health, education and infrastructure. It has introduced innovative data tools, demonstrated by Nepad CEO Ibrahim Mayaki at the AU summit. But it's unclear how this differs from what the United Nations Economic Commission for Africa or the African Development Bank can do – both with much more money and expertise than Nepad.

Uneasiness over Nepad's role crept in several years ago, leading to its transition into the Nepad Agency. More recently, there's been an attempt to align it to Agenda 2063 – Africa's blueprint for peace and prosperity.

Reforming Nepad into a development agency would mean scrapping the top-heavy structure, led by a head of state. The agency would report to the AU Commission and AU summits, like other AU structures. For now, it looks as if the new development agency will remain in Johannesburg – a good location for a business-orientated venture. According to one high-level AU official to be seconded to the agency, the aim is to channel funding from donors, members states and the private sector into development projects.

Reforming Nepad into a development agency would mean scrapping the top-heavy structure

Concerns over AU reforms

Heated discussions in Addis Ababa didn't produce a final decision on Nepad's future, with the outcome postponed to the next AU summit in Mauritania in June/July this year.

Meanwhile the debate around Nepad has raised deep-seated rifts concerning the overall reform of the AU. The

Southern African Development Community (SADC), currently chaired by South Africa, complained to AU Commission Chairperson Moussa Faki Mahamat that decision making on AU reform didn't follow procedures in the AU's Constitutive Act. SADC wants more consultation and some of its concerns have already been addressed.

Kagame – often accused by AU delegates of trying to impose an authoritarian governance style on the AU – is impatient to move things forward. He has surrounded himself with a team of experts and business people, together with a 'reform implementation team' in Mahamat's office.

Plans are afoot to position the APRM as a 'conflict prevention' tool

There are strong signs that the reforms – on Nepad and other AU issues – are going ahead regardless of the objections from SADC and others. Senegalese President Macky Sall just finished his term as head of Nepad's orientation committee and the draft AU summit decisions make no mention of his replacement. This could mean the structure is already being streamlined.

This is different from the African Peer Review Mechanism. Chad's President Idriss Déby will replace Kenya's President Uhuru Kenyatta as leader of the APRM forum of heads of state. This is good for those who want to keep the APRM alive, but Déby is probably not best placed to champion an organisation aimed at good governance in Africa.

A new strategic focus for the APRM?

The APRM's CEO Eddy Maloka seems to have done a better job than Nepad has of marketing the organisation, also based in South Africa. Plans are afoot to position the APRM as a 'conflict prevention' tool – the latest buzzword in UN and AU circles. This is a long shot though, given that some APRM reports have taken up to seven years to be released, long after any brewing conflict could be prevented. Nevertheless, various options are being considered, including short-term reviews on burning issues. The APRM will also have to harmonise its conflict prevention work with that of the AU's early warning unit.



So, while obstacles remain and the concerns of some African heavyweights have still not been addressed, the reform of Nepad and the AU is clearly going ahead. Critics have to admit that Kagame and his team are the only ones with new ideas for a continental organisation that wants to change but doesn't know how to proceed. At this stage, the reformists are in the lead in the battle of ideas over the future of the AU.

Situation Analysis

Time for sanctions against South Sudan



The AU, the Intergovernmental Authority on Development (IGAD) and the United Nations (UN) all seem to agree that it is time for the belligerents in South Sudan to be punished. During a consultative meeting on 27 January 2018 on the sidelines of the 30th AU Summit these three crucial organisations said in a statement that the ‘time has come for sanctions on the spoilers of peace in South Sudan’. Yet it remains to be seen whether such measures will materialise, given the history of internal divisions over sanctions throughout the five-year-long war in Africa’s newest state.

A six-month report of the PSC to the AU Assembly in Addis Ababa last month noted that about 2 million people were internally displaced while 2 million others were refugees in neighbouring countries owing to the ongoing fighting in South Sudan.

Since war broke out in December 2013, South Sudan's warring parties have violated five major ceasefire deals

And there is no sign of the conflict’s letting up. Since war broke out in December 2013, South Sudan’s warring parties have violated at least five major ceasefire deals, signed in January 2014, May 2014, February 2015, August 2015 and, most recently, December 2017.

The question now is whether the international community is ready to follow through on its threats and actually impose the necessary sanctions needed to enforce peace in South Sudan.

New peace talks with warring factions

As the second round of talks to revive the stalled peace agreement of August 2015 got underway on 5 February 2018, both the South Sudanese and the international community are hoping for lasting solutions. The first round of these talks, from 18 to 20 December 2017, might have been a first step, but it did not translate into any real commitment on the part of the warring factions. A few hours after representatives of the ruling party and opposition groups signed the ceasefire deal on 21 December, there were already reports of violations.

There is no guarantee that the new round of talks will be any more effective. The strong and divergent opinions among the warring parties over the governance structure and representation during the ongoing peace talks

2 million
REFUGEES FROM SOUTH SUDAN

raise fears that the signatories could again disregard any agreement that might follow these talks.

The talks are aimed at reviving the comprehensive peace deal of August 2015, which the PSC regards as ‘the only viable option towards addressing the current political, social, economic and security challenges facing South Sudan and [achieving] sustainable peace’.

The deal stalled following the outbreak of violence in July 2016 between President Salva Kiir and Riek Machar’s factions – barely three months after the two rivals had formed a transitional government, in April 2016, as required by the agreement. Machar went into exile in South Africa but his troops remain the major opposition force in the region. Machar’s absence weakened the Sudan People’s Liberation Movement – In Opposition (SPLM-IO), leading to defections and more factional leaders seeking a seat at the table.

There is scepticism over whether the AU, IGAD and the UN will actually impose sanctions

The call for enforcement measures

The recent calls for sanctions are in line with the decision of the PSC meeting on 20 September 2017 on the sidelines of the UN General Assembly in New York. The PSC urged the AU Commission to ‘urgently elaborate possible measures and submit them to Council by December 2017 against all those who continue to obstruct efforts towards the restoration of peace and security in South Sudan’. This was not done.

AU Commission Chairperson Moussa Faki Mahamat and UN Secretary General Antonio Guterres have made several statements on the need for sanctions following the recent violations. IGAD also released a strongly worded communiqué on 27 January 2018 on its readiness to ‘take all necessary measures, including targeted sanctions against individual violators and spoilers’.

However, there is scepticism over whether the AU, IGAD and the UN will actually impose sanctions in South Sudan, given the longstanding divisions within these organisations over the sanctions issue.

Criticism of the IGAD-led mediation

Certain South Sudanese stakeholders and observers consider the IGAD mediation a failure, but for different reasons. The ruling SPLM representatives say IGAD’s mediation failed because it tried to include too many actors. They complain that, as a single unit, they now have to negotiate with a vast number of opposition groups. Yet inclusivity in the peace process remains crucial in order to reach a binding and durable peace in the region.

April
2016

THE FORMATION OF A
TRANSITIONAL GOVERNMENT

Some opposition groups and analysts contend that the IGAD mediation is influenced by neighbouring states' ties to Kiir. The view that Uganda supports Kiir's government is not new. Some observers also implicate Sudan and Kenya in providing safe havens to opposition fighters. These contradictions have an impact on IGAD's readiness to actually impose sanctions on South Sudan.

Such concerns have prompted Guterres to warn neighbouring states against taking sides in the South Sudanese conflict. Speaking during the AU, IGAD and UN consultative meeting on South Sudan, Guterres said: 'I see IGAD's role is first of all to make sure that any contradictions that might exist among the neighbours of South Sudan is not translated into an influence in the internal situation of South Sudan. This is true at the level of IGAD and it is also true at the level of other neighbours that are outside IGAD.'

Adama Dieng, the UN secretary general's special adviser for the prevention of genocide, also decried the fact that large amounts of weapons and ammunition are flowing into South Sudan through Uganda and Kenya. Yet these countries are members of IGAD, the mediators in the South Sudanese crisis.

That said, Uganda has been making an effort to re-unite the SPLM factions, with the support of Egypt. This led to the signing of two roadmaps for re-unification last year – on 16 November in Cairo and 15 December in Entebbe – in line with the Arusha Agreement of January 2015. However, prospects for the successful implementation of these roadmaps are uncertain.

Can the AU do better?

Some analysts have called on the AU to take on a greater leadership role in the peace process. However, the role of the AU is limited. In line with the principle of subsidiarity in the African peace and security architecture, the AU often leaves regional economic communities (RECs) to handle situations in their regions. Indeed, the AU cannot impose effective sanctions on South Sudan without the cooperation of South Sudan's neighbours, thereby placing the responsibility on IGAD members to impose or support sanctions.

In light of the regional reluctance to follow through on sanction threats in crisis situations, as has been the case in Burundi, it seems unlikely that IGAD will take the lead. The AU's imposition of sanctions has so far been restricted to cases where unconstitutional changes of government have occurred. Sanctions are seldom used to try to solve internal battles in individual member states.

What about the UN?

The UN, despite having deployed the UN Mission in South Sudan, relies on the leadership of IGAD and the AU to mediate in the crisis. This is based on the belief that regional organisations are better suited to address contextual issues in neighbouring countries, and have more knowledge of the situation.

The UN had imposed travel bans and asset freezes, but those targeted are not influential enough

Guterres, during the consultative meeting on 27 January, insisted that 'the implementation of the very important achievements that were reached ... might require tougher measures and I don't think those tougher measures can be originated outside in the context of the United Nations or the Security Council. I think they need to be originated in the region and I think that the leadership of IGAD is absolutely essential together with the African Union.'

The UN had imposed travel bans and asset freezes on some South Sudan commanders, but those targeted are not influential enough to end the fighting. In addition, neighbouring states have not enforced these sanctions.

Moreover, some permanent members of the UN Security Council, such as China and Russia, have interests in the region's oil and have in the past blocked sanctions that jeopardise their relationships and investments on the ground.

The US recently also imposed an arms embargo on the country, but there is a need for similar moves by South Sudan's neighbours and other international stakeholders.

Indeed, South Sudanese actors are aware of the weaknesses of international mediators and manipulate these limitations to continue their armed conflict.

Hence, to ensure the enforcement of future peace deals in South Sudan, IGAD, the AU and the UN will have to stand firm and make sure there are consequences for non-compliance. This requires setting clear benchmarks with indications of which violations would be punishable by targeted sanctions and/or peace-enforcement measures.

The enforcement measures should include issuing arrest warrants for ceasefire violators, as well as empowering the regional protection force and UN peacekeepers to be more proactive in civilian protection. IGAD and the AU have to be at the forefront of enforcing asset freezes and travel bans on spoilers of peace. The sanctions should be implemented incrementally to the top leadership of warring factions. IGAD and the AU should also lobby for a UN arms embargo on South Sudan that is implemented by all stakeholders.

Situation Analysis

Why the AU should get involved in the political crisis in Togo



After several postponements, the inter-Togolese political dialogue finally started this month in the Togolese capital Lomé. The dialogue is part of the facilitation efforts of President Alpha Condé of Guinea, who recently ended his term as chairperson of the AU, and President Nana Akufo-Addo of Ghana, mediator on behalf of the Economic Community of West African States (ECOWAS). It is aimed at fostering a consensual solution to overcome the ongoing crisis in Togo.

While Togo's political and civil society actors agree that political dialogue is vital in order to bring stability to the country, political actors have disagreed on the format, objectives and prerequisites for participating in the talks.

Given the degree of mistrust among Togolese political actors, the commitment of the international community is essential to ensure the effective implementation of constitutional and institutional reforms.

The negotiations are seen as being key to ending the political crisis that has been plaguing the country since August 2017

The obstacles

The negotiations are seen as being key to ending the political crisis that has been plaguing the country since August 2017. The crisis is rooted in the 2002 constitutional reform that allowed then president Gnassingbé Eyadéma – father of the current president – whose term of office was drawing to an end, to run for election.

A number of obstacles could derail the talks. On the one hand, the 14 opposition parties favour a restricted dialogue with the government under the auspices of the international community. For the opposition, the ultimate objective of the dialogue is to set the conditions for Gnassingbé's departure and a return to the 1992 constitution. In addition, they demand the release of those arrested in connection with the Kara and Lomé market fires in January 2013 and during demonstrations organised by the opposition.

The governing party, on the other hand, wants the dialogue to be initiated and led by the government and extended to other political actors.

A lot at stake

The government's overall goal with the talks is to be able to hold a referendum on its proposed changes to the constitution. The contested referendum bill announced in September 2017 proposes a two-term limitation to the mandate of the country's president and deputies, and a run-off presidential poll.

However, it is clear that the talks should not revolve exclusively around the establishment of rules governing the competition over access to and the exercise and control of political power. The negotiations should also focus on the delineation, in an inclusive way, of reforms that will deepen democracy and modernise the country's institutions to better respond to the needs of the Togolese people.

Reforms proposals dating back to 2006

In addition to the three proposed amendments in the referendum bill, the Global Political Agreement (*Accord politique global*, or APG), signed in August 2006, provides for further constitutional and institutional reforms. These are aimed at consolidating democracy, the rule of law and good governance in Togo.

Political actors must not lose sight of the other reforms foreseen in the Global Political Agreement

The reforms include changes to government institutions, to ensure greater efficiency; the security sector; and the institutions involved in the electoral process – the Constitutional Court, the Independent National Electoral Commission and the High Authority for Audiovisual and Communication. Yet 11 years after the signing of the APG these reforms are yet to be implemented.

In the short term, the implementation of electoral reforms is important as Togo begins an electoral cycle in 2018 with the organisation of legislative and local elections. The latter were last held in 1987. In the medium term, the reforms would avoid recurrent electoral tensions in the country, especially regarding the upcoming presidential election in 2020.

Need for political will

The coalition of 14 opposition parties' reluctance to participate in the dialogue initiated by the government resulted in their decision to boycott the preparatory dialogue meeting of 12 December headed by Prime Minister Komi Sélom Klassou. This reluctance is based on the failure of a series of dialogues organised since the 2006 signing of the APG.

While the ruling party's lack of political will is partly to blame for the reforms' remaining unimplemented for more than 11 years, this failure is also the

September

2017

THE ANNOUNCEMENT
OF A REFERENDUM

result of a counter-productive strategy by the opposition. A case in point is the 2014 Togo Telecom dialogue, which failed because of the lack of consensus among opposition actors on the retroactivity of the limitation on the presidential term.

Therefore, the dialogue can only bring about the effective implementation of the reforms if the political actors involved – both the governing party and the opposition – show the necessary political will to put an end to this crisis.

Dialogue remains the only peaceful way to implement the reforms envisaged

Involvement of the international community

A persisting crisis could exacerbate social tensions and jeopardise the country's economic prospects. Dialogue remains the only peaceful way to implement the reforms envisaged – some of which are not taken into account in the referendum bill. The dialogue should lead to the adoption of a consensual reform project, as well as a clear implementation roadmap. Considering the upcoming elections, thought should be given to Parliament's adoption of the draft reform that would result from this dialogue.

The involvement of African organisations is therefore necessary, given the degree of mistrust between the Togolese political actors.

To avoid further delays in the effective implementation of the reforms, the dialogue should be led by ECOWAS and the AU, two actors already involved in easing tensions in Togo. These two organisations have the capacity to ensure the parties respect their commitments.

The involvement of ECOWAS, whose current president is Gnassingbé, will be closely monitored by Togolese opposition parties and civil society. This could considerably reduce the regional organisation's room for manoeuvre in resolving the crisis. The AU who has already been indirectly involved through the intervention of former AU chairperson Condé, should support the dialogue. The organisation's support is even more necessary given that it has the potential to move the lines by creating a climate conducive to dialogue.

2020

THE NEXT PRESIDENTIAL
ELECTIONS IN TOGO



PSC Interview

Conflict cannot be an end in itself in the CAR

The UN Security Council at the end of last year authorised an extra 900 troops for the peacekeeping mission in the Central African Republic (CAR). The *PSC Report* spoke to Parfait Onanga-Anyanga, the UN Special Representative for the CAR and Head of the UN Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA), about the challenges facing the force.

Can you give an overview of the challenges faced by MINUSCA?

Let me ask you another question. What would this place be without the UN? That's how we should be looking at things. We are in a difficult place. The CAR has been in this situation, I want to say for the largest part of its existence ... Mutinies, coups, civil unrest. This country has never enjoyed peace and stability. As a consequence, the state has just withdrawn from this huge territory and is now only concentrated – barely – in Bangui and its immediate vicinities. For anyone who has been looking to grab power in this country the whole deal was about grabbing Bangui. You control Bangui and you control the country.

For anyone who has been looking to grab power in this country the whole deal was about grabbing Bangui

... So, what are we doing here? Remember the decision to deploy the peacekeeping mission here was taken as the country was going through an awful war. There was real bloodshed in the country. Some were even talking about the risk of a genocide. We still see today the scars of this very brutal inter-communal violence that took place.

Is it fair to characterise the conflict in the CAR as religious conflict?

Even though we restrain ourselves from talking about religious war in the country, and I think that's not the case because deep down it's just a manipulation of religion by military and political actors for their own vested interests, it's clear that those manipulators have really made headway, and they have succeeded somehow in dividing communities. Now, wherever you go it just suffices for any of these manipulators to suggest they are fighting against Muslims or the Fulani community to mobilise the rest of the country, and go on these absolutely awful confrontations that you see from west to east.

12 000

PEACEKEEPERS IN THE CAR

The worst of it is what is happening in Bangassou ... You now have these Muslims in Bangassou who are living in this Catholic church, and who we are protecting because their homes have been destroyed, their mosques have been destroyed, they have been kicked out of their communities simply because of their religion. And these are people who were born in the area, they are not coming from outside, they are local Central Africans.

Deep down it's just a manipulation of religion by military and political actors for their own vested interests

How important has the presence of MINUSCA been?

So, our presence has been a factor for stability in this country. I'm absolutely aware that our presence did not stop fully the ongoing criminality and competition – and the Security Council resolution [Resolution 2387] highlights this very well – there is ongoing competition for grabbing control of natural resources, and vying for power and controlling territory, only because the main and the deep and root cause of this situation is simply the lack of statehood. The state is absent.

... To give you an idea of the numbers, how come [we] are 12 000 troops and [we] are not able to bring peace to the country? At the height of the crisis in Afghanistan, you counted 150 000 international troops. So it's difficult. And the spike of violence since May this year has indeed exposed the limits of the force. We've been thinly spread over the country, with a tiny population of 4.5 million, half a million of them outside the country, another 600 000 or so spread all over the country as IDPs [internally displaced persons], with multiple hotspots throughout the country. We have a duty to ensure that we can establish temporary operating bases wherever populations are at risk, so it is a fact that the troops are thinly spread. We face huge challenges to ensure that we are able to proactively respond to the many demands for assistance, to prevent the occurrence of this violence, and wherever possible to push back and limit the threat that armed groups are posing to populations. It is a huge task.

What is MINUSCA's exit strategy?

We do have an exit plan. I've told everyone both inside and outside that it will be a failure if we were to be still around 20 years from now. It would show that the country was never prepared to take over from international community support ...

[The CAR needs] a dedicated effort by the leadership of this country to build block by block, strategically taking advantage of the presence of the international community to rebuild its own tools, not to engage in what has been the national sport, which is just competing, vying for power, and hope that the rest of the world will be around to pamper them and to avoid this whole thing from collapsing, so that they can continue the game of grabbing and corruption and everything. Hoping that this is not the modus operandi, which would in itself suggest that the leadership of this country has decided to break from what has been unfortunately in the DNA of the society, which in itself is not an easy undertaking. So I do measure this, all this is provided that they do the right thing consistently over the next 10 years. Is it a given, can we take it for granted? I'm not sure.

What difference will the extra 900 troops make?

We are very grateful that the Security Council heeded [the secretary-general's] call and new troops have been authorised by the council, and it's a matter of the deployment of these additional troops, which we hope will take place in the coming months, sooner rather than later. Because it's a fact of life that national capacity is just too weak.

Meanwhile, as I said, there can be no military solution ... we are a multidimensional mission, we support the disarmament process, the security sector reform, the national reconciliation process, we are also in the business of asserting state authority through a number of projects to build public buildings and schools. All of this in a way that could provide space for people to see that there are other [ways], that conflict cannot be an end in itself.



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Using its networks and influence, the ISS provides timely and credible analysis, practical training and technical assistance to governments and civil society. This promotes better policy and practice, because senior officials can make informed decisions about how to deal with Africa's human security challenges.

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