**Peace and Security Theme: Background Note**

## 1.0 Introduction/Background

In spite of the declarations, statements of intentions, passing of key instruments and policy standards or even the acknowledgement of *Shared Values* (Human Rights, Good Governance, and Democracy) as critical pillars in the pursuit of prosperity, Africa's political environment remains characterized by a multiplicity of threats to peace and security, and an uncomfortable recurrence of some of the same challenges. Africa's leading drivers of conflict include abundant (especially mineral) resources, personal rule and attendant political authoritarianism, manipulation of identity politics across ethnicity, race and creed, perceptions of exclusion and marginalization of communities, as well as electoral mal-practices resulting in contested legitimacies and resultant violence. Beyond large scale violence, many countries without open conflicts have to contend with internal dynamics and threats to peace from, for instance, private informal militias and organized groups especially among the youth and other disgruntled elements within their borders. State response to these challenges has sometimes boomeranged, resulting in escalation of public disorder, diminished freedoms, and massive violation of human and peoples' rights. But whatever the cause, perhaps the greatest challenge remains how to effectively balance needs for justice with the exigencies of holistic long term post-conflict healing, reconciliation and reconstruction.

On the other hand, the absence of holistic and lasting peace historically remains one of the core hindrances to the attainment of tangible socio-economic transformation. As the AU's Peace and Security Council recognizes,

> *"No single internal factor has contributed more to the present socio-economic (and political) problems in the continent and the suffering of the civilian population than the scourge of conflicts within and between our countries …"*

It is perhaps in recognition of this reality that during the transformation of the OAU into the AU, African leaders decided to establish the African Peace and Security Architecture (APSA).[1]
In October 2010, the AU Commission's Africa Standby Force completed the final phase of the Amani Africa Cycle with a command post exercise aimed at, among others, to evaluate and increase the ASF's readiness, capability and procedures.
The year 2010 was also declared the Africa Year of Peace and Security by the *Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace*, adopted by the Special Session of the Assembly of the Union on the Consideration and Resolution of Conflicts in Africa, and the Decision Assembly/AU/Dec. 275(XIV) on the Report of the Chairperson of the Commission on the Year of Peace and Security in Africa, as adopted by the 14th Ordinary Session of the Assembly of the Union held in Addis Ababa from January-February 2010. In August of the same year, in support of the Africa Year of Peace and Security, the African Union held its first *High Level Retreat on the Promotion of Peace, Security and Stability in Africa*, an inaugural retreat that ended with, among others, the Cairo Call for

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[1] The AU Peace and Security Architecture comprise the Peace and Security Council, the Peace Fund, Panel of the Wise, Continental Early Warning System, African Standby Force, and the Military Staff Committee.

Peace and a proposal to institutionalize and regularize the initiative. A follow up retreat was convened in September 2011 under the theme: "**Strengthening Political Governance for Peace, Security and Stability in Africa**". Noting the critical link between democratic governance – or its lack thereof – and geopolitical patterns of violence and instability, the retreat sought to, among others, provide a platform to deliberate on and respond to governance-related challenges to peace and security situation in Africa.

Now in the 18th Summit, it is anticipated that the launch and declaration of 2012 as the **Year of Shared Values**, as decided in the 16th Ordinary Summit in 2011, will serve to further popularize the concept of *Shared Values*, and work towards the pursuit of peace and increased respect for human rights in Africa.

## 2.0    Context

### 2.1 The Political Context

The 18th Ordinary Summit of the African Union takes place at a time when the shadow of a tumultuous 2011 still looms large over Africa. 2011 will remain a watershed year especially with regard to the challenges it posed for continental peace and security in the wake of popular uprisings that sought to deepen democratic transformations in the continent. The wave of political convulsions set off by the audacious self-sacrifice by a Tunisian trader in December 2010 ignited popular uprisings that accidentally engineered the re-emergence of revolutionary fervor across northern Africa and the Middle East.  Mohamed Bouazizi's act of self-immolation was as shocking as its eventual outcomes were unintended, leading most notably to the collapse of two pseudo-democracies in Tunisia and Egypt through relatively non-violent mass action, and an extremely violent insurrection in Libya that toppled Col. Muammar al Qaddafi. Though with varying levels of success, the new spirit of democratic demands not only found intermittent expressions in Algeria, Djibouti, Mauritania, Morocco, Sudan and Western Sahara, but also crossed continental borders into the Middle East where Syrian, Jordanian and Yemeni masses found new voices for old questions on representation, equality, social justice and human rights. These events not only birthed a new spirit of African possibilities, but also inspired a wave of popular citizen demand for accountability, increased democratic space, and equality both within the continent and globally, as exemplified by subsequent global 'Occupy' movements.

### 2.2 Elections as 'emerging threats' to peace and security

Although our imagination of democracy must stretch beyond the mere repetition of periodic elections and the existence of multi-partism, it is instructive that more countries are holding regular, predictable elections. While by themselves they are not sufficient guarantees of democratic transition and political maturity, elections remain key indicators and building bloc towards a truly popular participation in civic affairs. Manipulation of the electoral process and institutions turns elections into avenues for violence, intimidation and fraud, thus diminishing citizens' faith in democracy, government, and the judiciary as an impartial and fair arbiter. Lessons from Madagascar, Guinea Bissau, Guinea Conakry, Mauritania, Kenya, Zimbabwe, Ivory Coast, Uganda, and the DRC illustrate how flawed elections can result in significant political instability, violent insurrections, and even crimes against humanity as competition for the state apparatus assume a violent expression.

The failure of elections to protect the voice of citizens, and the desire for restoration of peace and stability have birthed a new ailment in Africa where alleged incumbent losers' refuse to vacate office in the hope of negotiating a political settlement. In the long term, the resultant Governments' of Nation Unity (GNUs) serve neither the interests of the ordinary peoples nor the deepening of democratic transformation, but that of the principal protagonists. Subsequently, making elections credible, free and fair in a manner consistent with the will and aspirations of majority of the peoples remains an uphill task in Africa's democratization project. Securing the popular will require permanent civic vigilance by citizens and non-state actors,

locally and regionally. The peace movement must highlight the link between elections, bad governance and political instability in Africa.

### 2.3 The Socio-economic and cultural context

Agreeably a great resource, Africa's rich cultural and religious diversity can be transformed into a potent instrument for community-based peace building to enhance peaceful coexistence rather than its historically dominant perception as a tool for fuelling inter-community mistrust, antagonism, and conflict. In the absence of issue-based political culture in most African democracies, unscrupulous politicians exploit these diversities to win elections and ascend to positions of influence. Majority of political and sectarian violence have thus exploited this diversity to serve parochial and personal interests. Political tensions and violence along ethnic, racial and religious lines have been experienced in Egypt, Ivory Coast, Kenya, Liberia, Libya, Nigeria and Uganda.

Diminishing opportunities for employment and work especially educated unemployment among Africa's youth, demographic pressures, the prevalence of negative ethnicity, economic and political marginalization, inflationary pressures and attendant rising cost of living in the wake of the global financial crisis all threaten hitherto precarious livelihoods, exposing the increasing vulnerability of more and more households to extremes of poverty and deprivation.

### 2.4 The spectre of unresolved conflicts

Longstanding, unresolved conflicts continue to haunt regions and some countries, notably Somalia, the Sudan (Darfur), Uganda, the DRC all with grave implications to citizens and the neighbouring countries. These trends have implications for peace and security both intrastate and regionally since such social pressures may act as triggers to widespread violence, infiltration of terror gangs and recruitment of youth into formal and informal militia like the Boko Haram, Al-Shaabab, Al Qaeda, the LRA, among others. In addition to these historical/long standing conflicts, the persistence of election related violence, emergence of popular insurrections, and the perceived inability of the AU to decisively and emphatically deal with some of the challenges legitimizes the emerging threat of military (mis)adventurism by extra-continental entities in the name of protecting civilians, supporting, restoring and securing the peace. All these challenges and trends have put under renewed focus the capacity and willingness of continental and sub-continental/regional bodies to use available instruments and policy standards to intervene decisively and in a timely manner to avert crises and destruction.

## 3.0 Prevailing dynamics and emerging issues

### 3.1 Negotiated democracy and election-related violence

Two decades after collapse of the Berlin Wall, Africa's democratization project has made significant strides as characterized by more regular elections, competitive multiparty politics, and attempts at constitutionalism. However, and ironically, elections, as manifestation of democracy or the pursuit of it may be turning into leading threats to peace and security. Sham elections are a symptom of a larger malaise, namely dysfunctional political systems and governance structures in Africa. Tackling challenges to good governance and institutionalizing and operationalising democracy can be disincentives for conflict and, at the same time significantly reduce instances of pop-up violence even in otherwise stable countries as demonstrated by Kenya's 2007/2008 Post-election violence. The persistence of political upheavals and election-related violence underlines the absence of key tenets of free and fair elections. Such failures in the electoral process remain a significant threat to peace in Africa, and demands of stakeholders and peace movement to develop strategies to respond to governance-related challenges to peace and security.

While the AU has passed key policy standards and legal instruments on democracy and other 'Shared values including the *African Charter on Democracy, Elections and Governance,*' the

ultimate test of their efficacy lies not only in member states' signature and ratification, but more important is the domestication and adherence to these principles in practice on one hand and, the capacity and willingness of the AU leadership to monitor and enforce compliance as well as mete out sanctions for non-compliance by member states on the other.

### 3.2 Intra-African ability to manage and secure democratic transitions

The eruption of mass movements and popular struggles for democratic space in northern Africa, and the nature of state response with typical repression and bloodshed is indicative of the pervasive culture of impunity by governments and a failure of the AU to hold member states accountable to key continental instruments and policy standards. While the continental and regional early warning systems and broad-based civil society networks can anticipate socio-political disruption, managing (especially violent) democratic transitions will continue to pose a significant challenge. Defending people power and defeating counter-revolutionaries will require building and supporting an organic grassroots movement that is aware of relevant AU standards and can thus lay claim to those rights in their local spaces.

On the other hand, revolutionary change inevitably births the challenge of crafting and reasserting the legitimacy of government in a post-conflict state, key among which are disarmament, demobilization and reintegration of superfluous fighters and, managing often competing expectations of erstwhile rebel forces turned victorious government forces. Additionally, while the singular goal of defeating a common enemy often binds 'rebel' forces during the struggle, deep rooted suspicions and raw ethnic, regional, religious and political differences emerge in the aftermath of successful revolutions, more often severely undermining effective national healing and reconciliation as exemplified by the cases of Libya and Ivory Coast. How can the progressive peace movement anticipate, influence and secure democratic gains by a resurgent mass movement in Africa?

### 3.3 Continental sovereignty and external military interventions

The NATO military campaign in Libya came under criticism and praise in equal measure. While the humanitarian wording of the UNSC resolution 1970 and 1973 ( 2011) on Libya gave the mission legitimacy and power to guarantee protection of civilians and humanitarian assistance, the later air raids that emasculated the anti-government forces were seen by some as a backdoor stretching of the NATO forces' mandate to include western strategic interests in complete regime change. Coupled with French military intervention in Ivory Coast, this trend raises fundamental questions with regard to the perceived inability of the AU to assert its authority and control over conflict situations in Africa on one hand, and the precedence these experiences could set for future extra-continental interventions in the absence of a demonstrable continental capacity – both technical and financial – to mount complex combat and peace keeping operations.

In early 2009 for instance, a bungled Uganda-US military action aimed at capturing Joseph Kony resulted in retaliatory attacks by the Lords Resistance Army. With over 1,000 Congolese civilians dead, 180,000 displaced and hundreds of young people abducted into rebel fighter ranks, "*Operation Lightning Thunder*" was a military and humanitarian disaster. It was supported by 17 military 'advisors' from AfriCOM, the US military command responsible for all of Africa except Egypt. In October 2011, the US authorised the sending of 100 combat troops to Uganda to help hunt down the LRA, with an ultimate mandate to deploy in CAR, the Congo, and South Sudan. This trend is likely to increase with the rising preference for outsourcing foreign security operations to Private Military Contractors (PMCs) by western states, raising critical ethical and accountability questions. The militarization of development aid under the

3Ds concept,[2] the unpredictability of the Middle East as a reliable source of crude oil, the emergence of new petro-states in Africa, and Africa's rising centrality in meeting future (especially) energy needs of western powers all have implications for peace and security in a continent vulnerable to resource conflicts.

How has the delay in fully operationalising the AU Peace and Security Architecture, especially a functional Africa Standby Force (ASF) impacted on, or justified continental vulnerability to external interventions? What measures can be taken by CSOs to improve AU responsiveness to continental crises?

### 3.4 Strengthening African voices and representation at the UNSC

Reforming key institutions of the United Nations, especially with regard to fair and just representation has remained an important but unattended agenda. With the single largest membership bloc within the United Nations, and given the dominance of African issues in the agenda of the UN Security Council (approximately 80 percent), Africans' call for a permanent seat at the Security Council are extremely legitimate, and its denial of the same is a continuing injustice. The reliance on the veto power and goodwill of friends of Africa at the UNSC has severe limitations and is neither prudent nor sustainable in the long run given the changing geopolitical realities like the rise of emerging powers and other interest groups. African CSOs, in partnership with global partners, need to support and encourage AU demands for a permanent seat at the UNSC.

### 3.5 Preventing the resource curse

Africa's rich mineral wealth continues to bring mixed blessings. Whether it is Zimbabwe or the DRC or the two Sudans, preventing and containing resource-inspired conflicts or use of mineral proceeds by recalcitrant states to undermine continental shared values can only be realized through concerted research-based advocacy campaigns. The recent withdrawal in December 2011 of Global Witness from the Kimberley Process[3] raises fundamental issues with regard to the political will and commitment of the international community and corporations to addressing the clear links between minerals, violence and tyranny in some resource-rich countries. Developing, effecting and policing a sanction regime at the continental level can be a positive step towards addressing the age-old issue of Africa's resource curse. There is not much in terms of a vibrant continental advocacy work around monitoring the exploitation of African resources, including violations of human rights and labour laws, lack of transparency in contracts, and the impact of global realignments on the diminishing power of traditional sanctions on recalcitrant client regimes. In this respect, the rise of emerging powers and their growing interest and influence in Africa demands a thorough analysis to help African peoples to accrue maximum benefits from competing suitors while at the same time avoiding the pitfalls of historically exploitative and dehumanizing relationships with traditional partners.

### 3.6 Governing for peace and security: the ICC and international justice in Africa

Deepening democracy requires a renewed commitment by the political leadership in Africa to principles and standards of political accountability. It also requires a civil society strategy that relies more on building citizen capacity for permanent civic vigilance in order to achieve long term results, and less on knee-jerk reactions to crises. Citizens are less likely to embrace violence to seek redress or to amplify their voices when they know that processes and institutions of governance will be impartial. Therefore, effectively functioning governance structures are not only necessary for ensuring socio-political stability, but are in fact a critical prerequisite for long-term sustainable peace among communities.

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[2] *Development, Diplomacy and Defense, 3D* is an emerging (largely US-originated) but contested concept that champions the convergence of foreign development assistance and diplomacy and foreign policy priorities of donor countries to align with their security interests.

[3] The global diamond industry watchdog established in 2003 to monitor and avert the entry of diamonds that originate from conflict zones - blood diamond

Given that its mandate and relevance in Africa in principally necessitated by breakdown in governance and peace and security in the continent, and failure of the AU to hold members to continental standards and instruments, how can continental CSOs engage constructively with the ICC in a manner that adds value to continental struggles for peace, security and democratic governance? How can the dominance of African cases at the ICC, and African leadership's apprehension over and resistance to the court be harnessed to secure Africans' political support for finding local solutions to Africa's problems, including signage, ratification, domestication and implementation to key continental legal instruments and policy standards?

Securing lasting peace, healing and reconciliation requires greatest community-level engagement which can best be secured through broad-based civil society engagement and collaboration. Africa's turbulent past and a deep and rich cultural diversity can provide insights, lessons and models of transitional justice to the world.

Fast tracking the integration agenda through the operationalisation of continental institutions, legal instruments and policy standards e.g. the African Court of Justice and Human Rights or even the African Transitional Justice Policy Framework hold greater promise for positive impact on the lives of Africans. Similarly, working within RECs to broaden commitments by individual countries within regions to honor their obligations to the Rome Statute will support in practice the shift from regime security to a security of the people. In so far as the ICC goes, the emerging issue is how to ensure that a reluctant AU, RECS and member states foster and uphold the principle of complementarity in practice.

### 3.7 From regime security to human security, in practice

How can the civil society and the people re-direct the discourse on security away from traditional strategic view point that emphasise regime security, to a much more enriching, all-encompassing vision of 'human security?' While the *AU Common African Defence and Security Policy* recognizes the need for this shift, the underlying socio-economic roots of political turmoil in Africa demand this shift – in practice. With its emphasis on 'security of the people,' human security is a holistic approach to security that centres the need to protect the populations from a wider array of challenges including social, economic, political and even environmental disruptions. It addresses fundamental human needs for survival and decent life, encompassing issues of poverty alleviation, access to water and sanitation, food security, environmental security, vocational skills training among others.

Similarly, a human security approach demands that communities caught in the web of conflict are treated with dignity and their rights are protected. For instance, understanding the dynamics of gender, peace and security must go beyond protection to encompass issues of collective and individual accountability for SGBV as well as attaining increased participation of women in key decision making on conflict resolution and reparative justice.

Since its adoption in October 2009 in Kampala, the *Convention on the Protection and Assistance of Internally Displaced Persons in Africa* is yet to come into force, with thirty-one and only seven African Union member states having signed and ratified it respectively. The convention requires 15 ratifications. There is need to expedite the ratification and domestication of the instrument in order to reign in on the challenge of forced displacement, right of return and protection of IDPs.

The idea of war on terror, not only sucks up and diverts limited state resources into grandiose (and often bloated) national security apparatus, but the national security discourse has sometimes been (mis)appropriated by the state to diminish spaces for civil society engagement, undermine democratic transformation and violate socio-economic and human rights.

## 4.0 Possible approaches

4.1 Develop a multi-faceted approach for lobbying and engagement at national, regional and continental levels. In particular, deepen and support CSO engagement with the RECs and their institutions within their regions like regional courts and parliaments and forums. Also organizing and supporting CSOs within RECs to claim formal and informal spaces to influence appropriate action at the regional level;

4.2 Popularize, advocate for, and influence the signature, ratification and (especially) domestication of AU policy standards and legal instruments that have the greatest promise in ensuring peace and human security in the continent e.g. on democratic governance, social and economic rights, and protection of civilians and other vulnerable groups during conflict;

4.3 Empower, support and accompany citizens and grassroots organizations to demand rights from duty bearers, including supporting access to justice in continental and regional institutions e.g. the African Courts of Justice and Human Rights;

4.4 Establish and strengthen thematic-based civil society advisory groups to the African Union and the Regional Economic Communities (RECs) to take the lead, on permanent and/or ad hoc basis, on specific issues e.g. CSO Advisory Group on Peace and Security with regard to: Transitional Justice, Gender, Youth, Elections, Environment, Extractive Industries, Emerging Powers (BRICS), Labour etc;

4.5 Build capacity of coalitions and partners to understand the structures and functions in the African Union Peace and Security Architecture, including the meeting and decision-making procedures of the AU in general and the PSC in particular because influencing policy and action can benefit from knowing **whom**, **when** and **how** to strike. Being the principal organ around which the AU's mechanisms and structures for peace and security revolve, the PSC has a very broad mandate that includes to: promote peace, security and stability; anticipate and prevent conflicts; promote and implement peace-building and post-conflict reconstruction activities; develop a common defense policy for the union; encourage democratic practices, good governance and the rule of law and; protect human rights and fundamental freedoms.[4]

Subsequently, influencing the AU on peace, security and related matters requires good understanding the mechanics and decision-making organ on these matters.

For instance, PSC meetings are ideally held twice a month at the ambassadorial level, once a month at the ministerial level, and once a year at the Heads of State and Government level. There are three types of meetings: formal meetings; briefing meetings – to receive updates on specific issues, and; expert consultations. All meetings are chaired by a monthly rotating chairperson who has a role in determination of agenda. Knowing such information can be helpful in advancing advocacy and identifying and utilizing policy windows.

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[4] Article 2(1) of the Protocol relating to the establishment of the Peace and Security Council of the African Union