



# SECURITY COUNCIL REPORT

## SPECIAL RESEARCH REPORT



**2011 No. 2**  
**10 May 2011**

This report and links to all of the relevant documents are available on our website at [www.securitycouncilreport.org](http://www.securitycouncilreport.org)

## WORKING TOGETHER FOR PEACE AND SECURITY IN AFRICA: The Security Council and the AU Peace and Security Council

This Special Research Report responds to a growing interest in how to improve the joint efforts of both the UN Security Council and the AU Peace and Security Council to prevent and end violent conflicts in Africa. For almost six years SCR has been analysing these efforts in country-specific situations and at the thematic level. But with the tenth anniversary of the AU inauguration just over a year away it seemed clear that the relationship still had many problems and was very far away from realising its potential for being an effective partnership. In an effort to provide some detailed analytical tools for the parties, this report represents the beginning of an ongoing and detailed engagement by SCR on this issue.

The preliminary conclusions from this report suggest that most of the necessary institutional steps are already in place, but given the resource constraints in the UN and even more so in the AU, it is a mistake to expect the secretariats to bring about a real partnership. Leadership by the member states of both Councils will be key and engagement needs to go beyond the brief and often symbolic visits to Addis Ababa and New York. Investment of more time and member state energy will be essential. A number of possible options in this regard are identified in this report. Other possibilities including the role of the subregional bodies will be examined in future reports.

### TABLE OF CONTENTS

<b>1. Introduction .....</b>	<b>1</b>
<b>2. Historical Context .....</b>	<b>3</b>
2.1 UN Chapter VIII Relationships.....	3
2.2 The AU Comes into Being .....	4
<b>3. The AU Structural Design .....</b>	<b>5</b>
<b>4. The AU's Peace and Security System.....</b>	<b>6</b>
4.1 The PSC's Structure and Working Methods.....	6
4.2 The Continental Early Warning System.....	7
4.3 The Panel of the Wise .....	7
4.4 The African Standby Force (ASF) .....	8
4.5 The Peace Fund .....	8
<b>5. The UN-AU Relationship on Peace and Security .....</b>	<b>8</b>
5.1 OAU-UN Relationship.....	8
5.2 Early African Peacekeeping .....	9
5.3 Ten-year Capacity Building Plan.....	9
<b>6. The Evolution of the Security Council's Engagement with Africa.....</b>	<b>11</b>
6.1 Historical Background.....	11
6.2 The Relationship with the AU as a Council Agenda Item .....	14
6.3 Key Council Decisions Related to the Relationship with the AU ...	15
6.4 The Cycle of Reporting.....	16
<b>7. UN-AU Cooperation in Peacekeeping.....</b>	<b>17</b>
7.1 Darfur.....	17
7.2 Somalia .....	20
<b>8. The Evolution of the African Side's Engagement with the Security Council.....</b>	<b>22</b>
<b>9. The AU PSC-UN Security Council Relationship .....</b>	<b>23</b>
<b>10. Trying to Put Things in Perspective.....</b>	<b>26</b>
<b>11. Council and Wider Dynamics... 28</b>	
11.1 Political Perspectives from the Past.....	28
11.2 Current Political Dynamics.....	30
<b>12. The Way Ahead.....</b>	<b>32</b>
<b>13. UN Documents .....</b>	<b>33</b>
<b>14. AU Documents.....</b>	<b>37</b>
<b>Appendix .....</b>	<b>38</b>

### 1. Introduction

Conflicts in Africa have occupied the bulk of the Security Council time and energy for nearly two decades. During its first 40 years, the Council established only one operation in Africa, the UN Operation in the Congo in 1960. In contrast, from 1989 to 2011, 25 operations were mandated for Africa, some of them with a record degree of complexity, and with several of them deployed simultaneously.

The need for various forms of conflict prevention and management assistance in Africa has surpassed the UN capacity. The UN system has been coping with this situation with varying degree of success, mainly through political and peacekeeping tools. UN peacekeeping has been the most visible tool and in some cases it has been very effective. By contrast, UN conflict

prevention and mediation efforts have been less visible and UN coordination of integrated programmes to address the root causes of conflict even less effective. It remains to be seen how well the new peacebuilding architecture will perform.

Peacekeeping operations have been severely stretched and slow in implementing mandates due to a variety of factors including the high number of forces already deployed, poor working methods in the Council to oversee and manage integrated operations, the global economic crisis and difficulties in generating and quickly deploying well-equipped troops and competent civilian capacity. In this context and in the face of massive human suffering in different areas of the continent, finding improved ways of meeting African peace and security needs continues to be vital.

At the outset of the current century, Africa strove to come up with its own system to address a broad spectrum of matters, including peace and security, by creating in 2002 the AU and, as part of its plans for what is referred to as the "African Peace and Security Architecture", almost two years later establishing the AU PSC.

A productive burden sharing between the UN and regional organisations (and sub-regional organisations) could be key to addressing many of the problems. The UN founders in 1945 foresaw the need for future arrangements with regional organisations and included this in the UN Charter Chapter VIII which acknowledges the scope for contribution of regional organisations to the settlement of disputes. But it was not until the early 1990s that Chapter VIII was given more focused attention. In January 1992 the Security

Council, meeting for the first time at the level of heads of state and government, asked the Secretary-General to recommend ways to strengthen and make the UN more efficient for preventive diplomacy, peacemaking and peacekeeping. In response in June 1992, the Secretary-General issued his report *An Agenda for Peace*, where he highlighted the role that regional organisations could play in preventive diplomacy, early warning systems for crisis prevention, peacekeeping and post-conflict peacebuilding. Thus there emerged the concept of global-regional partnerships in the maintenance of peace and security.

However, this fragile architecture was put to a premature, and almost impossible test in the early 1990s, following the failures of UN operations in Somalia, Rwanda and Bosnia. In the following retreat from multilateralism the major powers tended to abdicate leadership, leaving new crises in Africa largely in the hands of under resourced regional countries.

The re-emergence of support for UN leadership at the end of the millennium came at a time when it was becoming clear that Africa was the place where a partnership had the highest potential to make an impact but also the place where the challenges were the greatest. The AU is still young and the global-regional partnership concept between the AU and the UN is also therefore relatively new. It is still constantly evolving. An important and unique aspect of this relationship between the global organisation and a regional one is that since 2007, the top security bodies of the two organisations, the Security Council of the UN and the Peace and Security Council of the AU, have maintained regular contact, with annual joint

consultations alternating between the respective headquarters of the two bodies since 2007.

These meetings have so far focused on process rather than substance. They have been marked by a degree of tension in periods leading up to the meetings. It appears that there are a number of outstanding issues between the two bodies:

- The PSC is sometimes frustrated that the Security Council has not been responsive when it has sought political support for preventive diplomacy and crisis management.
- PSC members also feel disappointed that the Security Council has hesitated to provide the degree of practical and material support in the peacekeeping context that the PSC has requested.
- The PSC is perplexed by what it sees as a lack of transparency, timely access, and basic courtesy by the Security Council on procedural issues.
- Security Council members are often frustrated in their dealings with the AU by the AU's lack of consistency on some key issues of principle.
- A tendency to expect the Council to defer to the position of regional organisations worries some Council members. Other Council members worry that regional groupings in some situations have difficulty being impartial and may be part of the problem rather than the solution.
- The huge complexities of jointly managing a hybrid UN/AU mission in Darfur and the differences regarding the approach to Somalia where the Council is reluctant to transform the AU operation into a UN peacekeeping mission, despite the Africans' repeated calls for such a transformation, exacerbate the tensions.

- The colonial legacy of some Council members is an additional underlying factor complicating this relationship.
- The asymmetry between the organisations in terms of resources, particularly the financial and human resource challenges for the PSC in Addis Ababa, are also a major factor.

The relationship between the respective AU and UN Councils may benefit from some innovative options as to ways to improve the working relationship and interaction between the two bodies, and ultimately improve their respective effectiveness and impact. Most of those involved—on both sides of the relationship—have often been operating with limited resources. There is a lack of familiarity in the UN with the AU's institutional design, its working methods, practices and capacities and vice versa.

By undertaking the current study, Security Council Report hopes to improve the level of knowledge on all sides, to explore some of the issues and options and as a result to provide a resource for the practitioners of this relationship for the future.

## 2. Historical Context

### 2.1 UN Chapter VIII Relationships

During the negotiations of the UN Charter a debate ensued over the place of regionalism in the new international design. The outcome was Chapter VIII on Regional Arrangements which is reproduced below in full as it may be useful for the reader of this report to have it as a handy reference.

#### Article 52

1. Nothing in the present Charter precludes 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 UN.
2. The Members of the UN entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.
3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.
4. This Article in no way impairs the application of Articles 34 and 35.

#### Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy

state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

#### Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

The Charter clearly acknowledges the scope for regional organisations to add value in the settlement of disputes, but Article 53(1) makes it clear that this is a capacity which is intended as a supplement to global capacity, not as a substitute. The Charter provides no precise definition of a regional organisation. Furthermore, the nature of arrangements is not fully clarified and the Charter leaves some ambiguity. Both imprecisions were most likely deliberate and allow flexibility for future understandings and arrangements.

It was not until after the end of the cold war that Chapter VIII relationships could be viewed in an impartial perspective

and such relationships could be the focus of sustained attention by the UN. In January 1992 the Security Council, meeting at the level of heads of state and government, asked the Secretary-General to recommend ways to strengthen and make the UN more efficient for preventive diplomacy, peacemaking and peacekeeping. In response, the Secretary-General issued his report *An Agenda for Peace* in June 1992, where, among many other proposals, he highlighted the role that regional organisations could play in preventive diplomacy, early warning systems for crisis prevention, peacekeeping and post-conflict peacebuilding.

Both the Security Council and the General Assembly have subsequently adopted decisions acknowledging the importance of involving regional organisations in the global maintenance of peace and security and improving coordination with the UN.

Starting in August 1994, the Secretary-General began holding periodic meetings with the heads of other international organisations with competence in the area of peacemaking and peacekeeping. In January 1995, in his *Supplement to the Agenda for Peace*, the Secretary-General provided an analysis of the various aspects of cooperation with such organisations. He identified five forms of possible cooperation:

- consultation, with a purpose to exchange views on conflicts that both the UN and the regional organisation may be trying to solve;
- diplomatic support, when the regional organisation participates in the peacemaking activities of the UN and supports them by diplomatic initiatives or when the UN supports the regional organisation in its efforts;
- operational support by a regional organisation for a UN or the UN

providing technical advice to regional organisations that undertake peacekeeping operations of their own;

- co-deployment, when the UN missions have been deployed in conjunction with the missions of other organisations; and
- joint operations, where the staffing, direction and financing of which are shared between the UN and a regional organisation.

Following the shift of emphasis by the major powers in the mid-1990s away from the UN, there was a growth in involvement by regional organisations in different parts of the world. A number of resolutions adopted by the Council to address the conflict in the Balkans and the former Soviet Union involved arrangements with, respectively, European regional organisations and NATO, and with the Conference on Security and Cooperation in Europe and the Commonwealth of the Independent States. On Haiti, several arrangements were made with the Organisation of American States. And in the September 1993 resolution 866 creating the UN Observer Mission in Liberia, the Council for the first time established an operation that from the start was a junior partner to an already existing mission of another organisation, the Military Observer Group of the Economic Community of West African States (ECOWAS).

While the Council continued simultaneously to address conflicts in several parts of the world, from the mid-1990s on, Africa began occupying more and more Council time and attention.

In September 1997, by which time Africa accounted for some 60 percent of Council time, during US presidency, the Council held its first ministerial-level debate on the situation in Africa. Its

outcome was a presidential statement, which among other things, supported “the engagement of the UN in Africa through its diplomatic, peacekeeping, humanitarian, economic development and other activities, which are often undertaken in cooperation with regional and subregional organizations” and asked the Secretary-General to submit a report with concrete recommendations “regarding the sources of conflict in Africa, ways to prevent and address these conflicts, and how to lay the foundation for durable peace and economic growth following their resolution”. The Secretary-General released his report *The causes of conflict and the promotion of durable peace and sustainable development in Africa* in April 1998.

That first ministerial-level debate marks the moment when the Council’s relationship with Africa acquired its particularity, making it more intense and sustained than the other Chapter VIII relationships. The relationship has continued to expand in the current decade, especially since 2002, though, as pointed out in the Secretary-General’s 2008 report (S/2008/186) on the relationship between the UN and regional organisations, “cooperation continues to pose a challenge to the UN, which is structured and funded to focus on its own operations rather than those led by other groups, even when such missions are encouraged or authorized by the Security Council.”

## 2.2 The AU Comes into Being

In 1963, by which time a number of African states gained independence, the first continental body was set up in Africa: the Organisation of African Unity (OAU). With 32 initial members it grew to 53 by the first part of the 21st century. A key factor uniting its members was the fight for decolonisation and putting an

end to apartheid. With the progress in decolonisation and then the end of the cold war, soon followed by the end of apartheid, by the mid-1990s, several African leaders began to feel that the OAU became something of an anachronism and embarked on the process of laying the groundwork for the creation of a new continental African organisation. The decision to establish the AU, "in order to cope with those challenges and to effectively address the new social, political and economic realities in Africa and in the world" was adopted at an OAU extraordinary summit held in Sirte, Libya in September 1999.

Ten months later, the OAU heads of state and governments gathered in Lomé, Togo, adopted the AU Constitutive Act. Among the basic principles for the functioning of the new organisation were:

- establishment of a common defence policy for the African continent;
- peaceful resolution of conflicts among member states of the Union through such appropriate means as may be decided upon by the Assembly;
- prohibition of the use of force or threat to use force among member states of the Union; and
- non-interference by any member state in the internal affairs of another.

But, importantly and in contrast with its predecessor, the OAU, the AU Constitutive Act also listed as one of the basic principles:

- 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.

Members of the OAU agreed in 2001 on a transitional process from OAU to the AU and the inaugural meeting of the AU

took place in Durban, South Africa in July 2002. All African countries except Morocco are members, totalling 53.

### 3. The AU Structural Design

The institutional design of the AU and the different bodies' schedule of meetings, their respective working methods and their linkages, are quite complex and therefore it may be useful to list here some of the AU's key elements (some details for this section come from materials and information provided by the Institute for Security Studies' office in Addis Ababa).

The Union identifies five regions, distributing its members as follows:

- Northern Africa: Algeria, Egypt, Libya, Mauritania, Tunisia and Saharawi Arab Democratic Republic
- Western Africa: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo
- Central Africa: Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon and Sao Tome & Principe
- Eastern Africa: Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tanzania and Uganda
- Southern Africa: Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe

An important aspect of the AU design is the significance of the African Regional Economic Communities and Mechanisms, or RECs/REMs. They differ in structure, scope and intensity of activities. Some have overlapping

memberships. Some focus strictly on economic and development activities, but a few play critically important and active roles in political activities on peace and security issues. Therefore it is useful to list the key ones here:

- COMESA (The Common Market for Eastern and Southern Africa)
- ECOWAS (The Economic Community Of West African States)
- IGAD (Intergovernmental Authority for Development)
- SADC (Southern African Development Community)
- EAC (The East African Community)
- ECCAS (Economic Community of Central African States)
- UMA (Union du Maghreb Arabe)
- CEN-SAD (The Community of Sahel-Saharan States)

The primary political body of the AU is the **Assembly of Heads of State and Government**. It holds two meetings (referred to as summits) a year, in January and late June or July. It elects the Chairperson of the AU, usually at the January session, for a period of twelve months. Responsible to the Assembly is the **Executive Council**, composed of all the member states' foreign ministers. It also meets twice a year and the usual practice is that the summits are held immediately after the Executive Council's meetings. Charged with preparing the work of the Executive Council is the **Permanent Representatives' Committee**, composed of permanent representatives of member states accredited to the AU (usually the ambassadors to Ethiopia, residing in Addis Ababa). It meets every month.

The AU body responsible for the maintenance of continental peace and security is the **Peace and Security Council**. At the AU inaugural meeting in Durban, the African leaders signed the

“Protocol Relating to the Establishment of the Peace and Security Council of the AU” which came into force on 26 December 2003. The Protocol defines the PSC as “a standing decision-making organ for the prevention, management and resolution of conflicts. The PSC shall be a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa”.

Its objectives, according to Article 3 of the Protocol include:

- promote peace, security and stability in Africa;
- anticipate and prevent conflicts and where conflicts have occurred, undertake peace-making and peace-building functions for the resolution of these conflicts;
- promote and implement peace-building and post-conflict reconstruction activities to consolidate peace and prevent the resurgence of violence;
- co-ordinate and harmonise continental efforts in the prevention and combating of international terrorism in all its aspects;
- develop a common defence policy for the Union, in accordance with article 4(d) of the Constitutive Act; and
- promote and encourage democratic practices, good governance and the rule of law, protect human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of efforts for preventing conflicts.

The Protocol also stipulates that “The Peace and Security Council shall be supported by the **Commission**, a **Panel of the Wise**, a **Continental Early Warning System**, an **African Standby Force** and a **Special Fund**.”

The role of the secretariat of the AU is performed by its Commission. The Commission is chaired by the Chairperson, directly responsible to the Assembly (currently Jean Ping of Gabon), with the Deputy Chairperson (currently Erastus Mwencha of Kenya) primarily responsible for administration and finance. The Commission consists of eight thematic portfolios: Peace and Security; Political Affairs; Trade and Industry; Infrastructure and Energy; Social Affairs; Human Resources; Science and Technology; Rural Economy and Agriculture; and Economic Affairs. The different portfolios are supported by their respective departments.

#### 4. The AU’s Peace and Security System

The founders of the AU designed an ambitious structure of interlocking bodies and mechanisms aimed at conflict prevention, resolution and management and post-conflict reconstruction. Its principal building blocks are the **PSC**, the **Continental Early Warning System**, the **Panel of the Wise**, the **African Standby Force** and the **Peace Fund**.

With the AU being still in its first decade, the different mechanisms are currently at different stages of being operationalised. We will describe each of them briefly, with most attention given to the PSC and the Continental Early Warning System, as the most developed and active, as well as the most relevant to the main focus of this report.

##### 4.1 The PSC’s Structure and Working Methods

The PSC is the AU’s standing decision-making body. It has 15 members, elected by the AU Executive Council on

regional basis: three from Central Africa; three from East Africa; two from North Africa; three from Southern Africa; and four from West Africa. Members are elected for three-year (five members) or two-year (ten members) terms and can be re-elected immediately for another term. There are no permanent members and no veto. PSC chairmanship rotates on a monthly basis, in alphabetical order of the English-language names of member states. (Please see the Appendix of this report for more details on PSC membership.)

Under ordinary circumstances, the PSC is required to meet a minimum of two times a month at ambassadorial level. (In practice, according to an unpublished AU study, since 2006 it has been meeting at least five times a month.) The agenda is based on the assessment of ongoing conflict and crisis situations, and the assessment can be initiated by any member or by the Commissioner for Peace and Security, in consultations with the Chair. According to the PSC Rule of Procedure, “The inclusion of any item in the provisional agenda may not be opposed by a Member State”. The rules foresee the following types of meetings and their respective participants:

- closed meetings; and
- open meetings to which the PSC may invite to participate, “without a right to vote, in the discussion under its consideration:
  - (a) any member State of the AU, which is not a member of the Council, when the interests of that Member States are specifically affected, or when a Member State brings to the attention of the Council a matter that threatens national or regional peace and security; and
  - (b) any Regional Mechanism, international organization or civil society

organization, which is involved and / or interested in a conflict or situation related to the discussion under consideration by the Council.”

Any AU member state invited to participate in the discussions of the Council may submit, through a member of the Council, proposals and propose draft decisions for consideration. The rules also say that the Council may invite the media to attend its open meetings.

Informal consultations are also possible, under Rule 16, which reads: “The Council may hold informal consultations with parties concerned by or interested in a conflict or a situation under its consideration, as well as with Regional Mechanisms, international organizations and civil society organizations as may be needed for the discharge of its responsibilities.”

Most PSC meetings are held at the AU headquarters in Addis Ababa, but the PSC has the option of choosing other venues. A detailed compendium capturing the (still evolving) working methods of the PSC is contained in the “Conclusions of the Retreat of the Peace and Security Council of the AU, Dakar, (Senegal) 5-6 July 2007 (PSC/PR/2(LXXXV)).

#### **4.2 The Continental Early Warning System**

As one of the tools for the PSC, meant “to facilitate the anticipation and prevention of conflicts” its Protocol (in Article 12) establishes the Continental Early Warning System (CEWS). The design, according to the Protocol, consists of an observation and monitoring centre known as the Situation Room and located at the Commission’s Conflict Management Directorate and observation and monitoring units of the Regional Mechanisms to be linked

directly through appropriate means of communications to the Situation Room. The CEWS is responsible for data collection and analysis and is mandated to collaborate with “the UN, its agencies, other relevant international organizations, research centres, academic institutions and NGOs” with its information to be used by the Chairperson of the Commission “timeously to advise the Peace and Security Council on potential conflicts and threats to peace and security in Africa and recommend the best course of action.”

Until 2007 the “Situation Room” was essentially just a name used for the communication centre of the AU. However, considerable progress has been achieved since its operational framework was elaborated in December 2006. The Situation Room now operates on a 24-7 basis, with ten staffers working in around the clock shifts. CEWS has 11 field missions on the continent that can provide primary information. It also continuously monitors news and collects data from member states and the RECs. However, not all components of this system yet function adequately. Some have yet to be fully developed and integrated. Collected data is processed by Early Warning Officers and Analysts and CEWS provides a variety of products to different actors, both internal and external. They include:

- daily news highlights based on open media sources and circulated by email internally and to some 2000 external subscribers, including all RECs;
- a variety of internal reports, such as daily and weekly email bulletins as well as incident reports and flash reports (a text message version of internal alerts has also been developed); and

- in depth early warning reports for decision makers, by conflict prevention experts of the Peace and Security Department, containing analysis, scenarios and options.

#### **4.3 The Panel of the Wise**

Article 11 of the Protocol establishing the PSC sets up a five-person panel of “highly respected African personalities from various segments of society who have made outstanding contributions to the cause of peace, security and development on the continent” with a task “to support the efforts of the Peace and Security Council and those of the Chairperson of the Commission, particularly in the area of conflict prevention.” It reports to the PSC and through it, to the Assembly. Members are selected by the Chairperson of the AU Commission and appointed through a decision of the Assembly for three-year renewable once terms. The Protocol states that the Panel, at the request of the PSC or its own initiative “shall undertake such action deemed appropriate to support the efforts of the Peace and Security Council and those of the Chairperson of the Commission for the prevention of conflicts”.

The first Panel was appointed in December 2007 and composed of Ahmed Ben Bella of Algeria, who served as chair, Salim Ahmed Salim of Tanzania, Elisabeth K. Pognon of Benin, Miguel Trovoadá of Sao Tome and Principe, and Brigalia Bam of South Africa. At the July 2010 Summit in Kampala, Ben Bella and Ahmed Salim were reappointed for another term ending in December 2013 and three new members were appointed: Mary Chinery Hesse of Ghana; Kenneth Kaunda of Zambia; and Marie Madeleine Kalala-Ngoy of the Democratic Republic of the Congo.

At the time of writing, the Panel appears to still remain at an early stage of development. It has held several seminars and undertaken a number of missions aimed at developing confidence-building measures. It has also been helping the AU Commission in mapping out threats to peace and security by providing regular advice and analysis and requesting the Commission to deploy fact-finding or mediation teams to specific countries. It has also produced some thematic reports on issues relevant to peace and security such as non-impunity, women and children in armed conflicts and electoral disputes. But its role in helping to handle emerging threats or unfolding crises on the continent has so far been quite limited. Part of the explanation may be that while its existence is included in the PSC Protocol, its funding at this stage is not part of the regular budget. Its members are based in their respective countries, and some of them have other jobs and commitments.

#### **4.4. The African Standby Force (ASF)**

In order to facilitate the PSC's performance of its responsibilities with respect to intervention under grave circumstances envisaged in Article 4(h) of the AU Constitutive Act as well as to perform its responsibilities with respect to deployment of peace support missions, the PSC Protocol envisages the creation of the ASF. Article 13 of the Protocol stipulates, "Such Force shall be composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice. For that purpose, the Member States shall take steps to establish standby contingents for participation in peace support

missions decided on by the Peace and Security Council or intervention authorized by the Assembly."

The components of the ASF are to be provided by member states and to be prepared and trained by the different RECs. To date, the ASF has been largely in the planning and development phase, and the degree of advancement of this process differs sharply from region to region. There are discrepancies in the strengths and features of military capabilities between the different member states and RECs. An additional complication is the fact that given the differences between the individual RECs in the level of advancement of their standby capacity, some of them are actually ahead of the AU and tend towards working via their regional arrangement.

While the ASF is probably still a number of years away from being operational, some progress has been achieved. From 13 to 29 October 2010 for example, with support from the UN and the EU, a simulation exercise labelled "Amani Africa" was held to test at headquarters and general staff levels the preparedness of the ASF for an AU-led peace mission. It involved virtual scenarios and computer simulations and was held in two separate locations in Addis Ababa (one functioning as mission headquarters and another one as strategic headquarters). It provided opportunities for stock taking and refining the concept of the ASF. At the end of the Amani Africa exercise in October 2010 an evaluation report outlining gaps in peace support operations planning and management was submitted to the AU Commission for consideration. In February 2011, a workshop on Amani Africa was held in Dakar, Senegal to incorporate the findings of the

evaluation report into the ASF Roadmap which will define the actual requirements for operationalising the ASF by 2015. At the time of writing, the UN and other partners are supporting the AU to fine-tune its draft Roadmap. The UN will work with the AU to develop a joint work plan for the implementation of the ASF Roadmap when it is endorsed. Plans for another round of exercise, Amani Africa II, are currently underway.

#### **4.5 The Peace Fund**

The Peace Fund, envisaged in the PSC Protocol "in order to provide the necessary financial resources for peace support missions and other operational activities related to peace and security" is probably the weakest of the building blocks of the peace and security architecture. Meant as a standing reserve to call upon in case of emergencies, in 2009, according to an unpublished AU study, the fund had a negative balance. The AU has recently tightened the management of the fund and plans are currently underway to devise a system for resource mobilisation. Furthermore, the Commission was asked by the August 2009 Special Session of the AU "to take the necessary preparatory steps for the increase of the statutory transfer from the AU regular budget to the Peace Fund from six percent to 12 percent".

## **5. The UN-AU Relationship on Peace and Security**

### **5.1 OAU-UN Relationship**

The relationship between the UN and the African continental organisation dates back to 1965 when the UN Secretary-General U Thant and the OAU Administrative Secretary-General Diallo Telli signed a Cooperation Agreement with the OAU. It was a treaty

covering areas such as mutual consultations, reciprocal representation, exchange of information and documentation, and cooperation between secretariats and assistance in staffing.

## 5.2 Early African Peacekeeping

As the cold war came to an end it became clear that Africa would become the focus of significant new peacekeeping requirements. Initially the UN took the lead and major peacekeeping operations were established in Angola and Mozambique and then subsequently in Somalia and Rwanda. But the commitment of the global organisation was patchy. There was an abdication of the emerging problems in West Africa, leaving the subregional organisation, ECOWAS, to bear the brunt of the peacekeeping responsibility in Liberia (1990-1996). And, after the failures in Somalia and Rwanda, this tendency was reinforced when the major powers seemed generally to prefer to let local players do their own peacekeeping. Again ECOWAS had to take the lead in Sierra Leone in 1997. Burundi was another such case. The Security Council had been involved in conflict prevention in Burundi in the early 1990s but it was left to local leadership (essentially South Africa) when the need for peacekeeping emerged. A similar pattern emerged in Côte d'Ivoire.

By the time the mood changed in the Security Council at the end of the millennium, and when there was a new willingness to entertain a major UN role, African countries had already demonstrated willingness albeit with very limited capacity, to step into the vacuum. No doubt this experience played an important role in building the confidence in the region to contemplate including robust provisions in the AU Charter for intervention.

But the issue of resources remained a key factor and led to a practice which began in 1999 (with Sierra Leone) of initial African peacekeeping involvement followed by a hand off to the UN.

Out of the total eight African initiated peacekeeping interventions since the end of the cold war, four have eventually been succeeded by UN-led peacekeeping missions and one in Darfur is currently led jointly. These operations have been in: Liberia (initially by ECOWAS and succeeded in 2003 by the UN Observer Mission in Liberia, UNOMIL); Sierra Leone (succeeded by the UN Mission in Sierra Leone in 1999); Côte d'Ivoire (2003-2004, succeeded in 2004 by the UN Mission in Côte d'Ivoire, UNOCI); Burundi (2003-2004, succeeded in 2004 by the UN Operation in Burundi, BONUB); and Darfur (2004-2007, succeeded by the UN-AU Hybrid Operation, UNAMID). The three cases in which the AU presence was not followed by a UN peacekeeping operation are in Guinea-Bissau (1999), Comoros (2008) and AMISOM in Somalia (2007 to date).

## 5.3 Ten-year Capacity Building Plan

On the UN side, at the outset of the 21st Century, it became clear that Africa would not only be a key focus of UN efforts on peace and security but that in order to address the challenges its continental organisation needed the global organisation as a key partner. Established in 2003, Kofi Annan's High-Level Panel on Threats, Challenges and Change clearly appreciated the importance of the relationship. It travelled to the AU headquarters in Addis Ababa to meet on 30 April 2004 with the Commission of the AU. In its final report in December 2004, it recommended that

donor countries should commit to a ten-year process of sustained capacity-building support, within the AU strategic framework. The Secretary-General, in turn, in his *In Larger Freedom* report emphasised the strategic importance—for UN's own peace and security efforts—of establishing an interlocking system of peacekeeping capacities. In this context he recognised the efforts undertaken by the AU to build a new peace and security architecture and recommended developing and implementing a ten-year plan for capacity-building with the AU. The world leaders endorsed this idea during their September 2005 Summit.

On 16 November 2006 the then Chairperson of the African Commission, Alpha Oumar Konaré, and UN Secretary-General Kofi Annan signed a joint Declaration (A/61/630) on the enhancement of the UN-AU cooperation, known as the Ten-Year Capacity Building Programme for the AU. It was conceived as an evolving strategic framework for UN cooperation with the AU and the regional economic communities. The areas to be covered were: institution-building; human resources development and financial management; human rights; political, legal and electoral matters; social, economic, cultural and human development; food security; environmental protection; and not least, peace and security.

One of the early steps in implementing this programme was the establishment, with the approval of the General Assembly, of the AU Peacekeeping Support Team, within the Department of Peacekeeping Operations. It became operational in January 2007, providing expertise and transfer of technical knowledge to the AU Peace Support Operations Division.

Later in 2007, the General Assembly adopted resolution 61/296 on Cooperation between the UN and the AU. It requested the UN system to intensify its assistance to the AU, especially in terms of operationalising its Peace and Security Council and specifically asked for intensified cooperation between the Security Council and the PSC.

Also in 2007, the Security Council Affairs Division of the DPA ran two training programmes for the secretariat of the AU's PSC, focusing on the working methods of the UN Security Council. Furthermore, in this period the UN seconded a staff member to provide support for the AU's Panel of the Wise.

Since 2008, the UN Secretariat and the AU Commission have progressively enhanced interaction, with regular consultative meetings. Desk-to-desk contacts have been fostered along with visits by AU officials to UN headquarters and to its logistics bases in Brindisi and Entebbe.

Outside of the peace and security area, other capacity-building activities of differing scale and duration were grouped in several clusters—infrastructure development; governance; agriculture, food security and rural development; environment, population and urbanisation; social and human development; achievements of science and technology; advocacy and communications; industry, trade and market access—and implemented by literally dozens of UN departments, agencies and programmes. Most of the sources interviewed for this report were largely critical of the cluster approach, citing among other difficulties, the resulting territorialisation of the UN bureaucracy and the lack of comprehensive outreach to the recipients of the assistance about the existing opportunities.

On the peace and security matters, from the UN side sources describe frustration about the lack of clarity as to the channels of interaction and proper counterparts on the AU side. Another problem raised when describing their interaction with the AU was the blurred line between developing capacity and actually providing or being the capacity. (A difficulty seems to be that staffing on the AU side is often so diminished that it is difficult to take full advantage of UN capacity-building contributions.) A related problem appears to have been the fact that UN experts in practice seem to focus on delivering projects rather than building AU capacity.

The AU sources said that there was not enough outreach from the UN regarding matching the AU needs with UN potential for the capacity-building contributions. As one person put it, “the UN agencies just did what they felt was right, without much consultation”.

Writing nearly halfway through the ten-year period, in his 2 February 2011 report, the Secretary-General acknowledged problems in the implementation of the programme. Prominent among them were the multiplicity of actors on both sides and a lack of strategic vision for the programme, also on both sides. A related issue pointed out by the Secretary-General was the divergence of views among the stakeholders as to what constitutes “capacity-building” in the context of the programme.

The lack of a strategic approach to a process that was meant to be a “strategic framework” and the evidently chaotic first stage of the implementation of the ten-year programme is not hard to understand given the well-known difficulty of harmonising policy with both organisations. Adding to that, the need to build cooperation between

two very different bureaucracies would be a challenge under any circumstances. In the AU-UN case, an additional significant feature is the fact that the two respective leaders of the organisations, Alpha Oumar Konaré and Kofi Annan who were personally invested in developing the two organisations' relationship, each left office relatively soon after the November 2006 signing of the agreement (Annan left office as of January 2007; Konaré in February 2008). The new leadership on each side had been addressing a variety of issues of interest to their own organisation and it seems that strategic focus was lost for a period. It is important to note, however, that some significant steps to address the problems identified in the 2011 report had been taken shortly before the report was published.

On the AU side in July and August 2010, a senior policy officer within the office of the Deputy Chairperson of the Commission was made a focal point for the ten-year capacity-building programme and at the time of writing of this report, work was underway to elaborate a strategic program with targets and create a coherent system of interdepartmental information and collaboration in the context of the ten-year programme.

On the UN side, on 1 July 2010, the General Assembly decided to consolidate and upgrade the UN's interface with the AU by creating the UN Office to the AU (UNOAU), headed by an Assistant Secretary-General. As outlined in a letter from the Secretary-General to the Security Council (S/2010/433), the Office integrates the peace and security presences in Addis Ababa: the UN Liaison Office, the AU Peace and Support Team, the UN Planning Team for

the AU Mission in Somalia and the administrative functions of the Joint Support and Coordination Mechanism of the AU-UN Hybrid Operation in Darfur. Distinguished Kenyan diplomat (and at the time of his appointment his country's permanent representative in New York) Zachary Muburi-Muita was chosen as its head and took over his post in October (in March 2011 he was given the title of Special Representative of the Secretary-General). The office was formally inaugurated on 22 February 2011. At the time of writing of this report, UNOAU was still struggling with multiple issues largely caused by the UN's internal challenges related to hiring procedures, as well as a highly problematic physical location of the majority of its staff (far away from the AU headquarters and UN headquarters in Addis Ababa, with its staff being split between two locations). However, numerous sources interviewed for this report stressed that even at this early stage of its existence, UNOAU was making interacting with the UN considerably easier for the AU partners.

## 6. The Evolution of the Security Council's Engagement with Africa

### 6.1 Historical Background

The end of the cold war changed dramatically the dynamics in international relations. At the outset of the 1990s the Security Council, having for decades been largely paralysed, underwent a period of unprecedented (and unmatched since) activity. The key impact of the end of the cold war on the African continent was the end of the two systems' respective spheres of influence and of its resulting containment of local issues. While some of the transformations that occurred in the early 1990s

created new opportunities for Africa and brought tremendous progress, most notable among them the end of apartheid, some led to the eruption of bloody conflicts in different parts of Africa. The Security Council strove to respond to some of those conflicts, with a degree of success in Mozambique and Angola, but also experienced stunning failure as in the cases of Somalia and Rwanda.

Peacekeeping had been the Council's key tool to address the new conflict situations in Africa, but the failures in Rwanda and Somalia (along with the failure in Bosnia) contributed to the Council's considerably more reluctant attitude towards establishing new operations in the mid and late 1990s. And they also to considerable extent sparked what was to become a new track in the Council's activities: a thematic approach to peace and security and a preference for devolving peace and security operations to coalitions or regional organisations.

In September 1997, the US as president of the Council, placed a new item on the Council agenda, "The situation in Africa," and taking advantage of the customary presence in New York of high-level officials attending the General Assembly, organised a ministerial-level debate. The debate was presided over by US Secretary of State Madeleine Albright who until earlier that year had been the country's ambassador to the UN and was intimately familiar with both the range of the problems facing the Council and the need for new approaches for the Council to cope with the mounting demands on its time and resources. As a background paper for the discussion the Council used a letter from the foreign minister of Argentina (a country that had served on the Council

in 1994-95) highlighting the need for a comprehensive approach to conflicts in Africa, with conflict prevention being one of its features. (S/1997/730)

The Chairman and the Secretary-General of the Organisation of African Unity (respectively, Zimbabwean President Robert Mugabe and Salim Ahmed Salim of Tanzania) were invited to address the Council during the 25 September 1997 ministerial debate. Several important themes were articulated in this debate, among them:

- the particularity of Africa on the Council agenda and the resulting need to take a more focussed approach coupled with a stronger interaction with Africa's regional and subregional bodies;
- the role of conflict prevention among Council's tools in addressing threats to international peace and security; and
- the need for developing approaches that would allow for post-conflict peace consolidation.

In a presidential statement (S/PRST/1997/46) adopted at the end of the debate, the Council stressed the need for a more concerted international effort to promote peace and security in Africa and acknowledging itself, it needed to be able to come up with a more comprehensive response to the challenges in Africa. It asked the Secretary-General to submit a report with concrete recommendations "regarding the sources of conflict in Africa, ways to prevent and address these conflicts, and how to lay the foundation for durable peace and economic growth following their resolution". The Council acknowledged that the scope of the report could go beyond its own purview and asked that the report also be submitted to the General Assembly.

The statement furthermore welcomed the efforts of the OAU and those of the subregional bodies in preventing and resolving conflict in Africa and said that it looked forward “to a stronger partnership between the UN and the OAU, as well as subregional arrangements, in conformity with Chapter VIII of the Charter of the UN.”

The Secretary-General released his report *The causes of conflict and the promotion of durable peace and sustainable development in Africa* in April 1998 (S/1998/318). What followed was an intense period of Council work on Africa. In order to review the recommendations in the report the Council, through resolution 1170, established an ad hoc working group. (It was initially set up for six months but appeared to be active till the end of the year. Its chair was Ambassador Denis Dangué Rewaka of Gabon.) In turn, based on the recommendations of the working group the Council adopted four resolutions and three presidential statements from September to November 1998. They addressed a broad range of issues:

- Resolution 1196 of 16 September 1998 focused on the implementation of arms embargoes in Africa and among other things, encouraged chairmen of its relevant sanctions committees to establish channels of communication with the African regional and subregional organisations and bodies.
- Presidential statement 1998/28 of 16 September 1998 identified as a priority the need for strengthening through capacity building and training Africa’s ability to participate in peacekeeping and called for increased interaction with the OAU and subregional organisations. It also stressed the need for the

regional or subregional organisations planning or carrying out peacekeeping activities to ensure that the Council is fully informed of such activities and underlined that holding of regular briefing meetings between members of the Council and African regional and subregional organisations involved in peacekeeping had an important role to play in helping enhance African peacekeeping capacity.

- Resolution 1197 of 18 September 1998 invoking Chapter VIII of the Charter, focused on the strengthening of coordination between the UN and the OAU and the African subregional bodies.
- Presidential statement 1998/29 of 24 September 1998 took stock of Council’s Africa-focused work in the period following the release of the Secretary-General’s report, asked its working group to continue its work and “recognizing that the challenge of achieving peace and security in Africa is a continuous process” said it “will continue to assess progress in promoting peace and security in Africa at the level of Foreign Ministers, on a biennial basis”.
- Resolution 1208 of 19 November 1998 focused specifically on addressing the issue of refugees in Africa.
- Resolution 1209 of 19 November 1998 focused on combating the illicit arms trade and flows in Africa and among other things, called on the African regional and subregional bodies to establish mechanisms and regional networks for information sharing to curb the circulation and trafficking in small arms.
- Presidential statement 1998/35 of 30 November 1998 recognised that the authorisation by the Council of action by regional or subregional

organisations, or by member states or coalitions of states, can be an effective response to conflict situations, pointed out to the variety of possible arrangements and relationships that have developed in different instances of cooperation between the UN, member states and regional and subregional organisations in the maintenance of peace and security, and stressed the need for ensuring proper ongoing monitoring of operations authorised by the Council or co-deployed with a Council-mandated operation.

In the next few years, most Council decisions on Africa related to specific situations, but the Council continued to periodically consider Africa also in a comprehensive or thematic way. In accordance with its presidential statement 1998/29 the Council held ministerial-level debates in 1999 and in 2002, and at the time of the Millennium Summit in September 2000, during Mali presidency of the Security Council, it held a heads of state and government level debate on “ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa”. The meeting adopted resolution 1318 focusing primarily on peacekeeping and peacebuilding as a means of addressing challenges to peace and security in Africa and called for strengthening Chapter VIII arrangements, particularly in respect of peacekeeping operations and Africa. Several open debates were also held, with some—for example the 29-30 September 1999 ministerial-level debate chaired by the Netherlands—illustrating very high interest on the part of member states at large (this debate lasted a total of 12 hours and in addition to the Council members, had 35 member states speaking).

It is interesting to take a closer look at Africa-related Security Council activities during 2002, the year of the launching of the AU, as it illustrates strategic thinking on the part of the main actors. It also allows us to trace several of the themes that have been running through the Council relationship with the African organisation.

Holding presidency of the Council in January, Mauritius organised an open debate on the "Situation in Africa", with a focus on the UN relationship with the continental organisation (it is important to note that at that point the transition from the OAU to the AU was imminent). In a background note (S/2002/46), the country's ambassador, Jagdish Koonjul, pointed out to the fact that although the Council had been busy with Africa, dealing with nearly every conflict situation, it was not getting the desired results. He stressed the need for UN and OAU actions to complement each other, suggested that the Security Council develop a closer relationship with the African body and proposed that the Council revisit the issues in the presence of the Secretary-General of the OAU.

The meeting on 29 and 30 January was chaired by the country's Foreign Minister Anil Gayan and counted with participation of 28 members at large; several foreign ministers and deputy foreign ministers participated in the debate. (It was also the first time that a Security Council meeting was webcast live.). The meeting resulted in the adoption of a presidential statement (S/PRST/2002/2) outlining a series of measures and recommendations aimed at preventing conflict in Africa and calling on the UN system to intensify its cooperation with the African continental organisation. It also stated that the

Council would consider establishing an ad hoc working group to monitor the implementation of recommendations made during the meeting. Thus was born the ad hoc Working Group on Conflict Prevention and Resolution in Africa (the Working Group) which has been in existence until today and at least initially played a critical role in the development of the institutional relationship between the two. Its terms of reference were contained in a note from the President of the Security Council of 1 March 2002. Mauritius was made its chair and part of the Working Group's mandate was "To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the UN and regional (OAU) and subregional organizations." The note also said that the chairman of the Working Group would report to the Council whenever appropriate. (S/2002/207)

In May, Singapore, during its presidency, organised an open debate on "The Situation in Africa" with the subtitle "Ad hoc Working Group on Conflict Prevention and Resolution in Africa" featuring a briefing by the Working Group's chair. Singapore's foreign minister, S. Jayakumar, chaired the debate and at the end of the discussion provided, on his own responsibility, an extensive summary of the main points made. The summary was subsequently circulated as annex to a note from the president of the Council. (S/2002/607) Among the recommendations for the Working Group was that it "be more proactive and experiment with innovative measures" in contrast to the Council "which tends to be more formal and more reactive" and that it conduct lessons learned exercises from its experiences in tackling African issues. It

was also suggested that "the Working Group could facilitate periodic interaction and dialogue between the Council and the OAU and that there could be regular exchanges of early warning information between the Working Group and OAU".

In July, incidentally, the month of the inauguration of the AU, a debate was organised under UK presidency of the Council on lessons learned by the Council from Sierra Leone and their implications for Council's work in the Mano River region of West Africa. The event took form of an interactive workshop with the participation of several key Secretariat officials and representatives of the AU and some of the subregional bodies. Among many points made was the need for the Council's close cooperation with the AU in addressing specific situations in Africa. The meeting was chaired by UK Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs Valerie Amos (recently appointed as UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator).

The Working Group remained very active through the end of 2002, putting forward a number of recommendations and initiatives (some of which will be described in the section on PSC-SC relationship).

In the years since 2003, the level of activity of the Working Group diminished. Some of the chairs used the post quite strategically, for example by combining the chairmanship with their Council presidency in order to organise a major Council event on Africa. The Working Group chairs have organised some events specifically focused on the relationship with the AU, for example the

2005 policy forum whose conclusions fed into the elaboration of resolution 1625 adopted during the 2005 Summit (and discussed in more detail later on), the 2005 seminar on the relationship of the UN with the African regional bodies in the field of peace and security, or the 2010 panel on the UN-AU partnership on security sector reform. In at least one case (2008) the chair of the Working Group represented the Security Council at a PSC meeting in Addis Ababa. To date, the chairmanship was held by Mauritius (2002); Angola (2003-2004); Benin (2005); Congo (2006-2007); South Africa (2008); Uganda (2009-2010); and in 2011 it is again held by South Africa. But it is fair to say that in general the level of interest by the Council as a whole in using the Working Group effectively was quite low during most of the last decade, although there are some signs that South Africa is currently determined to reenergise it.

It appears that following the launch of the AU, initially there was something of a lull in the intensity of Council discussions of institutional relationship specifically between the AU and the UN. External factors, such as increased attention to other parts of the world, especially Iraq and Afghanistan, probably played a role. But for example, when the Council was holding a debate on the overall relationship with regional organisations during the Mexican presidency in April 2003, a representative of the presidency of the AU was invited to address the Council.

In 2004, soon after the AU PSC became operational, some important events took place that brought the specific AU-UN institutional relationship back into focus. In September, in a meeting presided over by the foreign minister of

Spain, the Council was briefed on Darfur by Nigeria's President Olusegun Obasanjo in his capacity as Chair of the AU. In November, the Council held in Nairobi, Kenya, one of its very rare formal meetings away from headquarters and devoted one segment of that session to its relationship with the AU and heard from a representative of the chairmanship of the AU. In 2006, during Congolese presidency of the Council, speaking in his capacity as the Chairman of the AU, Congolese President Sassou Nguesso gave a briefing on aspects of the AU-UN partnership. Top officials of the AU, including its Commissioner for Peace and Security, have since been regularly invited to address the Council during thematic debates on institutional relations with regional organisations or on Africa.

Almost from the start, peacekeeping emerged as an important discreet matter within the overall relationship between the UN and the AU. In 2004, the UN succeeded African-led operations in Cote d'Ivoire and Burundi. And following the 28 May Addis Ababa agreement that included the deployment of an AU observer mission in Darfur, the Council in its subsequent decisions on the topic would express its support for the AU and call on the international community to support the AU's efforts in Darfur and eventually establish a joint "hybrid" operation. Starting in 2007, the Council has also authorised the mandate of and subsequently a UN financed support package for the AU Mission in Somalia. (The peacekeeping efforts in Darfur and those to support AMISOM are described in more detail later). AU senior representatives, most notably its Commissioner for Peace and Security have regularly been involved in substantive Council discussions on

these topics. (According to a 14 October 2010 Secretary-General's report on support for AU peacekeeping, over the past year, AU officials have briefed the Security Council on 15 occasions on various issues, including the Central African Republic, Guinea-Bissau, Somalia and the Sudan, as well as trafficking in illicit drugs in Africa and post-conflict reconstruction.)

## 6.2 The Relationship with the AU as a Council Agenda Item

The relationship with the AU has come up at the Council under several agenda items, including "The role of regional and subregional organizations in the maintenance of international peace and security" and "Peace and security in Africa," an agenda item added in September 2007 prior to the heads of state and government level meeting chaired by France's President Nicolas Sarkozy. The only AU-specific current item on the Council "seizure list" is "Briefing by the Chairman of the AU", added to the agenda in May 2006 during Congo's presidency. No other meetings were held under this item since that date, but it has been retained on the list.

Specific situations in Africa where AU representatives have been frequent participants, have been discussed under the respective agenda items, usually dedicated to each situation. It is worth noting, however, that the thematic item "Peace and security in Africa" has repeatedly been used to address a variety of country-specific developments and crisis situations (for example Kenya, Guinea, Djibouti/Eritrea and Libya).

Interestingly, in 2004, during the US presidency in November, a specific item was added to the Council agenda: "Institutional relationship with the AU" (S/Agenda/5084) and a meeting on this

subject was held as one of the rare Council formal sessions away from headquarters, in Nairobi, Kenya. The item was removed from the list of items the Council is seized within 2009 (it was listed in document S/2009/10 as an item which would be deleted “unless a State Member of the UN notifies the President of the Security Council by 28 February 2009 that it wishes an item subject to deletion to remain on the list of matters of which the Security Council is seized”). No such letter was apparently sent and the item disappeared.

### **6.3 Key Council Decisions Related to the Relationship with the AU**

Since the establishment of the AU, the Security Council adopted several decisions with a bearing on the institutional relationship. Some of them addressed the overall relationship with regional and subregional organisations, but some were focused specifically on the relationship with the AU. During the meeting in Nairobi in 2004, the Council adopted its presidential statement 2004/44 among other things welcoming the establishment of the AU’s PSC and calling on the international community to support the efforts of the AU to strengthen its peacekeeping capacity.

In September 2005, the Council met at the level of heads of state and government for a debate on “Threats to international peace and security” and adopted two declarations, one on the threat of terrorism, and another one, contained in resolution 1625, on “Strengthening the effectiveness of the Security Council in conflict prevention, particularly in Africa”. The resolution focused on the need for a broad strategy for conflict prevention. Among other issues, it recalled the Constitutive

Act of the AU and recognised the need for the UN to develop partnerships with the AU and its subregional organisations to enable early responses to disputes and emerging conflicts. It encouraged the Secretary-General to provide information on developments in regions at risk of armed conflict pursuant to Article 99 of the UN Charter (which stipulates that: “The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security”) and expressed the determination to support regional mediation initiatives and its willingness to enhance “durable institutions conducive to peace.” In resolution 1625 the Council stressed “the critical importance of a regional approach to conflict prevention, called for strengthening UN cooperation with regional and subregional organisations with respect to mediation initiatives and urged the international community to cooperate in developing the capacities of African regional and subregional organisations’ standby arrangements and expressed its support for the Secretary-General’s proposal to establish a ten-year capacity-building plan for the AU. The resolution asked the Secretary-General to “provide to the Council regular reports and analysis of developments in regions of potential armed conflicts, particularly in Africa, and as appropriate a presentation of ongoing preventive-diplomacy initiatives.”

At a Council workshop with incoming members held in November that year participants discussed the richness of the resolution, with one participant describing it as a “virtual gold mine” of practical suggestions for conflict prevention in Africa (S/2006/483) but also cautioning that its implementation

would be challenging. Indeed, in the period after its adoption, resolution 1625 was invoked infrequently either by the Council or by the Secretary-General. But starting in 2007, the resolution became a more frequent reference in the Council’s Africa work. In its first presidential statement that year, the Council recalled the resolution in requesting the Secretary-General “to provide the Council with more regular, analytical reporting on regions of potential armed conflict” and stressed “the importance of establishing comprehensive strategies on conflict prevention in order to avoid the high human and material costs of armed conflict”.

Congo, preparing an open debate on the role of the Council in conflict prevention and resolution during its August presidency, used the resolution as one of the elements to frame the debate (S/2007/496). In a presidential statement adopted during that debate, (S/PRST/2007/31) the Council asked specifically that the Secretary-General provide it within 60 days with a report on the implementation of resolution 1625 (the report was submitted in January 2008 (S/2008/18)). And in 2010, during its October Council presidency, the UK established what appears to be a related new practice referred to as “horizon scanning,” of seeking a monthly briefing from the Secretariat on upcoming issues of concern with a view to preventive initiatives.

South Africa became an elected member of the Security Council for the first time ever in 2007 and used its March presidency that year to organise an open debate on UN’s relationship with regional organisations, in particular the AU. In a concept paper for the debate it posed several questions, including: “How can

the UN strengthen its support to regional organizations such as the AU in the maintenance of international peace and security and what does this mean in practical terms?" And "Is there scope for the further and more direct resources support by the UN to regional organizations?" (S/2007/148) The outcome of the debate, chaired by the country's foreign minister, was presidential statement 2007/7 which, among other issues, asked the Secretary-General to provide a report on specific proposals on how the UN can better support arrangements for further cooperation and coordination with regional organisations under Chapter VIII of the Charter.

The two reports requested in 2007, on the implementation of resolution 1625 and on specific proposals to better support arrangements for cooperation under Chapter VIII were submitted in advance of the April 2008 open debate organised by South Africa during its next presidency and chaired by the country's then president, Thabo Mbeki. During the debate the Council adopted resolution 1809 with several elements important for its relations with regional organisations, and specifically the AU. It welcomed and encouraged "the ongoing efforts of the AU and the subregional organizations to strengthen their peacekeeping capacity and to undertake peacekeeping operations in the continent, in accordance with Chapter VIII of the Charter of the UN and to coordinate with the UN, through the Peace and Security Council, as well as ongoing efforts to develop a continental early warning system, response capacity such as the African Standby Force and enhanced mediation capacity, including through the Panel of the Wise." It also underlined the importance of the implementation of the ten-year capacity-building plan and encouraged

increased interaction of the AU peacekeeping support team with the UN Department of Peacekeeping Operations. And it welcomed the Secretary-General's proposal contained in its just-submitted report on arrangements for cooperation under Chapter VIII, to set up an AU-UN panel of distinguished persons to consider in-depth the modalities for support of peacekeeping operations, in particular start-up funding, equipment and logistics. It also asked the Secretary-General to include in his regular reporting to the Security Council, assessments of progress on the cooperation between the UN and relevant regional organisations.

While information on progress in cooperation between the UN and regional organisations, as requested in resolution 1809, does not appear to be included in regular reports on specific situations whether in Africa or other parts of the world, the Secretary-General has provided updated information in his subsequent reports on cooperation with regional organisations and on support to African peacekeeping.

#### **6.4 The Cycle of Reporting**

What seems to have developed from the point of adoption of resolution 1809 is a pattern of the Council adopting decisions seeking Secretary-General's reports on different aspects of UN relationship with the AU, the Secretary-General submitting a report, the Council holding a debate and adopting another decision requesting further reporting and deferring deciding on specific steps until further reports are submitted. However, the underlying reason seems to be a reluctance to decide on specific steps and the lowest common denominator outcome being a request for further reports.

An example is the 2008 proposal of the Secretary-General for an UN-AU joint panel. The Secretary-General established a joint panel and named former Italian prime minister, Romano Prodi, as its chairman. On 24 December the panel's report was submitted to the Council and the General Assembly (S/2008/813). The report reflected input from member states, the UN Secretariat, UN agencies involved in peace operations, AU institutions and member countries, the EU and existing and potential donors. The panel explored how the UN and the AU could enhance the predictability, sustainability and flexibility of financing of UN mandated peace operations undertaken by the AU. A particular focus was how to achieve expeditious and effective deployment of well-equipped troops and effective mission support arrangements. Significantly, the panel also addressed the related topic of capacity-building for conflict prevention. While acknowledging that its proposals "will not completely address" the challenges to peace in Africa, the Panel put forward the following recommendations:

- approving the use of UN assessed funding to support UN authorised AU peacekeeping operations for up to six months on a case by case basis and only when the mission was to transition to UN management within six months;
- establishment of a voluntarily funded multi donor trust fund to build AU peacekeeping capacity (thus allowing the AU to move away from ad-hoc and disconnected bilateral support arrangements). The fund would consolidate current sources of support for the AU and AU members and secure additional resources from current and new donors building on the current EU funded African Peace Facility;

- extending the voluntary trust fund concept to include capacity building to cover early warning, conflict prevention, conflict resolution and post-conflict reconstruction;
- developing of the AU's logistics capacity; and
- establishing of a joint UN-AU team to examine how to implement the panel's proposals.

On 18 March 2009 the Council held an open debate to consider the report of the joint AU-UN panel (referred to as the Prodi report), chaired by Libya's Minister for African Affairs Ali Treki. The high-level participants included the Commissioner for Peace and Security of the AU, Ramtane Lamamra, the chair of the panel, Romano Prodi, as well as the Minister for Foreign Affairs of South Africa, Nkosazana Dlamini Zuma. A presidential statement (S/PRST/2008/3) was adopted in which the Council noted "with interest the Panel's report" and asked the Secretary-General "to submit a report, no later than 18 September 2009, on practical ways to provide effective support for the AU when it undertakes peacekeeping operations authorized by the UN, that includes a detailed assessment of the recommendations contained in the Report of the AU-UN Panel, in particular those on financing, as well as on the establishment of a joint AU-UN team."

The Secretary-General submitted his report (S/2009/470) in September 2009 and on 26 October the Council held an open debate. The presidential statement that was the outcome of this debate (S/PRST/2009/26) reiterated the importance of a more effective strategic relationship between the UN and the AU, underlined the importance of expediting the implementation of the

ten-year capacity-building programme, noted the assessment of the options for financing AU peacekeeping operations and expressed its intention to keep all options under consideration. It also expressed its support for the establishment of a joint UN Secretariat-AU Commission task force on peace and security, suggested in the Secretary-General's report. But most of the key recommendations were deferred and the Secretary-General was requested to update the Council by 26 April 2010 and submit a progress report by 26 October 2010.

Under-Secretary-General Susana Malcorra, the head of the Department of Field Support, updated Council members on the current status of cooperation with the AU in the area of peacekeeping operations during informal consultations on 12 April 2010. The next Secretary-General's report (S/2010/514) on assistance to AU peacekeeping operations authorised by the UN was submitted and discussed in an open debate in October (S/PV.6409). The outcome was a presidential statement (S/PRST/2010/21) in which the Council reaffirmed in general terms its commitment to strengthening its partnership with the AU Peace and Security Council. But again there was no concrete action, only a decision to ask the Secretary-General to submit within six months a report defining the Secretariat's strategic vision for the UN-AU cooperation.

At press time, the report appeared to be delayed until sometime in May. The task force was established in September 2010 and held its first meeting at the time of the general debate of the General Assembly and its second one in January 2011 at the time of the AU summit.

## 7. UN-AU Cooperation in Peacekeeping

With respect to addressing specific situations, the relationship between the Council and the AU focused largely on peacekeeping. As mentioned earlier, starting in mid-1990s, there have been examples of the UN co-deploying or succeeding an Africa-led operation. Two new models emerged more than a decade later, in Darfur and Somalia, and deserve a closer examination.

### 7.1 Darfur

When the Darfur conflict erupted in early 2003, the newly established AU quickly became involved in mediation efforts and in 2004 established the AU Mission in Sudan (AMIS), initially consisting of a small number of observers. By contrast, the Security Council was slow in taking up the Darfur situation. Its main focus at the time was on the efforts leading up to the signing of the Comprehensive Peace Agreement (CPA) between the north and the south of the country, ending a 20-year-long civil war. After many reports from OCHA and numerous other UN and independent sources about the need for protection of civilians in Darfur, and only after the initial ceasefire was achieved, the Security Council held an Arria formula briefing in late May 2004 and issued its first Darfur-focused decision, a presidential statement (S/PRST/2004/18) in which it expressed "its full and active support for the efforts of the AU to establish the ceasefire commission and protection units" and called for "the immediate deployment of monitors in Darfur."

In October 2004 and after the collapse of the ceasefire, the AU decided to expand the mandate of AMIS to include the protection of civilians in imminent danger and in the immediate vicinity of

its troops. The new mission had an authorised force of 3,320 personnel. (PSC/PR/Comm.(XVII)) But for the new organisation the problems of resources and troop generation were overwhelming and by the end of the month an AU press release advised that the military component of AMIS would consist of only 597 troops.

The Security Council in the course of late 2004 and early 2005 became much more active on Sudan, addressing accountability for atrocities allegedly committed in Darfur, imposing sanctions and planning the establishment of a UN peacekeeping operation in support of the implementation of the CPA, the UN Mission in Sudan (UNMIS). It repeatedly expressed its support for the AU efforts in Darfur and called on the international community to provide AMIS with assistance.

In resolution 1590 of 24 March 2005 the Security Council also asked the Secretary-General for a report with "options for how UNMIS can reinforce the effort to foster peace in Darfur through appropriate assistance to AMIS, including logistical support and technical assistance,

In the next period, there was growing support by many Security Council members for a UN peacekeeping operation to replace AMIS. Several joint AU-UN assessment studies were undertaken. A joint AU-UN mission visited Darfur from 10 to 20 December 2005. Following that visit and reflecting significant input from many Western countries, on 12 January, the AU PSC announced that it accepted, "in principle," the deployment of UN peacekeepers in Darfur, while also extending AMIS until March.

On 3 February 2006 the Security Council approved a presidential statement instructing the Secretary-General to begin contingency planning for a transition from AMIS to a UN operation. The process gained speed in March. The AU PSC extended AMIS until 30 September 2006, and the Security Council adopted resolution 1663, expediting the necessary preparatory planning for transition of AMIS to a UN operation. From 9 to 21 June 2006, another UN-AU joint assessment mission to Darfur took place. Its conclusion was that the most immediate need was to strengthen AMIS and adopt a unified plan for a transition to a UN operation. In what was a sign of a changing dynamic with respect to a transfer of the operation from the AU to the UN, the report also indicated that there was some Sudanese resistance to the transfer and negative consequences stemming from the deployment of a purely UN force in Darfur.

Had at that point the Security Council shifted gear and devised a plan for a partnership mission in Darfur between the UN and the AU, history may have been different. But the political dynamics in the Council seemingly would not allow this and, as requested in resolution 1663, the Secretary-General on 28 July 2006 presented recommendations for the transition to a UN mission and for interim assistance from UNMIS. At the end of August, the Council adopted resolution 1706, setting a mandate for a 23,000-strong UNMIS operation in Darfur and stating, "UNMIS shall take over from AMIS responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS' mandate but in any event no later than 31 December 2006." But this resolution was never implemented. The Sudanese reservations identified in June had

become firm objections and at China's insistence resolution 1706 was made subject to Sudan's consent which was never given and as a result the status quo continued. During that period, Sudan was a member of the PSC and obviously played a key role. It had a strong preference for an AU operation as opposed to UN peacekeeping. (The Protocol establishing the PSC stipulates that members that are party to a conflict or a situation that is under consideration by the PSC should recuse themselves from the discussion and decision-making process on the particular case. However, as a 2010 AU assessment of its peace and security architecture points out, "This principle has been largely adhered to, with some few exceptions. For instance, when Sudan was a member of the PSC it was allowed to make presentations on the crisis in Darfur".) But it is important to keep in mind that by that time, other AU members may also have become less than enthusiastic about the transfer (for more details, please see the "Council and Wider Dynamics" section).

Meanwhile the humanitarian crisis continued and AMIS continued to struggle to provide meaningful protection to the large numbers of civilians being targeted. In response to the stalemate the Secretary-General proposed a phased approach comprising of sequential packages of 'lighter' and 'heavier' assistance from the UN for AMIS and leading up eventually to a shared AU-UN operation. On 18 November, at a meeting in Addis-Ababa the Secretary-General, P5 members, AU Commissioner Alpha Oumar Konare, the Arab League, the EU and several African nations agreed in principle to a hybrid operation for Darfur, and on 25 November the AU and the UN signed a memorandum of

understanding on a “lighter” UN assistance package. These developments were reflected in official documents in the coming weeks; On 30 November 2006 the AU PSC adopted a communiqué endorsing a hybrid operation in Darfur, renewing AMIS until 1 July (S/2006/961), and on 19 December the UN Security Council adopted a presidential statement calling for the Darfur support packages and hybrid operation to be implemented (S/PRST/2006/55). In January 2007, the deployment of the ‘light’ UN assistance package began.

Emboldened by its success in heading off resolution 1706, Khartoum prolonged the process of reaching agreement with many months of exhausting negotiations. When the Secretary-General sent details of a UN-AU agreement for a “heavy-support” package for Darfur to Khartoum, the Sudanese government replied in March with complaints that it “reveals the existence of essential differences in the understanding of the nature and objectives” of UN support.

In May the Security Council received the AU-UN report on the hybrid operation (S/2007/307 and rev. 1). A subsequent presidential statement called for it to be considered and taken forward immediately (S/PRST/2007/15). The AU PSC authorised the hybrid operation on 22 June after Khartoum indicated that it would accept it without conditions after consultations in Addis Ababa among the UN, the AU and Sudan (PSC/PR/Comm(LXXIX)). However, Khartoum continued to resist. One of its last demands was that the operation should be designed as having a “predominantly African character”. The Security Council on 31 July 2007 adopted its resolution 1769, containing

the provision about an “African character” and authorising the establishment of the AU-UN Hybrid Operation in Darfur (UNAMID).

UN Secretary-General Ban Ki-moon and AU Commission Chairman Alpha Konaré held a high-level consultation on Darfur at the margins of the General Assembly UN on 21 September 2007. For the operation to be possible, an entirely new financial arrangement needed to be approved by the General Assembly. This was done in UN General Assembly resolution 62/232 of 22 December 2007. On 1 January 2008, almost four years after AU peacekeepers were first sent to Darfur, UNAMID formally took over peacekeeping responsibilities from AMIS.

For the first time, the UN created an operation for which it assumed full responsibility financially but over which it would not retain exclusive control. It was also agreed to fill all key positions jointly (which has resulted in an extensive and often very lengthy consultation process between the two organisations).

Sudan did not help the already complex relationship to develop smoothly. It began stalling the deployment of UNAMID through an array of bureaucratic challenges, by blocking equipment at customs for months on end, but most of all by refusing entry to entire national contingents using the “African character” clause as an excuse. With all the already existing troop generation difficulties confronting the UN, finding and quickly deploying well equipped troops for UNAMID became nearly impossible. By end of July 2008, a year after the adoption of resolution 1769 authorising UNAMID, out of the authorised strength of 19,555 military, 3,772 police and 19 formed police units (totalling 6,432

police), only 7,967 troops, 158 observers and 1,870 police were deployed.

To address the difficulties mounting in the running of the mission, in 2008 two mechanisms were established. In July, the Tripartite Mechanism on Darfur, involving representatives of the government of Sudan, the AU and the UN, was set up and began holding periodic meetings alternating between African and New York locations. And in November the Joint Support and Coordination Mechanism for UNAMID was established in Addis Ababa. By early 2011, UNAMID was close to its authorised strength and had undoubtedly played an important role on the ground. But running of the hybrid operation has been difficult, both for administrative and political reasons. During the different debates on UN support for AU peacekeeping, several members of the Security Council have now begun to point to UNAMID as a model to be avoided rather than emulated in the future.

A potential new discomfort area emerged at the time of writing of this report. Up until that point, all the decisions with respect of UNAMID’s mandate, had been set out (after consultations with the AU) in Security Council resolutions and counterpart AU decisions. But on 8 April 2011, the PSC released a communiqué in which it proposed 1 May 2011 the start date for a new “Darfur Political Process” and requested that UNAMID make all necessary preparations for that process “as a matter of priority.” (PSC/PR/Comm. (CCLXXI)) This constituted the first time the AU sought to mandate a task to UNAMID directly and without the agreement of the Security Council. It is still too early to predict what implications will this legislative activity on the part of the PSC (on an issue where the Security

Council is divided) have for UNAMID or more broadly, for the development of the relationship between the two bodies. But the decision indicates a possibility of new challenges in the relationship between the two bodies.

## 7.2 Somalia

The Council established in 1992 the UN Operation in Somalia (UNOSOM). Later that year it also authorised the US-led Unified Task Force (UNITAF) to create a stable environment for the delivery of humanitarian aid. But following several military disasters in 1993 and lack of progress in peace talks, the UN and the US withdrew, leaving Somalia with no government and no international presence on the ground that would serve as a stabilising factor. The UN was forced to relocate its country team to Nairobi and in 1995 established a UN Political Office for Somalia (UNPOS) there. After a decade of violence and instability, in April 2005 the relevant Regional Economic Community of the AU, the Intergovernmental Authority on Development (or IGAD comprised of Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda) called for a peacekeeping mission in Somalia, the IGAD Peace Support Mission to Somalia (IGASOM). In an effort to assist IGAD, the AU PSC endorsed the mission in May 2005. (PSC/PR/Comm(XXIX))

In September 2006 IGAD revised its plan which was also endorsed by the PSC (PSC/PR/Comm(LXII)). On 6 December 2006, the UN Security Council endorsed the IGASOM proposal in resolution 1725, though the mission would never deploy as IGASOM. Subsequently, the PSC decided to assume responsibility for the situation and established the AU Mission in Somalia (AMISOM). The 19 January 2007 decision stated that the authorisation was

provided with the “clear understanding that the mission will evolve to a UN operation.” On 20 February 2007 the Security Council adopted resolution 1744, authorising AMISOM, but on the issue of its evolving into a UN operation, there was no agreement in the Council as the next several years would show.

In a 13 April 2007 report, the Secretary-General indicated that Somalia was too dangerous for a peacekeeping operation as there was no peace to keep and that there was no way the UN could replace AMISOM. On 18 July 2007 the PSC renewed AMISOM authorisation for six months and appealed again for transition to a UN peacekeeping operation (S/2007/444). It also called for a UN assistance package for AMISOM. On 20 August, the Council renewed AMISOM authorisation in resolution 1772.

On 15 February 2008 during a Council debate on Somalia, Somali and AU representatives pleaded with the Security Council for a future UN takeover of peacekeeping responsibilities in Somalia (S/PV.5837). Renewing AMISOM for six months in resolution 1801 on 20 February, the UN Security Council decided to request that the Secretary-General explore the possibilities for UN peacekeeping in Somalia. In his report of 14 March, the Secretary-General provided contingency planning for such an operation. In a 20 March briefing of the Security Council the Secretary-General's Special Representative Ahmedou Ould-Abdallah argued that the Council should consider, alongside AMISOM, a “strong interim multinational presence.” (S/PV.5858) On 15 May, the Council adopted resolution 1814, which asked for continued contingency planning.

On 29 June, the PSC again renewed AMISOM's mandate for six months.

(PSC/HSG/Comm(CXXXIX)) The PSC also decided that AMISOM should take steps to support the implementation of the Djibouti Agreement between the Mogadishu-based Transitional Federal Government (TFG) and members of the insurgency, and expressed hope that the agreement would lead to the deployment of a UN peacekeeping operation. On 19 August, the Security Council adopted resolution 1831, renewing the authorisation of AMISOM for a further six months. But there seemed to be less support for a UN peacekeeping role in practice. The resolution instead encouraged the Secretary-General to continue to explore ways and means with the AU to strengthen UN logistical, political and technical support for AMISOM.

On 4 September 2008, the Council adopted a presidential statement requesting the Secretary-General to produce a detailed plan for an international stabilisation force and asked him to begin approaching states to participate in such a coalition of the willing. The stabilisation force had been recommended by the Secretariat in a briefing by the Department of Peacekeeping Operations on 26 August. On 22 December 2008 the AU extended AMISOM's mandate until 16 March 2009. On 11 March 2009 it further extended AMISOM's mandate for another three months from 17 March.

But there proved to be little willingness around the world to participate in a coalition military operation in Somalia. At the end of December 2008, the US (which was about to change leadership from the Bush to the Obama Administration) returned to the idea of a UN peacekeeping operation but failed to gain support. As a compromise, the Council on 16 January 2009 adopted resolution 1863, essentially deferring

the issue. It expressed its intention to establish a UN peacekeeping operation by 1 June 2009. It renewed AMISOM's authorisation for up to six months. Significantly, however, the Council took an important decision that a limited package of UN resources should be made available to AMISOM. Resolution 1863 established a mandate for the UN Support Office for AMISOM to provide a logistics capacity support package to AMISOM (details are described in the Secretary-General's letter to the President of the Security Council of 19 December 2008.) (S/2008/804)

To make this support possible, agreement by the General Assembly was needed. On 7 April 2009 it approved \$71 million in UN assessed contributions for the logistical support package for AMISOM authorised by the Council.

On 16 April 2009 the Secretary-General again advised against the establishment of a UN peacekeeping operation in a report to the Council (S/2009/210), recommending instead an incremental approach, maintaining the strategy of strengthening AMISOM until further improvements in security had been achieved on the ground.

On 26 May 2009 in resolution 1872 the Council renewed authorisation of AMISOM until 31 January 2010, approved continued funding of the logistical support package from assessed UN contributions and requested the Secretary-General to implement the phased approach recommended in his 16 April 2009 report.

On 8 January 2010 the PSC renewed AMISOM's mandate for another 12 months (PSC/PR/Comm.(CCXIV)), and on 28 January the Council in resolution 1910 renewed the authorisation of

AMISOM for another 12 months until 31 January 2011.

The ongoing resistance in New York to approving any kind of follow on mission to replace AMISOM caused increasing frustration in Africa, especially on the part of the AMISOM troop-contributors. During the July 2010 AU summit in Kampala, the AU endorsed IGAD's 5 July decision to deploy an additional 2,000 troops to AMISOM to reach the authorised strength of 8,000 and mandated the AU Commission to start planning for the deployment of additional AMISOM troops. On 23 September 2010, a mini-summit on Somalia was convened in New York on the margins of the General Assembly with high-level representation from the region and the wider international community. The meeting was preceded by a ministerial-level IGAD meeting in New York on 22 September, which called on the Security Council to formally approve a troop level of 20,000 for AMISOM and "make funds available to sustain the elevated level for AMISOM".

The PSC followed on 15 October 2010 urging the Security Council to endorse an increase in the authorised troop strength of AMISOM from 8,000 to 20,000, as well as an expansion of its funding from UN-assessed contributions. It also asked the Council to impose a naval blockade and no-fly zone over Somalia and to consider requesting the naval operations off the coast of Somalia to provide "more direct and tangible operational support to AMISOM". The Security Council, in a press statement, took note of the AU's requests regarding AMISOM.

On 23 November 2010, IGAD expressed "deep concern" that the Council had yet to respond to the AU PSC's request for endorsement of an increase in

AMISOM's strength from 8,000 to 20,000 troops, authorisation of an enhanced support package for the mission from UN assessed contributions, imposition of a naval blockade and a no-fly zone over Somalia and effective implementation of sanctions.

The Council was divided on how to respond to the AU and IGAD requests for increased funding. Most members were supportive of some increase in funding but the P3 were strongly against it. When on 22 December 2010 the Security Council adopted resolution 1964 extending the authorisation of AMISOM until 30 September 2011, it increased the mission's troop strength by 4,000, from 8,000 to 12,000 but did not change the funding.

On 31 January 2011 the AU called on the Council to provide greater support to AMISOM and "fully assume its responsibilities towards Somalia and its people," including through increased funding from UN-assessed contributions (Assembly/AU/ Dec.338(XVI)). African representatives have made much of the contrast with Darfur, where the Security Council was only too keen to replace AMIS with a UN force.

The Somalia case is an example in which the Security Council has addressed the PSC's requests to some degree. Authorisation for limited financing from UN assessed contributions and maintaining from January 2009 a dedicated UN Support Office for AMISOM, UNSOA in Nairobi has been welcomed on the AU side. Yet both sides find the status quo fairly unsatisfactory. The PSC has been unhappy that the UN side has not gone all the way in granting its requests. The Security Council has been unhappy with the AU being slow in presenting its strategic

plans, most of all AMISOM's concept of operation. The UK permanent representative said during an open debate on UN support for AU peacekeeping in October 2010, "We have at times appeared to be talking past each other on Somalia, particularly with regard to military strategy. We need to do better at focusing on concrete plans for addressing specific conflict situations".

An additional complicating aspect of the situation is that according to experts interviewed for this report, the PSC is not really the driving force behind the AU Somalia policy. It is IGAD, and more specifically, Ethiopia, which has high stakes in maintaining stability in Somalia. Uganda, as a major troop-contributor and a victim in 2010 of retaliatory terrorist attacks in Kampala by Somali actors, also has high stakes in the issue. On the ground the relationship between the UN and AMISOM is managed largely between the UN and Uganda, which is providing the bulk of the military personnel (with Burundi being Uganda's main partner). With the above in mind, it is possible, that like the hybrid operation in Darfur, the Somalia case may be more of an exception than a model for future examples of peacekeeping cooperation between the two bodies.

## 8. The Evolution of the African Side's Engagement with the Security Council

The AU founders saw clearly the value of and a need for a strong relationship with the UN and reflected it in the new organisation's design, especially in areas related to peace and security. The 2000 Constitutive Act has a general reference listing among the objectives of the Union, encouraging international cooperation and taking into account the

UN Charter. The 2002 *Protocol on the Establishment of the Peace and Security Council* provides considerable degree of detail and also shows evidence of impressive strategic thinking.

On its first page, the Protocol refers to "the need to forge closer cooperation and partnership between the UN...and the AU, in the promotion and maintenance of peace, security and stability in Africa." The UN Charter is listed among the PSC's guiding principles and promoting and developing 'a strong "partnership for peace and security" between the Union and the UN and its agencies' is one of the explicit goals of the PSC.

Of particular interest is the Protocol's Article 17, titled "Relationship with the UN and Other International Organizations". It gives the PSC a specific mandate to interact with the UN Security Council. It says, "The Peace and Security Council shall cooperate and work closely with the UN Security Council," and, "The Peace and Security Council and the Chairperson of the Commission shall maintain close and continued interaction with the UN Security Council, its African members, as well as with the Secretary-General, including holding periodic meetings and regular consultations on questions of peace, security and stability in Africa." The Protocol also foresees that the future African Standby Force would cooperate with the UN.

In 2006, Egypt presented to the PSC a concept paper arguing for the establishment of a "Coordination and Consultation Mechanism between the AU Peace and Security Council and the UN Security Council" and envisaged several features, including a fixed annual meeting in September. The PSC issued a communiqué (PSC/PR/

Comm(LXVIII)) at its 68th meeting on 14 December 2006 in which it welcomed the concept paper and requested further consultations. The General Assembly, in its resolution 61/296 on cooperation between AU and the UN, acknowledged the AU decision. While the mechanism has occasionally been mentioned in Security Council debates, it appears that no further practical steps were taken on this by either the AU or the Security Council.

Interestingly (even if currently in practice this requirement is not necessarily always fulfilled), the Protocol also lists among the criteria for member states' election to the PSC "having sufficiently staffed and equipped Permanent Missions at the Headquarters of the Union and the UN, to be able to shoulder the responsibilities which go with the membership".

In what would become a focus of considerable contention, Article 17 of the Protocol in its paragraph 2 also foresees that "Where necessary, recourse will be made to the UN to provide the necessary financial, logistical and military support for the AUs' activities in the promotion and maintenance of peace, security and stability in Africa, in keeping with the provisions of Chapter VIII of the UN Charter on the role of Regional Organizations in the maintenance of international peace and security".

The AU Assembly of Heads of State and Government at its eighth ordinary session in January 2007 further called upon the UN "to examine, within the context of Chapter VIII of the UN Charter, the possibility of funding, through assessed contributions, peace-keeping operations undertaken by AU or under its authority and with the consent of the UN." It also requested the AU member states "working together with the Commission, to undertake the necessary

follow-up in this regard". (Assembly/AU/Dec.145(VIII)) This was reinforced in the August 2007 document containing the working methods of the PSC in a section titled "Advocacy for UN funding of AU peacekeeping missions in Africa" which makes it incumbent upon the PSC to be involved in the efforts pursuant to the Assembly decision in this regard. (PSC/PR/2(LXXXV))

African members of the Security Council, and in particular, South Africa, having joined the Security Council for the first time in its history in 2007, have been engaged in a concerted effort to realise the goal of UN funding for African-led peace operations. It is fair to say that the Prodi report with its related debates has been both the result and an important element of these endeavours.

## 9. The AU PSC-UN Security Council Relationship

The relationship between the two peace and security bodies, the UN Security Council and the AU PSC has been unique as far as the Security Council's interaction with other bodies is concerned. With various types of interface, from briefings provided by the respective organisations' officials to each of the bodies through joint sessions of the two Councils, to joint running of a peace operation, the PSC has become the Security Council's most frequent interlocutor. It is also the only other political body members of the Security Council have regularly met with as a whole. The relationship, however, has so far not been entirely smooth (this will be further discussed in the "Dynamics" section of this report) and has largely been focused on procedural rather than substantive matters. There are probably numerous factors at play. A phenomenon that

could be described as a lack of procedural symmetry certainly plays a role. The Protocol establishing the PSC mandates it to "cooperate and work closely with the UN Security Council" whereas on the UN side there are no binding decisions which effectively commit the Council to pursue working methods which would make such a relationship productive and effective.

Nevertheless, even before the PSC was officially launched (it became operational in 2004), members of the Security Council have been foreseeing their future interaction with that body. The Council's ad hoc Working Group on Africa, operating by consensus, was able to agree on a number of recommendations relating to the cooperation with the AU and presented them to the Council in August 2002 (S/2002/979). Some of them have since been implemented, but several are still outstanding. Because some of these issues have been for four years now, repeatedly raised in the annual consultations between the two Councils, the practice we describe below, it may be worth to reproduce the 2002 recommendations in full:

*The Ad Hoc Working Group extensively discussed the question of enhancing cooperation between the Security Council and the OAU/AU. During the consideration of this item, the Ad Hoc Working Group heard the views of the permanent observer of the OAU to the UN. The Group decided that the following measures could enhance cooperation between the Security Council and the AU:*

- *circulation of relevant decisions of the central organ of the AU through the presidency to Council members for their information;*
- *facilitation of periodic interaction and dialogue between the Council*

*and members of the central organ and, eventually, the PSC of the AU, with the secretary-generals of the two institutions, and in formal meetings of the Security Council;*

- *interaction between the Working Group and the Office of the AU in New York;*

- *regular briefing by the special representatives of the secretary-generals and the special envoys of the two organisations, preferably carried out jointly;*

- *possibility of appointing joint special envoys for African conflicts in the future;*

- *ensuring of close consultation with the AU before and after Security Council missions in Africa;*

- *consideration of the possibility of including, where desirable, a representative of the secretariat of the AU in Security Council missions to Africa;*

- *the Security Council may consider, where possible or desirable, the dispatch of joint Security Council/AU missions to the field; and*

- *cooperation with the AU in the field of disarmament, demobilisation and reintegration, within the process of conflict resolution and postconflict peacebuilding.*

Given that the periodic meetings between the two Councils constitute a form of interaction the Security Council has with no other body, it is worth to devote some attention to them.

The first such meeting took place on 16 June 2007 in Addis Ababa as part of a Security Council trip to Africa. During their visit to the AU headquarters in Addis Ababa, members met with the then Chairperson, Alpha Oumar Konaré, and other members of the AU Commission (including then Commissioner for Peace and Security, Said Djinnit), as well

as the AU PSC. The meetings took place against the backdrop of intense negotiations that a few months later led to establishment of the hybrid operation in Darfur, and Darfur was a central issue. In addition to several other situation-specific topics, another key issue at that time was the overall relationship between the two bodies. As reflected in the joint communiqué and the Council's report from the trip, several issues raised and recommendations put forward, would be recurring in the next meetings.

During the meeting, the chairperson of the AU Commission urged the Security Council to view the PSC as an extension of the Security Council and requested that the Security Council help in strengthening the AU to respond efficiently on behalf of the Security Council to conflicts in the continent. To that end, he reaffirmed the need for a more structured and formalised relationship between the two bodies, characterised by partnership and mutual respect. The AU side furthermore pointed to the comparative advantage of the continental organisation, for example in being able to deploy quickly to conflict areas. Members of the PSC called on the Security Council to recognise that activities of the AU PSC undertaken under Chapter VIII of the Charter of the UN were carried out on behalf of the international community. In what would become a prominent and constant feature in the relationship, PSC members urged the Security Council to consider the possibility of financing AU peace support missions from assessed contributions, citing the request contained in the decision of the Assembly of Heads of State and Government of the AU. They also expressed the need for the two Councils to harmonise decision-making

with regard to peace and security in Africa.

The "Joint Communiqué agreed by the UN Security Council and AU Peace and Security Council" issued at the end of the session (S/2007/421):

- recalled the Security Council's primary responsibility for the maintenance of international peace and security;
- expressed a joint commitment to developing a stronger and more structured relationship between the Security Council and the PSC;
- stated that members of the two bodies agreed to consider modalities for improving the resource base and capacity of the AU and to examine "the possibility of the financing of a peacekeeping operation undertaken by the AU or under its authority, as requested in the decision of the AU Assembly of Heads of State and Government (Assembly/AU/Dec. 145 (VIII))";
- stated that members agreed to "consider how best to improve the effectiveness of AU and UN peace efforts in Africa and how to strengthen coordination between the AU and the UN"; and
- stated that they agreed to hold joint meetings at least once a year and that the next meeting would be in New York.

The following year a joint meeting was held at the UN headquarters on 17 April 2008, and focused again on developing a stronger working relationship through such means as taking steps to identify predictable and flexible resources for AU peacekeeping, information sharing or supporting AU capacities for mediation.

The "Joint communiqué (S/2008/263) of the meeting between the UN Security Council and the AU Peace and Security

Council" issued on 17 April 2008 among other things:

- recalled that the Security Council has primary responsibility for the maintenance of international peace and security, and recalled the provisions of Chapter VIII of the Charter of the UN on the relationship with regional arrangements;
- recognised that an effective relationship between the UN and the AU, in particular the Security Council and the PSC would contribute significantly towards addressing common peace and security challenges and facilitate their resolution in Africa;
- expressed satisfaction with the ongoing efforts to strengthen the relationship through enhancing cooperation in the fields of conflict prevention, management and resolution, including in respect of issues such as the good offices of the Secretary-General, mediation support, effective use of sanctions, early warning and support of the AU Panel of the Wise; peacekeeping and peacebuilding;
- taking steps to identify predictable, sustainable and flexible resources for the AU, in order to undertake peacekeeping operations in the context of Chapter VIII of the UN Charter; and
- sharing of experiences on working methods between the two structures; sharing information on African conflict situations on the respective agendas of the two bodies, including but not limited to: Somalia; Sudan; Côte d'Ivoire and the DRC.

The joint communiqué also stated that the next meeting would be held in 2009 in Addis Ababa.

That year the preparations for the meeting were difficult. Among key problems was the fact that the African side had been eager to have a discussion about

the substance of the Prodi report on modalities for support to AU peace-keeping operations (described earlier). But the UN side was reluctant to engage in this discussion and had not included it in its terms of reference for the visit. The matter was touched upon only briefly at the meeting in Addis Ababa, and the Security Council side insisted that the main discussion would be postponed until after the publication in September 2009 of a Secretary-General's report on modalities for the implementation of the Prodi report. The 2009 meeting was also complicated by differences related to the status of the event as some Security Council members were insistent it was not a formal meeting of the two Councils. Considerable amount of the time allotted for the meeting was spent on the discussion of this matter and at some point during that morning it was not even clear that members would be able to agree on a written statement.

A brief communiqué was eventually issued. Its title reflected the differences regarding the status of the meeting and read (emphasis added): "Communiqué of the consultative meeting between the Peace and Security Council of the AU and the members of the Security Council of the UN." It stated among other things that:

*The meeting availed itself of this opportunity to review matters of common interest, in particular the enhancement of peace and security in Africa and the development of effective partnership between the two institutions, under the framework of Chapter VIII of the Charter of the UN. The meeting reviewed the situations in Somalia and the Sudan, the relations between the Sudan and Chad as well as the issues of uncon-*

*stitutional changes of Government in Africa. The two bodies agreed to continue to work closely together on these issues, with a view to achieving concrete results. With reference to the report of the AU-UN panel on modalities for support to AU peace-keeping operations, including the funding of AU-led peace support operations, the AU Peace and Security Council and the Security Council of the UN look forward to the report to be submitted by the Secretary-General of the UN no later than 18 September 2009; and that The AU Peace and Security Council and the members of the Security Council agreed to pursue their consultations on ways and means to strengthen their cooperation and partnership, as well as on the modalities for the organization of their consultations and agreed to hold their next consultative meeting in New York, in 2010.*

That 2010 meeting was scheduled to take place during Nigeria's presidency of the Security Council. Up until the last few days before it, consultations were still ongoing as to the format and substance of the meeting. On 9 July members of the Security Council held a three-hour consultative meeting at UN headquarters with the AU PSC and top AU Commission officials. Topics discussed included largely procedural matters related to the cooperation between the two Councils and means to strengthen cooperation between the two bodies, as well as modalities for organising future consultations between them. Participants also discussed two specific conflict situations where the AU and the UN are partners, Sudan and Somalia. Furthermore, they also discussed the border dispute between Djibouti and Eritrea.

The title of the communiqué (S/2010/392) that was issued followed the previous year's formula (i.e. it was not called "joint") and read "Communiqué of the consultative meeting of members of the Security Council of the UN and the Peace and Security Council." This document was considerably longer than the previous three and unlike in the past communiqués, included considerable degree of detail relating to substantive matters discussed. Furthermore, in what appears to be an effort to move these meetings away from being primarily focused on procedural issues, the communiqué said that "the members of the Security Council and the AU Peace and Security Council agreed that the consultative meetings should be substantive."

The document also outlined steps for the preparation of the next meeting, again, evidently striving to avoid previous years' difficulties and last minute scrambling: "It was agreed that a consultative meeting should be held on a rotational basis, annually no later than the end of June. The Chair or President, as applicable, of the host organization will initiate contact with the Chair or President, as applicable, of the visiting organization having prepared an agenda. The agenda should be agreed to in advance, focused, and allow for follow-up of previously agreed outcome points."

However, as of March 2011 the advance planning did not appear to be implemented. There was no follow up to the previous meeting and various dates (ranging from April to July) were being put forward as possible timing of the meeting in Addis Ababa. At press time in late April, there appeared to be an

agreement on the date of the meeting (the third week of May) and despite considerable efforts by South Africa to utilise the format of the Working Group as a vehicle for planning and preparation it was impossible to ascertain whether concrete steps toward drafting of the agenda have begun.

## 10. Trying to Put Things in Perspective

The relationship between the UN and the AU, in the context of peace and security, has so far not always been smooth or efficient. The potential for such a partnership has been recognised but there is still a gap between potential and actual impact in addressing conflict on the continent. Each side of this equation has a number of grievances, many of them legitimate. But it is important to keep these in perspective:

- relationships between quite different bureaucracies are never easy and entirely tension-free;
- joint meetings between bodies being part of different organisations often have complex dynamics and it is rare that both sides would consider such events as useful and satisfying; and
- the relationship at hand is additionally complicated because it is asymmetrical due to several factors: first that the AU is still at its early stage of life, secondly that the AU has vastly more limited resources and thirdly that the AU has been trying to accomplish in under a decade, what for example in Europe has taken half a century.

But it is also important to acknowledge that there are some fundamental tensions between the two organisations. Their status vis a vis one another has been one of the discomfort areas. Even though all the key AU documents stress

the primary role of the Security Council in the maintenance of international peace and security, there has been tension on both sides about this issue. In the context of the interaction between the two bodies, the Security Council has probably restated this fact more often than necessary. The PSC had hoped for a more collegial relationship and has occasionally felt slighted or disrespected. Some of this has over the years been smoothed out, with the Security Council accepting that the relationship is important for both sides and needs to be cultivated, and the PSC seemingly willing to live with a slightly asymmetrical nature of the correlation.

The question which organisation in practice should take the lead in addressing specific conflict situations in Africa is a related issue. The African side frequently argues about what it sees as its comparative advantage, being able to deploy operations much faster due to existing stand by arrangements and geographical proximity; its deep understanding of and familiarity with the problems fuelling the conflicts; and its willingness to deploy peace support operations to help stabilise fragile situations in which there is no clear-cut distinction between ongoing conflict and a situation where there may be a peace to be kept.

The UN side has pointed out the need to reconcile AU leadership with the principle of the universality and the legitimacy conferred by the UN. Some on the UN side stress the Security Council's responsibility under the Charter to act when it deems it necessary. Concerns have also been raised about situations where some regional actors may be part of the problem and not necessarily always the best actors to produce impartial solutions.

A current watershed issue is the desire on the part of the AU (which has quite widespread support in the General Assembly and also in the Security Council) to secure more predictable funding for AU-led operations, as well as for greater UN readiness to take over peace operations initially set up by AU but seen by it as a bridging measure before the UN is in a position to deploy its Blue Helmets. Related to this is the desire on the part of the AU peacekeeping to have access to the UN logistics base capacities and stocks. Discussions on these topics are ongoing but there is strong resistance by a number of P5 Council members. Some intermediate steps have been agreed (with UN funding for logistic support packages for AMIS in Darfur and more recently, AMISOM in Somalia), but most likely this area will be addressed on a case-by-case basis in foreseeable future. An additional factor is the concern by some about creating a climate of dependency on the part of regional organisations regarding the support from the global organisation. This was identified by the Security Council in its presidential statement 26 of October 2009 which cautioned, "The Security Council reiterates that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from donors."

There have also been suggestions over the years that the two bodies synchronise their decision making or for the Security Council to be more responsive in recognising and supporting decisions taken earlier by the PSC. This is unlikely to happen for several reasons, including some current and most likely future fundamental differences in sub-

stantive positions between the two bodies. Whereas the AU is prepared in a number of cases to be innovative in its preventive diplomacy agenda, in the Security Council some (particularly Russia but in some cases China as well) insist on a more cautious approach and argue that some matters which the AU is prepared to address, as a collective concern, are “internal matters” of the state concerned.

Another issue is the concern by the Security Council about the need for it to maintain maximum flexibility as to any future scenarios and its preference to approach issues on a case-by-case basis.

The AU side has also repeatedly signalled its desire to conduct joint missions on the continent with the Security Council or for a representative to accompany the Security Council during field trips to conflict areas on the continent. This has been resisted by the Security Council.

Persons interviewed for this report often cited difficulties they have encountered in interacting with the AU because of administrative and management difficulties. The Security Council has on several occasions pointed to this, for example in its October 2009 presidential statement, when it said, “The Security Council notes that the AU needs to enhance its institutional capacity to enable it to effectively plan, manage and deploy peacekeeping operations”. And as the UK permanent representative said during an open debate on peace and security in Africa a year later, “Building AU management capacity, including resource management, is essential, not only to manage immediate and future peacekeeping operations but also to enable a more

effective partnership between the AU and donors”.

AU sources interviewed for our report were only too well aware of the limitations in management capacity, and themselves highlighted this as one of the difficulties and one of the reasons why more capacity-building assistance through access to UN funding is important. Another problem cited is the fact that most AU management decisions are supposed to be endorsed at the AU summit-level meetings. But the summits more often than not are overtaken by political developments and crises of the day and there is little time for anything else. As a result, decisions on administrative issues get delayed, and implementation of previous decisions is not always properly reviewed.

While acting on recommendations, whether internal or external, has not always been prompt, the AU has appreciated the need for self-reflection and has shown an impressive capacity for identifying the problems.

In July 2007 the Assembly of the Heads of State and Government of the AU gathered in Accra and decided to establish a high-level panel to conduct an audit review of the state of the AU after its initial years of existence. The panel, headed by Adebayo Adedeji of Nigeria, a former UN Under-Secretary-General, presented in December that year an exhaustive (70,000 words) document analysing the organisation in a frank and inquisitive way, pointing to its weaknesses and providing numerous concrete recommendations. While not all of the recommendations have as yet been taken on board, several have served as guidelines for subsequent reforms and adjustments. (The report has not been officially published but it is

easily available on different websites and it can also be accessed on Security Council Report’s website.)

In the area of peace and security, in 2010 the AU Peace and Security Department commissioned an assessment study of the Union’s peace and security architecture. A team headed by Lt. General Matshuenyego Fisher of Botswana produced a comprehensive study of the AU and its regional communities and mechanisms, with in depth factual information, analysis and solid recommendations. The report was endorsed in November 2010 by a meeting of chief executives and senior officials of the AU, the RECs and the regional mechanisms. It is currently being used by the AU in developing a strategic framework for further development of the continental peace and security system. (At this time the report has not been made public, but again, it has been circulating widely and can be accessed on Security Council Report’s website.)

In taking stock of the relative strengths and weaknesses of the two Councils, it is also worth noting some significant weaknesses in terms of working methods. The PSC architects having noted the experience of the Security Council, took a quite different approach in the PSC rules of procedure to the question of having an issue discussed. For example, rule 6 of the PSC rules states that, “The inclusion of any item on the provisional agenda may not be opposed by a Member State.” This contrasts with the huge problems that the Security Council working methods present when it comes to getting agreement on discussing a new issue.

Another significant working methods difference can be seen in the provisions for involvement of interested parties or

parties to the conflict in the PSC work. The Protocol on the Establishment of the PSC says in Article 8 point 9, “Any Member of the Peace and Security Council which is party to a conflict or a situation under consideration by the Peace and Security Council shall not participate either in the discussion or in the decision making process relating to that conflict or situation. Such Member shall be invited to present its case to the Peace and Security Council as appropriate, and shall, thereafter, withdraw from the proceedings.” This is a much more specific and effective provision than the obscure language the Security Council applies and which was a significant handicap to the Security Council consideration of the Rwanda genocide.

A further important distinction emerges from rule 15 of the Rules of Procedure of the PSC. This provision, like the UN version, envisages the participation in the PSC meetings of any member state whose interests are specifically affected by the issues discussed. But it also extends that right to any regional mechanism or a civil society organisation “involved and/or interested in a conflict or situation related to the discussion under consideration by the Council”. Rule 16 encourages the PSC to “hold informal consultations with parties concerned by or interested in a conflict or a situation under its consideration”, a step which the Security Council has not taken in its own working methods, resulting in much controversy and dispute between the Council and the General Assembly.

The working methods of the PSC also provide for a situation where its chairperson happens to be from a member state that is barred from decision-making process because it is a party to the conflict or the situation being discussed.

They include a provision for a “Stand-in-Chairperson” saying “the Chairperson shall vacate the chair, which shall be assumed by the next chairperson in line for the duration of the situation.”

Another factor impacting the capacity of the AU is the physical location of its headquarters. Addis Ababa currently has a problematic communications infrastructure. Almost every person interviewed there brought up problems related to the use of the internet, email and phone lines. This seems to be posing serious problems for missions, the UN staff and NGOs, as well as impacting important events such as the conduct of the Amani Africa military exercise. Administrative restrictions on non-diplomatic foreign staff (such as problems with work permits and high taxes) impact civil society in adverse ways. The AU may not easily count any time soon on the emergence of a vibrant think tank, academic and civil society community, typical for other big international organisations’ hubs and which have proved very helpful in the development and functioning of organisations.

## 11. Council and Wider Dynamics

### 11.1 Political Perspectives from the Past

One of the results of the ministerial level first thematic debate on Africa in 1997 was a changed dynamic within the Council. For the first time, rather than approaching the African conflicts and security threats reactively and on a case-by-case basis, the Council was looking at the continent as a whole and at the different conflicts there as events related to one another and influencing themselves mutually, and was beginning to look for a more comprehensive

approach. Also, as Secretary-General Kofi Annan put it during that debate, “There is a new consensus that the primary responsibility for the solution of Africa’s problems rests with Africans themselves...This new realization also calls for a re-evaluation of the role of the international community in support of Africa’s goals. It places responsibilities as much on the shoulders of Governments outside Africa as on African Governments. It challenges us to think precisely how best we can accompany the Africans on their path to lasting peace, stability, justice and sustainable development.”

During that first debate, France, the UK and the US stressed the importance of African peacekeeping and the need on the part of the international community to support these efforts. The US in particular, called for enhanced ties between the OAU and the UN. Russia, while saying that it was “time to discuss proposals on setting up a joint African force and other inter-State peacekeeping structures,” stressed that that “the international legal basis for peacemaking, including on the African continent, should continue to be the Charter of the UN, the decisions of the Security Council and the relevant international, bilateral and multilateral agreements.” China stressed the importance of the settlement of differences and conflicts within Africa through peaceful political means and declared its belief in the ability of the African countries to resolve their internal conflict and disputes themselves but added that the UN should “seriously consider the reasonable proposals and demands of African countries”.

Interestingly, some African leaders at the time seemed to caution against a too enthusiastic embrace of the “African solutions to the African problems”

principle. Zimbabwean President Robert Mugabe, speaking in his capacity as the chairman of the OAU, said, "The UN Security Council is endowed with the primary responsibility for the maintenance of international peace and security. There can therefore never be an exclusively African agenda for peace. It will, perforce, be the UN agenda, to which the entire international community subscribes and lends support. This is our understanding of the provisions of Chapter VIII of the Charter of the UN, which is devoted entirely to cooperation between the UN and regional organizations". Egyptian Foreign Minister Amre Moussa, echoed this view, "While I am confident that we all agree on the need for Africa to assume a greater role in dealing with its own security problems, the primary responsibility for the maintenance of international peace and security still lies with the international community, as represented by the Security Council."

In the period immediately before the launch of the AU some actors saw the usefulness of systematising the relationship between the UN and the future continental organisation. During the open debate organised in January 2002 by Mauritius (described in more detail earlier), the Secretary-General of the OAU, Amara Essy suggested, "a mechanism for consultations between the Security Council and the central organ of the OAU mechanism on conflict resolution," (the adoption of the protocol establishing the PSC was still more than five months away). And he added, "I would emphasize the Council's primary role in the maintenance of international peace and security. The success of this partnership, which we all wish for, depends fundamentally on the will and ability of the Council to act

as the guarantor of international peace and security. It depends largely on the commitment of the UN to work side by side with the OAU and subregional African organizations".

The Council president, Mauritius put forward the idea that the Council establish a working group to manage this emerging relationship and other Africa-specific issues. This was warmly embraced by the UK, with France considering the idea "interesting" and several other participants supporting it. China, without referring to the working group specifically, said, "we fully support the Security Council in its strengthening of cooperation and coordination with the OAU and subregional organizations and in its paying more attention to the will of the African people in the process of resolving regional conflicts, so as to formulate relevant strategies to that end. The Council should consider institutionalizing its dialogue with the OAU". Russia said it supported the Secretary-General's efforts to expand links between the UN and the African organisation on conflict prevention and resolution and said it favoured, "the efforts of Africans themselves being fully bolstered by the authority of the Security Council, and through the logistical capability of the UN." And adding that, "the most logical approach is the one in which the Africans themselves determine specific goals and tasks of maintaining peace in their continent, while using any peace-keeping force in strict accordance with the Charter of the UN," but also stressing that, "any preventive or coercive actions, whether they be sanctions or even additional military force, must be authorized by the Security Council". The US was perhaps, among the P-5, the most reserved on the issue of

developing institutional ties, saying, "We recognize, however, that, when it comes to ending Africa's disastrous wars, there sometimes may be limits to what regional organizations can realistically achieve on their own. In those cases where the Council can bolster regional and national efforts, we think greater cooperation could be useful." And they added that there were instances, "in which the Council, joined by African States and regional organizations, must be willing to clearly state where responsibility lies".

Within about two years, Darfur became the topic of the most intense interaction. Some of the details are provided earlier but the Darfur experience was also most certainly key to shaping the PSC-Security Council dynamic and deserves some attention here. The AU deployed its operation, AMIS, early on, when the Council was not in a position to take steps on the ground and instead in its several next decisions expressed its support for AMIS and called on international community to provide it with support. By late 2005, with the AU's Darfur mission unable to provide the needed levels of protection, some western and African members of the Council began suggesting a transition from the AU to a UN operation. In March 2006, the PSC agreed "in principle" to the transition but soon started showing signs of a change of heart and in June the AU transmitted a report to the Council from an assessment mission in which it stressed the need for strengthening AMIS, saying that many actors on the ground objected to the transfer and warning that there could be negative consequences stemming from the deployment of a UN force in Darfur. In part this was obviously due to the vigorous diplomatic activity of Sudan which

as an AU member, had ample opportunities for shaping the decisions. But in addition, some AU actors, after two years of maintaining the very difficult operation on the ground when nobody else had been ready to step in, were now reluctant to relinquish the operation's full control and probably saw it as a useful entry point into a new type of a relationship with the UN. It is probably fair to say that with the Darfur experience, the AU side became more assertive in its approach to the Council.

A related complication for the relationship has been that the key issue in the relationship soon became the AU's strong desire for the financing of peacekeeping operations, undertaken by it or under its authority and with the consent of the UN, from UN assessed contributions. The AU Assembly issued a decision on this and all subsequent meetings and debates touched upon this matter. In particular, the issue was prominent in the 2007 open debate organised by South Africa. The concept paper prepared for the March debate posed several direct questions, including:

- How far should the Security Council go in recognising the decisions taken by
- regional groups that are complementary to its work?
- What is the scope for the Security Council to incorporate outcomes of bodies such as the AU PSC in its own decisions?
- Is there scope for the further and more direct resources support by the UN to regional organisations?

## 11.2 Current Political Dynamics

The debate about the relationship looked at over the years, has shown the emergence of a fairly broad spectrum of views among Council members, in par-

ticular the P-5 (whose positions, by virtue of their permanent presence, best lend themselves to a multi-year look). Broadly speaking and primarily based on members' public statements, it appears that while a unifying theme has been the insistence of most members on reaffirming the Security Council's primary responsibility in the maintenance of international peace and security, no two permanent members have been promoting a fully coordinated approach.

China appears most inclined among the permanent members to follow the Africans' lead and to support their requests. It is the only permanent member of the Council who has consistently favoured enhancing the financing for AU peacekeeping in general and the operation in Somalia in particular, arguing that increasing the cooperation in this field would decrease the burden on UN peacekeeping. It has also, among the P5, been most in favour of a more equal partnership, arguing in the March 2009 open debate that, "this partnership should be equal and mutually complementary. The UN and the AU each have comparative advantages in addressing African hot spot issues. If the two sides strengthen coordination on the basis of mutual respect and mutual complementarity, and if they make joint efforts to respond to the various challenges faced by the African continent, this will greatly enhance the overall effectiveness of the international community's efforts to address African conflicts." During its presidencies of the Council in 2010 and 2011, China organised two relevant debates. In January 2010 in what was China's first initiative for a thematic debate, it held one on the "Cooperation between the UN and regional and subregional organizations in maintaining international peace and

security". And in March 2011 it held an open debate on Somalia.

France was another of the P-5 who in recent years used its presidency to focus on Africa, organising in September 2007 a heads of state and government-level debate on "Peace and security in Africa" chaired by President Nicolas Sarkozy, to which the chairperson of the AU was invited as a speaker. In the different debates over the years, it has expressed concerns about sharing of a priori roles that could lead to regionalisation in maintaining international peace and security and argued that it was important to preserve the universal nature of peacekeeping personnel. France has also from early on in these discussions cautioned that the Council, in order to endorse another body's decisions, needs to be involved in the processes leading up to them. It also expressed caution about the proposals for the UN financing of AU operations from assessed contributions, saying during the October 2009 open debate, "Every organization, first and foremost the UN, has the primary responsibility for financing its activities. This is why the UN practice of financing from assessed contributions leads to political, legal and financial problems which we believe to be serious."

Russia has consistently highlighted the need for a firm legal grounding of the relationship in the precise terms of Chapter VIII and insisted on the Security Council's primary responsibility in the maintenance of international peace and security. It also called on the African side to improve its reporting to the Security Council and while supporting the UN backing of AU operations, it expressed its reluctance to providing financing from the assessed UN budget for AU peacekeeping. In the April 2008

open debate it stated “Russia has consistently urged that the peacekeeping activities of the AU be appropriately bolstered by the authority of the Security Council and by the world Organization’s logistical and technical capacity, on the understanding that we are not talking about directly financing such activities from the UN budget”.

The UK, even before the formal launching of the PSC, expressed its hope that the new body will give the Security Council “the kind of links that we want to have with the AU—a very practical utility.” And over the years it has taken a pragmatic approach to developing an efficient institutional relationship, pointing out in 2007, before the first joint meeting of the Council and the PSC, “The cooperation is here to stay.” On the issue of financing, the UK has expressed support for a voluntary multi donor trust fund though not ruling out other options for the future. But it also stressed the need to develop a more strategic relationship and for the AU, the need to build its management capacity. It also pointed to the need for a critical look at the shared experience so far saying during the October 2010 debate, “We need to be more frank with each other about what works and what does not work. There are many lessons to be learned—for example, from the experience of the AU-UN Hybrid Operation in Darfur. We have at times appeared to be talking past each other on Somalia, particularly with regard to military strategy.” It has also stressed the need to focus on conflict prevention in addition to conflict management.

The US, following the establishment of the AU, was responsible for placing the institutional relationship with the African organisation on the Security Council agenda and chaired the only

meeting in Africa to date in which the AU was represented. It has supported the creation of a voluntary multi-donor trust fund. Overall, however, it has tended to favour bilateral programmes and assistance and called on other members to do the same. Towards the end of the Bush administration, the US pushed hard for a deeper engagement on Somalia. In the open debate in October 2009, a representative of the Obama administration stated, “We have also supported, on an exceptional basis, the use of assessed contributions to support the AU Mission in Somalia. However, we must stress that that decision was only possible in the unique circumstances of Somalia, and the US is unable to make a broad commitment to support such arrangements in future operations.” It has been, however, according to a statement in an open debate a year later, encouraged by the improvements in the relationship between the two Councils and the increased number of briefings provided by the respective envoys to the other organisation.

A set of issues that have probably affected in a negative way the relationship between the AU and some of the Council members, both elected and permanent, has to do with human rights, fight against impunity and governance. The human rights situation in Darfur has been repeatedly brought up by several members and was a topic of some tense discussions. And the controversy surrounding the International Criminal Court’s (ICC) indictment of Sudanese President Omar al-Bashir with the subsequent unsuccessful attempt by the AU to have the Council defer the proceedings under the ICC Statute’s Article 16 has led to considerable discomfort in the relationship.

The different approach to human rights between some Council members and most of African member states loomed large during the April 2008 open debate on “Peace and Security in Africa” chaired by South African President Thabo Mbeki. The debate was being held at the height of the Zimbabwe post electoral crisis (the election had been held on 29 March and at the time of the 16 April debate the Mugabe government was continuing to refuse to release the results). During this debate on peace and security on the continent, only a few African speakers (notably Tanzanian President Jakaya Kikwete, in his capacity as acting chairman of the AU, and Senegal’s foreign minister) mentioned the crisis and many non-Africans were quite taken aback by it.

Among those expressing concern over the crisis in Zimbabwe were the Secretary-General, Belgium, France, Croatia, Italy, Costa Rica, Panama and the US. The UK Prime Minister Gordon Brown put it in quite strong words, “Let a single clear message go out from here in New York that we are and will be vigilant for democratic rights, that we stand solidly behind democracy and human rights for Zimbabwe and that we stand ready to support Zimbabweans in building a better future.”

Cheikh Tidiane Gadio, the foreign minister of Senegal, was sharply critical of most of African participants’ approach saying, “Unfortunately, we Africans have answered only with a deafening silence that can be heard everywhere.”

The April 2008 debate was part of a big strategic push led by South Africa to increase the UN engagement with the AU. It resulted in the adoption of resolution 1809 and the eventual setting up of the Prodi panel, but the Zimbabwe con-

troversty added a somewhat sour note to the beginning of this process.

An additional issue contributing to determining the dynamic between the Security Council and Africa more broadly and the institutional relationship with the AU in particular, is the fact that while initially the lead on addressing Africa as a theme has been alternating between member states from different parts of the world (for example, at different points between 2002 and 2007, the US, Japan, Sweden, the Netherlands, Mali, the Ukraine, Mauritius, Singapore, the UK, Congo, France and Spain) in recent years the initiative has been left essentially to the African members. This situation has obviously some advantages, but from year to year it has also led to somewhat uneven and much less collective focus or stake in the matter.

## 12. The Way Ahead

In the interviews conducted in preparation of this report, terms such as strategic thinking, strategic framework or roadmap would almost always come up. It appears clear that most actors acknowledge the need for developing the relationship in a more systematic way and for moving away from a reactive or project-focused approach. The two respective bureaucracies, the UN Secretariat and the AU Commission, were at time of writing engaged in elaborating several strategic documents meant to guide the relationship.

A clearer framework for cooperation would most likely also help in further interaction between the Security Council and the PSC. It seems that the Council's Working Group on Conflict Prevention and Resolution in Africa might serve as the locus for elaborating

a more deliberate approach. In recent years, the Working Group has not always been fulfilling its potential for guiding the relationship. Yet it is worth noting that at the very moment of its inception, during the January 2002 open debate on Africa, there were suggestions that management of the relationship with the African continental organisation should be the job description of the Working Group. And while eventually several other elements were included in the Working Group's mandate contained in the 1 March 2002 note from the Council president, one of its mandated tasks remains: "To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the UN and regional (OAU) and sub-regional organizations." (S/2002/207)

Over the years, recommendations were made that the Working Group also function as the secretariat for the annual meetings between the two Councils. Whether or not the Working Group is ready to undertake this responsibility, several other options might be considered:

- The Working Group could periodically invite the permanent observer of the AU to the UN to address it with updates on developments within the AU relevant to the relationship between the two councils. This would also enhance the Security Council members' familiarity with the African organisation's work on peace and security issues.
- The Working Group could invite the 15 permanent representatives in New York of the countries represented on the AU PSC to meet regularly with the Working Group so that its members would be better aware of the perspectives and concerns of the PSC member states' representatives and

the emerging issues being discussed at the PSC.

- The Working Group chair could visit the PSC in Addis Ababa at least once a year to intensify Working Group members' understanding of emerging issues, including conflict prevention and the scope for the Working Group to assist the PSC and vice versa.
- When developments at the country specific level suggest that there are emerging risks of conflict, the Working Group could decide to establish its own "Country-Specific Informal Format" to pursue its work on the case in detail. The Council would be able to use the Working Group as an instrument not just for its own role in preventing deterioration into conflict, but also for ensuring a more effective UN-AU partnership on the issue.
- The Working Group could take a more proactive approach to the management of the annual meetings between the two Councils. It could take it upon itself to present and discuss a plan for a follow up for each meeting within a specified period of time (for example 90 days) and could take a lead in preparing each meeting, again, within a specified advance timeframe. This would help avoid procedural difficulties but most of all it would ensure that key substantive issues of common interest to both Councils are given adequate attention during the annual meetings.

Among other options to enhance the relationship with the AU and its focus on African issues, as a symbolic gesture, the Council might consider holding another meeting in Africa (the last one was in Nairobi in 2004).

In years when the joint meeting of the two Councils takes place in Addis Ababa, the Council may want to routinely schedule that meeting at the end

of the trip to Africa rather than its outset, as experiencing several issues first hand just prior to the meeting would likely help Security Council members frame some issues in a more substantive way.

The two Councils might also consider elaborating a working document outlining the respective bodies' division of labour and responsibilities to help the respective changing members to have easier familiarisation with this aspect of each body's work.

### 13. UN Documents

#### Selected Security Council Resolutions

- S/RES/1964 (22 December 2010) renewed the authorisation of AMISOM and raised its troop level to 12,000.
- S/RES/1935 (30 July 2010) renewed UNAMID until 31 July 2011.
- S/RES/1910 (28 January 2010) renewed authorisation of AMISOM until 31 January 2011.
- S/RES/1881 (30 July 2009) renewed UNAMID for one year.
- S/RES/1872 (26 May 2009) renewed authorisation of AMISOM until 31 January 2010, approved its funding from assessed UN contributions and requested the Secretary-General to implement the phased approach recommended in his 16 April report.
- S/RES/1863 (16 January 2009) renewed authorisation of AMISOM for up to six months, endorsed the Secretary-General's proposals to strengthen AMISOM and expressed the Council's intention to establish a UN peacekeeping

operation by 1 June.

- S/RES/1831 (19 August 2008) renewed AMISOM for six months.
- S/RES/1828 (31 July 2008) renewed UNAMID's mandate for 12 months.
- S/RES/1814 (15 May 2008) requested an update to the Secretary-General's phased approach in Somalia.
- S/RES/1809 (16 April 2008) encouraged increased engagement between the AU and the UN and called on the UN Secretariat to develop a list of needed capacities and recommendations on ways that the AU could further develop its military, technical, logistic and administrative capabilities. It also welcomed the Secretary-General's proposal to set up an AU-UN panel to consider the modalities of how to support AU peacekeeping operations established under a UN mandate.
- S/RES/1801 (20 February 2008) renewed AMISOM for six months.
- S/RES/1772 (20 August 2007) renewed AMISOM.
- S/RES/1769 (31 July 2007) established UNAMID.
- S/RES/1744 (20 February 2007) authorised AMISOM.
- S/RES/1725 (6 December 2006) authorised IGASOM.
- S/RES/1706 (31 August 2006) set a mandate for UNMIS in Darfur.
- S/RES/1663 (24 March 2006) expedited the necessary preparatory planning for the transition from AMIS to a UN operation.
- S/RES/1631 (17 October 2005) addressed the issue of cooperation between the UN and regional organisations.
- S/RES/1625 (14 September 2005)

was a Summit declaration on the effectiveness of the Security Council's role in conflict prevention, calling for the strengthening of cooperation and communication between the UN and regional and subregional organisations in accordance with Chapter VIII.

- S/RES/1624 (14 September 2005) called on states to cooperate and to adopt measures to prohibit the incitement of terrorism.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.
- S/RES/1590 (24 March 2005) requested the Secretary-General report on options for UNMIS to assist AMIS.
- S/RES/1564 (18 September 2004) threatened sanctions against Sudan for non-cooperation with AMIS.
- S/RES/1556 (30 July 2004) identified the situation in Darfur as a threat to international peace and security.
- S/RES/1318 (7 September 2000) focused on peacekeeping and peacebuilding as a means of addressing challenges to peace and security in Africa.
- S/RES/1209 (19 November 1998) focused on the illegal arms trade in Africa.
- S/RES/1208 (19 November 1998) focused on the issue of refugees in Africa.
- S/RES/1197 (18 September 1998) was on the need for the UN to provide support to regional and subregional organisations and to strengthen coordination between the UN and those organisations.
- S/RES/1196 (16 September 1998) focused on the implementation of

arms embargoes in Africa.

- S/RES/1170 (28 May 1998) established the Working Group on Conflict Prevention and Resolution in Africa.
- S/RES/866 (22 September 1993) established UNOMIL.
- S/RES/143 (14 July 1960) established ONUC.

#### **Selected Presidential Statements**

- S/PRST/2010/21 (22 October 2010) reaffirmed Council commitment to strengthening its partnership with the AU PSC.
- S/PRST/2009/26 (26 October 2009) reiterated the importance of a more effective strategic relationship between the UN and the AU, underlining the importance of expediting the implementation of the UN-AU Ten-Year Capacity-Building Programme.
- S/PRST/2009/3 (18 March 2009) requested the Secretary-General to submit a report no later than 18 September 2009 on practical ways to provide effective support for the AU when it undertakes UN authorised peacekeeping operations.
- S/PRST/2008/33 (4 September 2008) requested detailed planning on an international stabilisation force and peacekeeping force in Somalia.
- S/PRST/2007/31 (28 August 2007) requested the Secretary-General to submit a report on the options for further implementation of resolution 1625.
- S/PRST/2007/15 (25 May 2007) welcomed the AU-UN report on the hybrid operation in Darfur and called for the full implementation without delay of the UN light and heavy support packages of assistance to AMIS.

- S/PRST/2007/7 (28 March 2007) was on relations between the UN and regional organisations, particularly the AU and asked the Secretary-General for a report on specific proposals on how the UN can better support further cooperation and coordination with regional organisations on Chapter VIII arrangements.
- S/PRST/2007/1 (8 January 2007) requested the Secretary-General to provide the Council with more regular analytical reporting on regions of potential armed conflict and stressed the importance of establishing comprehensive strategies on conflict prevention.
- S/PRST/2006/55 (19 December 2006) called for the support packages and hybrid operation to be implemented.
- S/PRST/2006/5 (3 February 2006) asked the Secretary-General to begin contingency planning for a transition from AMIS to a UN operation.
- S/PRST/2004/44 (19 November 2004) recognised the importance of strengthening cooperation with the AU in order to help build its capacity to deal with collective security challenges.
- S/PRST/2004/18 (25 May 2004) called for the deployment of monitors in Darfur.
- S/PRST/2002/2 (31 January 2002) indicated that the Council would consider establishing the ad hoc Working Group on Conflict Prevention in Africa.
- S/PRST/1998/35 (30 November 1998) reaffirmed the increasingly important role of regional arrangements in maintaining peace and security.
- S/PRST/1998/29 (24 September

1998) took stock of the Council's Africa-focused work.

- S/PRST/1998/28 (16 September 1998) set general standards for peacekeeping and stressed the need to be fully informed of peacekeeping activities carried out by regional or subregional organisations.
- S/PRST/1997/46 (25 September 1997) asked the Secretary-General to report on the sources of conflict in Africa, and how to prevent and address them.

#### **Selected Secretary-General's Reports**

- S/2011/54 (2 February 2011) was the review of the Ten-Year Capacity-Building program for the AU.
- S/2010/514 (14 October 2010) was on support for AU peacekeeping.
- S/2009/470 (18 September 2009) was on support to AU peacekeeping operations authorised by the UN.
- S/2009/210 (16 April 2009) was the report requested by resolution 1863 on a possible UN peacekeeping deployment in Somalia.
- S/2008/186 (7 April 2008) was on the relationship between the UN and regional organisations.
- S/2008/178 (14 March 2008) included contingency peacekeeping plans.
- S/2008/18 (14 January 2008) was on the implementation of Security Council resolution 1625 on conflict prevention, particularly in Africa.
- S/2007/204 (13 April 2007) argued against a UN peacekeeping presence in Somalia at the time.
- S/2006/591 (28 July 2006) contained recommendations for the transition from AMIS to a UN mission.
- A/59/2005 (21 March 2005) was

the report, *In Larger Freedom: towards development, security and human rights for all*.

- A/59/565 (2 December 2004) was the report of the Secretary-General's High Level Panel on Threats, Challenges and Change.
- S/1998/318 (13 April 1998) was on the causes of conflict in Africa.
- S/1995/1 (25 January 1995) was the supplement to *An Agenda for Peace*.
- S/24111 (17 June 1992) was the report, *An Agenda for Peace*.

#### Selected Letters

- S/2010/694 (30 December 2010) was from the permanent representative of Uganda to the president of the Security Council containing the 2010 report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.
- S/2010/433 (6 August 2010) was from the Secretary-General to the president of the Security Council outlining the creation of the UN Office to the AU.
- S/2009/10 (30 January 2009) transmitted the summary statement by the Secretary-General on matters of which the Security Council was seized and on the stage reached in their consideration
- S/2009/681 (30 December 2009) was from the chairman of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to the president of the Security Council containing the 2009 report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.
- S/2008/836 (30 December 2008)

was from the permanent representative of South Africa to the president of the Security Council containing the 2008 report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

- S/2008/813 (24 December 2008) was from the Secretary-General forwarding the AU-UN panel report (the Prodi report) on how to support AU peacekeeping operations established under UN mandate to the Security Council and General Assembly.
- S/2008/804 (19 December 2008) was from the Secretary-General to the president of the Security Council proposing UN support to AMISOM.
- S/2008/263 (21 April 2008) was from the permanent representative of South Africa to the president of the Security Council containing the joint communiqué of the 17 April 2008 meeting in New York between the two councils.
- S/2007/783 (31 December 2007) was from the chargé d'affaires a.i. of the permanent mission of the Congo to the president of the Security Council containing the 2006-2007 report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.
- S/2007/496 (14 August 2007) was from the chargé d'affaires a.i. of the permanent mission of the Congo to the Secretary-General containing a concept paper for a debate on the role of the Security Council in the maintenance of peace and security in Africa.
- S/2007/444 (18 July 2007) was from the permanent representative of Ghana to the president of the

Security Council containing a communiqué by the AU PSC on the situation in Somalia.

- S/2007/307 (23 May 2007) and rev. 1 (5 June 2007) were letters from the Secretary-General to the president of the Security Council containing the report of the Secretary-General and the chairperson of the AU Commission on the AU-UN hybrid operation in Darfur.
- S/2007/148 (14 March 2007) was from the permanent representative of South Africa addressed to the Secretary-General forwarding the concept paper on the relationship between the UN and regional organisations, in particular the AU, in the maintenance of international peace and security.
- S/2006/961 (6 December 2006) was from the permanent representative of the Congo to the president of the Security Council containing the AU PSC communiqué endorsing the hybrid operation.
- S/2006/653 (3 August 2006) was from the permanent representative of the Tanzania to the president of the Security Council containing the report of the Security Council's work in January, under the presidency of Tanzania.
- S/2006/483 (26 June 2006) was a letter from the Permanent Representative of Finland to the President of the Security Council transmitting the third annual report of the workshop for newly elected members.
- S/2006/461 (28 June 2006) was from the permanent representative of the Congo to the president of the Security Council presenting the findings of the joint assessment mission.

- S/2006/156 (10 March 2006) was from the permanent representative of the Congo to the President of the Security Council containing the AU PSC communiqué accepting a hybrid operation “in principle.”
- S/2002/979 (29 August 2002) was from the permanent representative of Mauritius to the president of the Security Council containing recommendations of the Ad Hoc Working Group on Conflict Prevention in Africa.
- S/2002/46 (10 January 2002) was from the permanent representative of Mauritius to the president of the Security Council that served as the background paper for the 29-30 January 2002 ministerial-level debate on Africa.
- S/1997/730 (22 September 1997) was from the permanent representative of Argentina addressed to the president of the Security Council that served as a background paper for the 25 September 1997 ministerial-level debate on Africa.

#### **Selected Debates**

- S/PV.6494 and Res. 1 (10 March 2011) was an open debate on Somalia, presided over by China.
- S/PV.6409 (22 October 2010) was an open debate at which the Secretary-General's report on assistance to AU peacekeeping operations was discussed.
- S/PV.6257 (13 January 2010) was a thematic debate on cooperation with regional and subregional organisations, presided over by China.
- S/PV.6206 (26 October 2009) was a debate on the report of the AU-UN panel which covered modalities for support to AU peacekeeping operations.

- S/PV.6092 and Res. 1 (18 March 2009) was the debate on the AU-UN Panel's report on modalities for support to AU operations.
- S/PV.5868 and Res. 1 (16 April 2008) was an open debate on peace and security in Africa.
- S/PV.5858 (20 March 2008) was a briefing by Special Representative of the Secretary General Ahmedou Ould-Abdallah.
- S/PV.5837 (15 February 2008) was an AU briefing to the Council.
- S/PV.5749 (25 September 2007) was a meeting on peace and security in Africa chaired by the French President Nicolas Sarkozy.
- S/PV.5735 and Res. 1 (28 August 2007) was the discussion on the role of the Security Council in conflict prevention and resolution, in particular in Africa.
- S/PV.5649 (28 March 2007) was a Council debate under the South African presidency on relations between the UN and regional organisations, particularly the AU.
- S/PV.5448 (31 May 2006) was a briefing by the Chairman of the AU.
- S/PV.5261 (14 September 2005) were the records of the Council summit meeting and the adoption of resolution 1625.
- S/PV.5084 (19 November 2004) was a meeting on the AU held in Nairobi, Kenya.
- S/PV.5043 (24 September 2004) was an open debate on Africa featuring an address from the Chairman of the AU.
- S/PV.4978 (25 May 2004) was a meeting in which the Council's first decision on Darfur was adopted, following an Arria formula briefing on the subject.
- S/PV.4739 and Corr. 1 (11 April

2003) was a debate on the relationship between the Council and regional organisations at which a representative of the presidency of the African Union addressed the council.

- S/PV.4577 and Res. 1 (18 July 2002) was a ministerial level meeting on the situation in Africa.
- S/PV.4538 and Res. 1 (22 May 2002) was an open debate featuring a briefing by the chair of the ad hoc Working Group on Conflict Prevention in Africa.
- S/PV.4460 and Res. 1 and Res. 2 (29-30 January 2002) was an open debate on the situation in Africa organised by Mauritius.
- S/PV.4194 (7 September 2000) was the debate on “ensuring an effective role of the Security Council in the maintenance of international peace and security, particularly in Africa”.
- S/PV.4081 and Res. 1 (15 December 1999) was a follow on meeting to the debate on the situation in Africa in September, 1998.
- S/PV.4049 and Res. 1, Res. 2, and Res. 3 (29-30 September 1999) was a two-day meeting on the Secretary General's report on the causes of conflict in Africa (S/1998/318).
- S/PV.3819 (25 September 1997) was the first ministerial-level debate on Africa.
- S/PV.3046 (31 January 1992) was the first Security Council meeting held at the level of heads of state.

#### **Notes by the President of the Security Council on the Working Group in Conflict Prevention and Resolution in Africa**

- S/2010/654 (21 December 2010) extended the mandate of the

Working Group until the end of 2011.

- S/2009/650 (15 December 2009) extended the mandate of the Working Group until the end of 2010.
- S/2008/795 (18 December 2008) extended the mandate of the Working Group until the end of 2009.
- S/2007/771 (31 December 2007) extended the mandate of the Working Group until the end of 2008.
- S/2005/833 (30 December 2005) contained the 2005 report on the activities of the Working Group.
- S/2005/828 (27 December 2005) contained the report on the 15 December Working Group seminar on cooperation between the UN and AU.
- S/2005/814 (21 December 2005) extended the mandate of the Working Group until the end of 2006.
- S/2004/1031 (30 December 2004) extended the mandate of the Working Group until the end of 2005.
- S/2004/989 (21 December 2004) contained the 2004 report on the activities of the Working Group.
- S/2003/1188 (22 December 2003) contained the 2003 report on the activities of the Working Group.
- S/2003/1183 (18 December 2003) extended the mandate of the Working Group until the end of 2004.
- S/2002/1352 (12 December 2002) contained recommendations from the Chairman of the Working Group.
- S/2002/607 (31 May 2002) contained the summary of the 22 May

2002 open debate.

- S/2002/207 (1 March 2002) outlined the terms of reference of the Working Group.

#### Other

- S/2010/392 (9 July 2010) was the joint communiqué issued after a consultative meeting at UN headquarters with the AU PSC and top AU Commission officials.
- S/2009/303 (11 June 2009) was the report of the Council mission to the AU, Rwanda, the DRC and Liberia, which contained the communiqué of 16 May 2009 from the consultative meeting between the members of the Security Council and the AU.
- S/2007/421 (11 July 2007) was the report of the Security Council visit to Addis Ababa, Accra, Abidjan, Khartoum and Kinshasa containing the joint communiqué from the 16 June 2007 meeting.
- S/Agenda/5084 (18 November 2004) was the provisional agenda for the 5084th meeting of the Security Council featuring the item “Institutional Relationship with the African Union.”
- *Agreement Between the United Nations and the Organization of African Unity on Co-Operation Between the Latter and the United Nations Economic Commission for Africa* (15 November 1965)
- S/23500 (31 January 1992) requested the Secretary-General recommend ways to strengthen and make the UN more efficient.

#### Selected Press Statement

- SC/10065 (21 October 2010) was a statement on Somalia, taking note of the decisions on Somalia at the 15 October meeting of the AU PSC.

#### Selected General Assembly Documents

- A/RES/65/274 (18 April 2011) was a resolution on cooperation between the UN and the AU.
- A/RES/63/275 (12 May 2009) was a resolution authorising the financing of UN support to AMISOM.
- A/RES/62/275 (7 October 2008) noted “with appreciation” the establishment of the AU Peace-keeping Support Team.
- A/RES/62/232 (22 December 2007) authorised UNAMID’s budget.
- A/RES/61/296 (5 October 2007) requested the UN system to intensify its assistance to the AU.
- A/61/630 (12 December 2006) was the joint declaration on the Ten-Year Capacity-Building Programme for the AU.
- A/RES/60/1 (24 October 2005) was the 2005 World Summit Outcome.
- A/RES/49/57 (9 December 1994) contained the Declaration on the Enhancement of Cooperation between the UN and Regional Arrangements or Agencies in the Maintenance of International Peace and Security.

## 14. AU Documents

#### Peace and Security Council Documents

- PSC/PR/Comm.(CCLXXI) (8 April 2011) requested UNAMID make all necessary preparations for the Darfur Political Process “as a matter of priority.”
- Assembly/AU/ Dec.338(XVI) (31 January 2011) called on the Council to provide greater support to AMISOM.

- PSC/PR/Comm(CCIV) (8 January 2010) renewed AMISOM.
- PSC/MIN/Comm(CXLII) (21 July 2008) requested suspension of ICC proceedings against Sudan.
- PSC/HSG/Comm(CXXXIX) (29 June 2008) renewed AMISOM.
- PSC/PR/2(LXXXV) (8 August 2007) contained the working methods of the PSC.
- PSC/PR/2 (LXXXIII) (30 July 2007) was the Conclusions of the Retreat of the PSC of the AU, Dakar, Senegal, 6-7 July 2007.
- PSC/PR/Comm (LXXIX) (22 June 2007) authorised UNAMID.
- PSC/PR/Comm(LXIX) (19 January 2007) authorised AMISOM.
- PSC/PR/Comm(LXVIII) (14 December 2006) welcomed an Egyptian concept paper on coordination with the UN Security Council.
- PSC/MIN/Comm (LXIII) (20 September 2006) increased the strength of AMIS and extended it until 31 December 2006.
- PSC/PR/Comm(LXII) (13 September 2006) formally endorsed IGASOM's mission plan.
- PSC/PR/Comm(XLV) (12 January 2006) accepted the deployment of UN peacekeepers in Darfur "in principle".
- PSC/PR/Comm(XXIX) (12 May 2005) endorsed IGASOM.
- Press Release No 098/2004 (28 October 2004) described AMIS deployments.
- PSC/PR/Comm.(XVII) (20 October 2004) expanded AMIS to an authorised force of 3,320 personnel.

#### **Decisions and Declarations of the Assembly of the AU**

- AP/ASSEMBLY/PS/DECL.(I) (31 August 2009) was the Tripoli Declaration on the Elimination of

Conflicts in Africa and the Promotion of Sustainable Peace.

- Assembly/AU/Dec.145(VIII) (29-30 January 2007) in its paragraph 20 called upon the UN to examine the possibility of funding AU peace-keeping operations.
- ASS/AU/Dec.1 (I) (9-10 July 2002) ended the transition period.

#### **Other Documents**

- *African Peace and Security Architecture: 2010 Assessment Study* (4-10 November 2010)
- *Audit of the African Union* (18 December 2007)
- *Framework for the Operationalization of the Continental Early Warning System as Adopted by Governmental Experts Meeting on Early Warning and Conflict Prevention Held in Kempton Park* (South Africa) (17-19 December 2006)
- *Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in the Darfur* (28 May 2004) outlined provisions for the deployment of AU observers to Darfur
- *Rules of Procedure of the AU PSC*, adopted in March 2004
- *Protocol Relating to the Establishment of the Peace and Security Council of the African Union* (9 July 2002) established the AU PSC.
- AHG/Dec.1 (XXXVII) (9-11 July 2001) described the transitional process from the OAU to the AU.
- *The Constitutive Act of the African Union* (11 July 2000) established the AU.
- EAHG/Draft/Decl. (IV) Rev.1 (8-9 September 1999) was the Sirte Declaration.

## **Appendix**

### **Members and Chairs of the AU PSC**

The process of election of the members of the PSC is based on the provisions of the AU Constitutive Act, the Protocol Relating to the Establishment of the PSC and the Modalities for election of Members of the PSC adopted by the Policy Organs of the AU in March 2004. The initial members of the PSC were elected during the Fourth Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in March 2004. Newly elected members take office on 1 April.

Initial members starting their terms in April 2004:

- Countries with three-year terms: Algeria, Ethiopia, Gabon, Nigeria and South Africa
- Countries with two-year terms: Cameroon, Congo, Ghana, Kenya, Lesotho, Libya, Mozambique, Senegal, Sudan and Togo

In March 2006 ten vacancies arose as a result of the expiry of the term of office of the ten PSC Members elected in 2004. The retiring members were eligible for re-election. The Commission informed member states accordingly and that the election would be carried out during the Eighth Ordinary Session of the Executive Council scheduled for Khartoum in January 2006. At that Session, the Executive Council elected the following members for two-year terms: Botswana, Burkina Faso, Cameroon, Congo, Egypt, Ghana, Malawi, Rwanda, Senegal and Uganda.

PSC members starting in April 2006 were:

- Countries with three-year terms: Algeria, Ethiopia, Gabon, Nigeria and South Africa
- Countries with two-year terms: Botswana, Burkina Faso, Cameroon,

Congo, Egypt, Ghana, Malawi, Rwanda, Senegal and Uganda

In March 2007 five vacancies arose as a result of the expiry of the term of the five PSC members elected in March 2004 for three-year terms. The retiring members were eligible for re-election. The Commission informed member states that elections would be carried out during the Tenth Ordinary Session of the Executive Council scheduled for Addis Ababa in January 2007. The following members were elected for three years: Algeria, Angola, Ethiopia, Gabon and Nigeria.

PSC members starting in April 2007 were:

- Countries with three-year terms: Algeria, Angola, Gabon, Ethiopia and Nigeria
- Countries with two-year terms: Botswana, Burkina Faso, Cameroon, Congo, Egypt, Ghana, Malawi, Rwanda, Senegal and Uganda

In March 2008, two-year terms of ten members were expiring. The Commission informed member states accordingly and that elections would be carried out during the Twelfth Ordinary Session of the Executive Council scheduled for Addis Ababa in January 2008. At that session, the Executive Council elected the following ten members for a term of two years: Benin, Burkina Faso, Burundi, Chad, Mali, Rwanda, Swaziland, Tunisia, Uganda and Zambia

PSC members starting in April 2008 were:

- Countries with three-year terms: Algeria, Angola, Ethiopia, Gabon and Nigeria
- Countries with two-year terms: Benin, Burkina Faso, Burundi, Chad, Mali, Rwanda, Swaziland, Tunisia, Uganda and Zambia

The terms of all 15 members expired as of 31 March 2010. The Commission informed member states accordingly and that elections would be carried out during the Sixteenth Ordinary Session of the Executive Council scheduled for Addis Ababa in January 2010.

PSC members since April 2010 are:

- Countries with three-year terms: Equatorial Guinea, Kenya, Libya, Nigeria and Zimbabwe
- Countries with two-year terms: Benin, Burundi, Chad, Côte d'Ivoire, Djibouti, Mali, Mauritania, Namibia, Rwanda and South Africa

The next elections for ten two-year Council seats will be in January 2012; Elections for five three-year Council seats will be in January 2013.

**Rotating Chairmanship of the PSC from April 2010 to March 2012**

Country	Month	Year
Benin	April	2010
Burundi	May	"
Chad	June	"
Côte d'Ivoire	July	"
Djibouti	August	"
Equatorial Guinea	September	"
Kenya	October	"
Libya	November	"
Mali	December	"
Mauritania	January	2011
Namibia	February	"
Nigeria	March	"
Rwanda	April	"
South Africa	May	"
Zimbabwe	June	"
Benin	July	"
Burundi	August	"
Chad	September	"
Côte d'Ivoire	October	"
Djibouti	November	"
Equatorial Guinea	December	"
Kenya	January	2012
Libya	February	"
Mali	March	"

**SECURITY COUNCIL REPORT STAFF**

**Colin Keating**, Executive Director  
**Joanna Weschler**, Deputy Executive Director and Director of Research  
**Amanda Roberts**, Coordinating Editor & Research Analyst  
**Shamala Kandiah**, Senior Research Analyst  
**Robert Afriyie**, Research Analyst  
**Clare Gatehouse**, Research Analyst  
**Troy Prince**, Research Analyst  
**Astrid Forberg Ryan**, Research Analyst  
**Eran Sthoeger**, Research Analyst  
**Tim Caughley**, Research Consultant  
**Dahlia Morched**, Research Assistant  
**Amali Tower**, Research Assistant  
**Robbin VanNewkirk**, Publications Coordinator  
**Maritza Tenerelli**, Administrative Assistant

**Security Council Report is published with the support of the Governments of Australia, Canada, Germany, Liechtenstein, Norway, Singapore and Switzerland, the John D. and Catherine T. MacArthur Foundation and the William and Flora Hewlett Foundation. It is incorporated as a not for profit Organisation and operates in affiliation with the School of International and Public Affairs at Columbia University in New York.**

The material in this publication is subject to copyright ownership. Material in this publication may be freely used as in the public domain. You are free to copy, distribute, or make derivative works of the work under the following conditions: you must attribute the work to Security Council Report, Inc.; you may not use this work for commercial purposes; if you alter, transform, or build upon this work, you may distribute the resulting work only under a license identical to this one.