



SECURITY COUNCIL REPORT UPDATE REPORT



15 April 2009 No. 3

THE RESURGENCE OF COUPS D'ÉTAT IN AFRICA

Expected Council Action

On 9 April Uganda circulated a draft presidential statement to Council members that addresses the recent resurgence of coups d'état in Africa. Its purpose is to support the AU decision of 3 February on the "resurgence of the scourge of coups d'état in Africa". The AU decision expressed concern about the resurgence of coups and condemned those that took place in Mauritania in August 2008 and Guinea in December 2008 and the attempted coup in Guinea-Bissau in August 2008. At the time of writing it was still unclear when the statement might be adopted.

Background

A pattern of unconstitutional changes in government has been reemerging in Africa over the last several months.

In Mauritania, General Mohamed Ould Abdel Aziz, former chief of staff of the Mauritanian army and head of the Presidential Guard, took power from Mauritania's first democratically elected president, Sidi Mohamed Ould Cheikh Abdallahi, in a coup on 6 August 2008. The president was held under house arrest at the presidential palace in the capital Nouakchott. The AU Peace and Security Council (PSC) immediately condemned the coup, demanded a return to constitutional order through the unconditional restoration of President Abdallahi in his functions, declared null and void all measures of constitutional, institutional and legislative nature taken by the military authorities and threatened to adopt sanctions. Mauritania's membership in the AU was also suspended.

On 19 August the Security Council adopted a presidential statement also condemning the overthrow and demanding "the immediate release of President Sidi Mohamed Ould Cheikh Abdallahi and the restoration of the legitimate, constitutional, democratic institutions immediately". The Council also said it opposed any attempts to change governments through unconstitutional means and added that it would monitor the situation. The military junta did not comply, although it released President Abdallahi on 21 December. In a communiqué issued on 22 December, the AU PSC took note of the release but said that this was not sufficient for a return to constitutional order and also decided to impose targeted sanctions if, by 5 February, constitutional order had not been restored.

This had no impact on the situation in Mauritania, and on 5 February the AU PSC decided to impose targeted sanctions (assets freeze and travel bans) against all civilian and military individuals whose activities maintain the unconstitutional status quo. A list of names is to be prepared by the AU Commission.

In Guinea-Bissau the authorities indicated in August 2008 that they had uncovered an attempted coup d'état, allegedly organised by the then navy chief of staff, Rear Admiral José Américo Bubo Na Tchuto, and initiated an investigation. Na Tchuto, who was suspended and kept under house arrest, subsequently escaped to Gambia where the national authorities reported his arrest and sought the assistance of the UN to return him to Guinea-Bissau.

During the weekend of 22 November 2008 the then president of Guinea-Bissau, João Bernardo Vieira, escaped unharmed in an overnight attack on his home by mutinous soldiers. One soldier was killed with several others injured. In a televised news conference on 23 November Vieira assured the citizenry that the situation was "under control" and deplored any attempt to seize power by the force of arms. Secretary-General Ban Ki-moon expressed concern and called upon the Guinea-Bissau armed forces to refrain from actions that could further destabilise the country. The AU cautioned against any forceful seizure of power and rejected "all unlawful change of government".

In a subsequent dramatic turn of events that threatened Guinea-Bissau's fragile democracy and security situation, the chief of the armed forces, General Tagme Na Waie, and President Vieira were assassinated on consecutive days, 1 and 2 March. The Council and other international bodies subsequently condemned the assassinations. The AU PSC, while condemning the assassinations, decided in a nuanced reaction not to suspend Guinea-Bissau as they were deemed isolated incidents and not a coup d'état, on the grounds that the perpetrators did not seize power and instead the constitutional order took its course with the 3 March swearing in of the head of the National People's Assembly, Raimundo Pereira, as interim head of state. (For more details please see our April 2009 *Forecast Report*.)

In Guinea a military junta led by Captain Moussa Dadis Camara seized power on 23 December 2008 after the death of long-serving President Lansana Conte. The coup was widely condemned internationally. Both the AU, on 29 December, and the Economic Community of West African States (ECOWAS), on 10 January, decided to suspend Guinea until the return of constitutional order in the country. On 30 January at a consultative meeting in Addis Ababa on the situation in Guinea, attended by the UN, the World Bank, the AU, ECOWAS and other key regional organisations, it was decided to establish an International Contact Group on Guinea to monitor progress towards restoration of constitutional order. In March a coalition of Guinean political parties, civil society groups and trade union movements known as *Force Vivre*, presented a proposal to hold legislative elections in November followed by a presidential election, also in November. The military junta promised earlier to hold elections by the end of this year but did not agree to specific dates yet.

In Madagascar the democratically elected President Marc Ravalomanana was forced to resign on 17 March following a protracted power struggle with the opposition. Following his resignation, Andry Rajoelina, the opposition leader and former mayor of Antananarivo, assumed power with support from the army. Internationally, the transfer of power was seen as unconstitutional and widely condemned. The AU PSC decided on 20 March to suspend Madagascar from participating in its activities until the restoration of constitutional order. It also expressed its willingness to consider further measures, including sanctions, if constitutional order was not restored. On 30 March the Southern African Development Community (SADC) condemned "the unconstitutional actions that have led to the illegal ousting of the democratically elected Government of Madagascar" and also suspended Madagascar from the organisation.

On 3 April Rajoelina announced a transition timetable that would lead to presidential elections in October 2010. On 7 April Chairperson of the AU Commission Jean Ping said in a press release that he had started consultations to establish an international contact group to coordinate international efforts to ensure the return to constitutional order. Also on 7 April the Council heard a briefing on the situation in Madagascar by Under Secretary-General for Political Affairs B. Lynn Pascoe and

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Assistant Secretary-General for Political Affairs Haile Menkerios. When speaking to the press after the closed meeting, Menkerios said that Council members had expressed serious concern about the unconstitutional transfer of power and called for a quick return to constitutional order. He also said that UN Senior Adviser Tiébilé Dramé would continue efforts to resolve the situation in Madagascar in cooperation with other stakeholders, including the AU and SADC.

Key Issues

The key issue for the Council is whether and how to articulate support for the 3 February AU decision condemning the resurgence of coups d'état in Africa. The decision requested AU partners "lend support to the decisions taken by the Peace and Security Council and other relevant AU organs on unconstitutional changes of government". This also includes the issue of whether the Council would act in a substantive way to back the sanctions measures adopted by the AU PSC against Mauritania.

A closely related issue is whether the Council should do more to streamline processes and decisions to lend its political leverage to relevant decisions and peacemaking efforts of the AU and further develop partnerships with regional organisations along similar lines in the spirit of Chapter VIII of the UN Charter, which envisages the UN's cooperation with regional organisations. More in-depth deliberations remain to be undertaken to set up a clearer framework for effective decision making and coordination, including a common code of conduct that is in line with the recommendation by the Secretary-General in his 8 April report to the Council on enhancing mediation and its support activities and his 7 April 2008 report on the relationship between the UN and regional and subregional organisations. For more details, please see our 13 April *Update Report on Mediation and the Settlement of Disputes*. (The interaction among the Council, the AU and mediators from both institutions during the crisis in Kenya is seen as a good example of the potential that exists. Similarly, the Council had some useful interactions with members of the Association of Southeast Asian Nations in 2008 on the question of Myanmar.)

A further issue—related to the issue of mediation—is whether the Council should consider the desirability of taking a more active role in seeking to deter coups d'état in specific countries and encouraging or supporting mediation, or similar activities, at early stages. Experience suggests that coups d'état usually create conditions of violence or severe threat of violence to civilians and an environment of insecurity, often with significant international dimensions.

Options

The main option for the Council is to adopt a presidential statement condemning the resurgence of coups d'état in Africa and supporting the AU decision of 3 February. It could include the following elements that are reportedly included in the draft that was circulated to Council members on 9 April:

- emphasising the importance of enhancing effective partnerships between the UN and regional organisations, in particular the AU, in accordance with the UN Charter;
- welcoming and supporting the AU's firm condemnation of the resurgence of coups on the African continent;
- expressing concern about reemergence of arbitrary changes of government in some African countries through coups d'état and the consequent threat posed to peace and security; and
- welcoming the request by the AU to the UN and international stakeholders for support of its decisions on unconstitutional changes of government.

Another option will be for the Council to clearly convey its backing, including possibly adopting its own similar targeted sanctions in support of the AU sanctions on Mauritania.

Council Dynamics

The initial draft presidential statement condemning the resurgence of coups in Africa, the first of its kind in recent years, was prepared by Uganda (which chairs the Council's Ad-Hoc Working Group on Conflict Prevention and Resolution), in close consultation with the two other African members of the Council (Libya and Burkina Faso) and, therefore, appears to be a coordinated African initiative.

While the draft presidential statement seems to enjoy the general support of Council members, certain Council members (e.g. the UK, the US and France) are reluctant to make condemnation of coups an automatic Council practice and would prefer that the Council reserve the right to determine on a case-by-case basis when an incident of coup d'état should be characterised as a threat to peace and security. Others looking at the bigger picture (e.g. Japan) have reportedly expressed a similar preference for considering Council support for AU decisions on their respective merit.

The willingness and ability of the AU PSC to act in concert against coups on the African continent, in recent times, stand in contrast to the lack of early and unanimous Council condemnation of coups d'état. However, despite AU PSC calls for Council support of its decisions, there has been no concerted action by African members of the Council to support AU sanctions on Mauritania by adopting its own targeted sanctions, for example.

This may be related to the fact that the AU seems divided on this issue, resulting in a lack of enthusiasm for discussing the issue of sanctions within the Council. While the AU PSC has imposed targeted sanctions measures on Mauritania, the current AU chairman and president of Libya, Muhamar Ghaddafi, has openly criticised the sanctions, calling for their lifting and initiating mediation between the military junta and political parties in the opposition.

(In a 22 December decision on Mauritania, the AU PSC underlined the importance of the support of the international community to reinforce the effectiveness of AU actions, and decided to communicate this decision to the Security Council for it to continue, in the light of the Council's 19 August 2008 presidential statement, to actively support the current efforts of the AU. The AU PSC also decided that it would communicate to the Security Council the measures taken against the military junta in Mauritania "for it to impart to them a universal character". It did so through a letter sent by Libya on 10 February, but the letter did not include a request for formal Council action on the issue of sanctions (S/2009/85).)

Other Council members like China and Russia have in recent years been reluctant to impose sanctions as a matter of policy, citing the potential to infringe on the sovereign rights of states.

Selected Documents

Presidential Statements

- S/PRST/2009/2 (3 March 2009) was the presidential statement condemning the assassinations of Guinea-Bissau's former President João Bernardo Vieira and Army Chief Tagme Na Waie.
- S/PRST/2008/30 (19 August 2008) condemned the coup in Mauritania.
- S/PRST/2007/42 (6 November 2007) was a presidential statement on the role of regional and subregional organisations in the maintenance of international peace and security (stressing, among other things, "the need to develop effective partnership between the Council and regional and subregional organisations in order to enable early response to disputes and emerging crises".)

Letters

- S/2009/166 (20 March 2009) was a letter from Libya forwarding to the Council the 20 March communiqué of the AU PSC on the suspension of Madagascar.

- S/2009/140 (11 March 2009) was a letter from Burkina Faso transmitting the text of the communiqué of the first session of the International Contact Group on Guinea.
- S/2009/85 (10 February 2009) was a letter from Libya forwarding to the Security Council the 5 February AU PSC communiqué imposing sanctions on Mauritania.

Secretary-General's Reports

- S/2009/189 (8 April 2009) was on enhancing mediation and its support activities.
- S/2008/628 (29 September 2008) was on developments in Guinea-Bissau, including an account of the alleged August 2008 coup attempt.
- S/2008/186 (7 April 2008) was on the relationship between the UN and regional and subregional organisations.
- S/2006/590 (28 July 2006) was on the cooperation between the UN and regional and other organisations and the prevention of armed conflict, entitled *A regional-global security partnership: challenges and opportunities*.

Other

- Communiqué of the Extraordinary Summit of SADC Heads of State and Government on Madagascar, 30 March 2009
- Assembly/AU/Dec.220 (XII) (3 February 2009) was the Decision of the AU Assembly of Heads of States and Government on the Resurgence of the Scourge of Coups d'Etat in Africa.
- PSC/PR/Comm (CLXV) (10 January 2009) was a communiqué of the Extraordinary Summit of ECOWAS Heads of State and Government on Guinea, 10 January 2009.
- Communiqué of the 165th Meeting of the AU Peace and Security Council on Guinea, 29 December 2008
- PSC/MIN/Comm.2 (CLI) (22 September 2008) was a communiqué by the AU PSC condemning the coup in Mauritania and demanding a return to constitutional order.
- S/PV.5868 and resumption 1 (16 April 2008) was the debate combining the thematic issues of UN cooperation with regional organisations and conflict prevention and resolution, in particular in Africa.
- S/PV.5735 and resumption 1 (28 August 2007) was the discussion on the role of the Security Council in conflict prevention and resolution, in particular in Africa.
- S/2005/828 (22 December 2005) was the report on a seminar held by the Council's Ad-Hoc Working Group on Conflict Prevention and Resolution in Africa on cooperation between the UN and African regional organisations in the field of peace and security, held at UN headquarters on 15 December 2005.

Useful Additional Sources

- *Mauritania: What Way Out of the Political Crisis in the Country?*, Institute for Security Studies, 16 March 2009