AU's take on UN Security Council Resolution 2719 on financing of PSOs

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On the eve of Christmas, the UN Security Council (UNSC), against the background of its deepening polarization over its failure to mobilize collective action on the war in Gaza, pulled off a Christmas surprise. In a rare show of unity, the UNSC unanimously adopted resolution 2719 (2023). After years of, sometimes unsuccessful efforts, this resolution establishes a framework towards providing predictable and sustainable financing for African Union (AU) Peace Support Operations (PSOs) authorized by the Security Council through UN assessed contributions, seizing the new momentum that arose in 2023.

The AU Commission Chairperson, Moussa Faki Mahamat, welcomed the resolution calling it rather enthusiastically a historic development. Not surprisingly and considering the strong view that members of the Peace and Security Council (PSC) expressed on the issue of capping access to UN assessed contributions to a particular percentage, this resolution was not greeted with as warm a reception from all its member states.

The first opportunity for the PSC's reaction to resolution 2719 following its adoption was in the context of the preparation of the report on its activities and the state of peace and security for submission to the 37th AU Assembly of Heads of States and Government. The PSC report deemed the resolution as constituting an 'initial step', 'inconsistent with the guidance provided by the Assembly' and 'contrary to the guidance provided by the PSC to the A3'. As we have

reported in <u>an earlier analysis</u> based on extensive engagements and exchanges, this was not completely unexpected.

To the extent that AU's deployment is in lieu of UN peacekeeping and as one avenue for implementing the primary responsibility of the UNSC, the expectation for the use of UN assessed contributions with no cap is not without merit. After all, the issue of predictable, adequate and sustainable funding of AU PSOs is principally about 'the kind of arrangement that can best deliver on the pledge of the UN Charter for saving succeeding generations from the scourge of war' rather than being about money, as we have argued in our briefing to the UN Security Council.

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At the same time, it is also important to put the adoption of this resolution in a historical perspective. This resolution was a result of more than a decade-old discussion and several attempts by the African members of the UN Security Council (A3) over the years. Particularly, in 2018, the A3 (Cote d'Ivoire, Equatorial Guinea and Ethiopia) managed to get an endorsement from the AUPSC for a draft resolution which they put in blue but was ultimately halted due to a U.S. veto threat, reticence by other Council members including the P5, and internal A3 divisions.

A comparative analysis of these two texts clearly highlights the global shift in perspectives. As discussed in our <u>special research report</u> and became apparent during the 25 May 2023 UNSC briefing on the subject, this shift includes, particularly among key Security Council members, greater appreciation of the role of AU PSOs and the need to finance them in a more sustainable and predictable manner, including

through UN assessed contributions.

The two texts (the 2018 draft and resolution 2719) have significant similarities along with some major differences. Both underscore the primary responsibility of the UN Security Council for maintaining international peace and security and emphasize the oversight responsibilities of the Council for AU PSOs. They highlight the importance of cooperation between the UN and the AU, in line with Chapter VIII of the UN Charter, to address conflicts in Africa effectively and acknowledge the need for collaboration with regional organizations, neighboring countries, and other relevant partners to address conflicts on the continent.

Both 2719 and the 2018 draft draw upon the Report of the Secretary-General on options for authorization and support for African Union peace support operations (\$\frac{5}{2017}/454\$) particularly in the areas of joint or consultative planning, mandating and decision-making, financing and budgeting processes, and human rights compliance and oversight. However, Resolution 2719, unlike the 2018 draft resolution that was put in blue, notably emphasizes that AU PSOs will be 'under the direct, and effective command and control of the African Union.'

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Resolution 2719 specifies detailed procedures for decision-making and authorization, including consultations, joint strategic assessments, and clear mandates. Conversely, the 2018 draft focuses more on the Security Council's role in decision-making, with fewer details on specific procedures. While resolution 2719 clearly stipulates a joint decision-making process, the draft of 2018 gives the primary political role to the Security Council in areas such as planning,

development, mandating (including renewal) and reporting of any AU PSO receiving financial support through UN assessed contributions.

In terms of financial arrangements, resolution 2719 establishes financial arrangements with detailed provisions on compliance with UN financial regulations, reimbursement frameworks, and the use of assessed contributions. It sets a hybrid approach to funding, with 75% from assessed contributions and the rest mobilized jointly by the AU and UN from the international community. The 2018 draft acknowledges the complementary role of UN Peacekeeping operations and stipulates the Council's decision 'in principle' to use (on a case-by-case basis) UN-assessed contributions, not exceeding 75%, for AU-led peace support operations. However, it stays silent about how the 25% should be covered and provides fewer details on financial arrangements and oversight mechanisms.

Regarding financial burden sharing, the 2018 draft welcomed the AU's commitment to fund 25% of AU peace support operation costs by 2021. While it envisages a joint AU-UN exercise to fill the 25% gap, resolution 2719 does not impose any specific financial contribution to be shared by the AU. Furthermore, it stipulates the Council's commitment to consider all viable options in the event of significant shortfalls in resource mobilization.

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On human rights, resolution 2719 specifies compliance frameworks in detail, highlighting the operational necessity for AU-led PSOs to adhere to international law and other compliance frameworks, including human rights and humanitarian law. It emphasizes the protection of civilians, women's participation, and collaboration in operational support. On the other hand, though draft resolution 2018 also emphasizes

the importance of human rights protection, compliance with international law, and cooperation between the UN and AU, it provides fewer specifics on compliance frameworks.

The 2023 resolution includes detailed reporting and monitoring requirements, with mission specific reports every 180 days, an annual report, and a review three years after adoption. It emphasizes joint reports by the UN Secretary-General and AU Chairperson. Both expressed the Council's intention to review any determination to provide financial support three years after such a decision.

Both the level of detail outlined in the resolution and the level of autonomous control that the AU maintains under resolution 2719 constitute positive gains over the 2018 draft. Indeed, the PSC report also did not stop at registering reservations both on process and substance. It took a realistic approach on how to take resolution 2719 forward.

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The PSC report accordingly recommended to the AU Assembly to 'take note' of the resolution as 'an initial step' towards securing predictable, adequate and sustainable financing of AU-led PSOs. The AU Assembly, welcomed the decision as a 'significant step forward towards securing predictable, adequate and sustainable funding', with some leaders expressing strong support for it. Most significantly, the PSC recommended for the AU Assembly to urge the 'full implementation of the resolution, in good faith, honoring the purpose and principles of the Charter... and ...Article 24 of the Charter.' Thus, despite the reservations or misgivings expressed on the part of AU policy bodies, the call for full implementation avails the opportunity for harnessing the value proposition of this resolution with all its limitations. A

saying that aptly captures this take of the AU on resolution 2719 is 'the taste of the pudding is in the eating.' Indeed, whether this resolution constitutes a landmark development in responding to the long quest for predictable, adequate and sustainable funding would depend on its activation and implementation.

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Beyond its expected contribution to financing, the value of resolution 2719 in reinforcing the role of the AU in deploying PSOs and in bringing the application of its multilateral and normative policies and rules to all missions seeking to benefit from UN assessed contributions cannot and should not be overemphasized. This is made evident from the provision in the resolution that the Council will consider requests for support from UN assessed contributions only to those AU PSOs under the AU's direct and effective command and control. The nature of the interactions and engagement that the decision-making processes and the reporting requirements entail are also sure to transform the working relationship between the AU and the UN.

Admittedly, while the extent to which it would indeed contribute towards addressing the perennial issue of predictable, adequate and sustainable funding of AU PSOs would become known and tested when the first test case arises, it should also be borne in mind that the devil lies in the implementation details. At the operational level, AU Commission personnel have started to indicate that the administrative and procedural requirements of 2719 may, in the end, limit speedy deployment and operational effectiveness considering the type of kinetic heavy role expected of AU PSOs. This reality is despite the recognition in the resolution of the aim of 'early action and rapid deployment to prevent violent conflict and its escalation.'

Clarity on the details and the effective operationalization of resolution 2719 depends on answering a number of key questions. These include:

- How would the diagram of consultative decision making that the Secretary-General presented in his <u>report on</u> <u>options for authorization and support for AU PSOs</u> be translated into action?
- What are the processes for activation of the resolution? Who from the AU and the UN plays what role in the activation of the resolution?
- What kind of working arrangements need to be put in place in New York and Addis Ababa to this end?
- What kind of working processes and relationships need to be established or enhanced between the AU and the UN? Should a standing joint taskforce or working group of AUC PAPS and the UN Secretariat be established to interface continuously from the outset of any indication of the need for a 2719-type mission?
- How can the 'primacy of political solutions' be maintained in 2719-type missions, recognizing that such solutions are the best pathway for sustainable peace? How can APSA tools be effectively strengthened and leveraged toward that end?
- What kind of capacities need to be reinforced on the part of the UN, including in terms of the role of the UN Office to the AU in Addis Ababa to provide continuing support to the AU not only in mission planning, but also in mission management and, in due course, liquidation?
- What of the capacities at the level of the AU in areas such as planning, monitoring, reporting, strategic assessment, compliance, budgeting, financial compliance and reporting, etc?
- Does it matter how the 25% is mobilized? Should there be and is there a relationship between the 75% and the remaining balance?
- What are the processes, not only just for decision-

making, the authorization and use of UN assessed contributions but also for mandate review and renewals?

Clearly, a lot of work has to be undertaken to clarify these and related questions while bearing in mind that the answers to some of the questions may vary from case to case. It is only after such clarification and in the course of implementation that the actual worth of resolution 2719 would become apparent. Various commentaries and articles have recently been published to help enhance understanding on resolution 2719. A nice such recent work that actually offers some useful materials for responding to some of these questions is here.

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We recognise that not all the answers may be immediately available and that the resolution may be vague in certain critical areas to maintain 'constructive ambiguity' and ensure consensus in the Security Council. Hence, the proof of the 2719 pudding will be in its operationalization in specific cases. Pending the required level of clarification to all these and related questions and to avoid disappointments on both sides, it is worthwhile that the AU and the UN engage in exchanges for developing the minimum required shared understanding of what resolution 2719 means and may require for its implementation.