

Update on countries in political transition

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Tomorrow (14 April), the African Union (AU) Peace and Security Council (PSC) is expected to convene its 1076th session to receive updates on political transitions in Burkina Faso, Chad, Guinea, Mali and Sudan.

Following opening remarks by Willy Nyamitwe, Permanent Representative of Burundi to the AU and the Chairperson of the PSC for the month of April, Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security (PAPS), is expected to deliver a statement. Other participants that will be delivering statements and presentations include: Professor Mohammed Al-Hacen Lebatt, Principal Strategic Adviser of the Chairperson of the AU Commission and AU Special Envoy to Sudan; Representative of the Intergovernmental Authority on Development (IGAD) Secretariat; Representative of the Democratic Republic of Congo, Chair of the Economic Community of Central African States (ECCAS); Basile Ikouebe, Special Representative of the Chairperson of the AU Commission and Head of the AU Office in Chad; Representative of the Republic of Ghana, Chair of the Economic Community of West African States (ECOWAS); and Maman Sidikou, High Representative of the Chairperson of the AU Commission and Head of the AU Mission for the Sahel (MISAHEL).

This session is convened in line with the PSC's request of the Commission for a regular update on Chad, Mali, Sudan, Guinea and Burkina Faso at its different sessions held to consider the situation in each of these countries after experiencing unconstitutional change of government (UCG). Previously, the Council has dedicated separate sessions to receive updates on the situations in each of the above countries, and this will

be the first time that the Council will consider them in one session. Tomorrow's session is an opportunity for the Council to take stock of latest developments around the transition towards the restoration of constitutional order in member States that have experienced UCG in 2021 and early 2022. It is worth recalling that the PSC has imposed sanctions against all of these countries with the exception of Chad.

It is the second time that the Council considers the situation in Burkina Faso after the 24 January 2022's military coup against the democratically elected President Marc Roch Christian Kabore, the first meeting being held at its 1062nd session convened on 31 January. In that session, it is to be recalled that the Council suspended the country from all AU activities until the effective restoration of normal constitutional order. Council also endorsed the 28 January 2022 communique of the Extraordinary Summit of ECOWAS, which among others requested the immediate restoration of constitutional order without specifying timeline. However, in the subsequent Summit held on 3 February, the regional bloc asked military authorities to 'establish the Transition institutions, adopt a transition calendar and facilitate the return to constitutional order within the shortest time'.

Since its last session on 31 January, Burkina Faso adopted a Transition Charter on 1 March, setting a three-year transition period. The Charter was adopted after consultations between the military leaders, political parties, civil society groups, and other stakeholders. Among the provisions of the Charter is the one that bars the interim President and the coup leader Lieutenant Colonel Paul-Henri Sandaogo Damiba (he was sworn in as President on 2 March to lead the transition), as well as members of the transitional government from running for elections. A civilian Prime Minister and a cabinet consisting of 25 ministers were also appointed on 4 and 5 March. On 19 March, a transitional assembly was appointed as well, which will serve as the legislative body during the transition. The

reported release of President Roch Kabore is another welcome development.

While all these developments are positive steps towards the restoration of a constitutional order, the 36 months duration of the transition period will remain issue of concern for the Council though it did not put any specific timeline for the transition at its previous session. On the part of ECOWAS, it has already expressed its concern over the duration of the transition at its most recent extraordinary summit convened on 25 March. The communique adopted at the Summit further demanded the 'finalization of an acceptable transition timetable no later than 25th April 2022', failure to which the regional bloc threatened to impose an immediate economic and financial sanctions. On the security front, terrorists have continued to stage their attacks which has exacerbated the humanitarian situation in the country.

The last time the Council considered the situation in Chad was in August 2021 during its 1016th session. Hence tomorrow's meeting will be the first session of 2022 where the Council considers the developments in the country. It is to be recalled that following the military seizure after Idriss Deby's death on 20 April 2021, the PSC decided not to suspend Chad contrary to AU norms. The event in Chad was not referred as a coup or unconstitutional change of government by the PSC. However, the Council urged the military to hand over political power to civilian authorities and authorised the urgent deployment of a fact-finding mission to Chad. Moreover, in its 996th session the Council requested, among others, the completion of the transition to democratic rule within 18 months, effective from 20 April 2021; guarantee that the Chair of Transitional Military Council (TMC) and its members do not run in the upcoming national elections; and the urgent revision of the Transition Charter. The Council also requested Chadian authorities to 'urgently establish the National

Transition Council'. During the 996th session the PSC also decided for the establishment of an AU-led Support Mechanism (AUSM) for Chad. The PSC, in its last session on Chad, at its 1016th session has urged for 'dialogue between the Transition Government and all relevant Chadian stakeholders including opposition political parties and armed groups'.

Tomorrow's session will be critical in assessing the level of implementation of the various requests made by the PSC and to examine the overall status of the transition process. The National Transition Council has been announced in September 2021 to serve as an interim parliament during the transition period. On the other hand, considerable delays have been witnessed around the national dialogue process. The TMC has declared amnesty for various rebel armed groups to facilitate their participation in the planned dialogue. However, there are still concerns around the inclusivity of the national dialogue, as key civilian groups are still missing and the focus has been more on the inclusion of politico-military groups. It would be also important for the PSC to underline the importance for respecting the 18-month transition period.

Council's last deliberation on Guinea took place at its 1064th session convened on 10 February 2022. At that session, Council welcomed some of the key positive developments in Guinea's political transition which include the establishment of a Transition Government with complete appointment of members of the National Transitional Council (NTC), the appointment of a civilian Prime Minister and the adoption of a Transition Charter. The release of former President Alpha Conde was also another positive development highlighted at the 1064th session – although Conde has returned to Conakry on 8 April, after which the transition government announced he shall remain in Guinea as long as his health allows.

Despite taking some positive steps, the transition authorities

are also yet to meet the key requirements fundamental to ensuring the restoration of constitutional order. Notwithstanding the appointment of a civilian Prime Minister, key government positions continue to be held by military figures. The transition authorities were also unable to conduct national elections within the six months period stipulated by ECOWAS at its Extraordinary Summit of 16 September 2021 and endorsed by the PSC at its 1036th session of 5 October 2021. Not only have Guinean authorities failed to respect the stipulated timeline for the conduct of elections, they are also yet to announce a clear transition timetable. Having regard to the slow progress of restoring constitutional order and particularly in light of the missed deadline for the conduct of elections, ECOWAS, at its Extraordinary Summit of 25 March 2022, demanded the “finalisation of an acceptable transition timetable no later than 25 April 2022”. It further threatened the immediate imposition of economic and financial sanctions upon the expiry of this deadline without submission of the transition timetable.

In addition to following up on some of the key decisions of its previous session including its request for the AU Commission to ensure provision of technical support to Guinea, Council may urge Guinean authorities to finalise and submit a transition timetable which presents a reasonable and acceptable timeline for the conduct of elections and restoration of constitutional order.

At its last session dedicated to the situation in Mali – the 1057th session held on 14 January 2022 – the PSC endorsed the Communiqué of ECOWAS’s 4th Extraordinary Summit of 9 January 2022 which imposed economic and political sanctions against Mali, following the latter’s adoption of a transition calendar which delays the national elections until the end of December 2025. Council also strongly rejected the calendar submitted by Mali and referred to the timeline suggested as an “undue

elongation of the transition process in Mali” as well as an “unconstitutional, impermissible, inappropriate and a grave obstruction to democratic processes”. Accordingly, it called on Malian authorities to ensure completion of the transition period within 16 months.

Despite the sanctions imposed by ECOWAS and PSC’s endorsement of the regional block’s decision as well as condemnations from the international community, the transition in Mali remains very slow. On 4 February 2022, the European Union (EU) adopted sanctions, including travel ban and asset freeze, against five members of Mali’s transitional Government, in support of ECOWAS’s decisions. In response, members of the transition authority organised a rally against EU’s sanctions. Recent developments including the request for Danish forces, deployed as part of the Takuba Task Force to leave the country on 24 January as well as France’s Ambassador to Mali to leave the country within 72 hours on 31 January demonstrate the deteriorating relationship of Mali’s transitional government with various partners. Moreover, on 11 April, the EU decided to halt its military trainings in Mali voicing concern over the interference and operation of Wagner Group.

On 21 February, Mali’s National Transition Council (NTC) unanimously adopted a draft law tabled by the Government for amending the 2020 Transition Charter. Among the contents of the revision is the modification of the transition timeline in line with recommendations of the national dialogue of December 2021. Key political oppositions, particularly the Cadre d’échange or “Exchange Framework” have completely rejected the revision of the Transition Charter. Meanwhile, efforts to resolve the impasse between Malian government and regional and international partners have continued. Particularly, ECOWAS’s Mediator for Mali has been actively engaging the transition government, although no agreement could be reached so far. At its recent Extraordinary Summit of 25 March 2022, ECOWAS showed flexibility and indicated possibility for gradual

lifting of its sanctions on the condition that Malian authorities adhere to the timeline established by the joint technical team of ECOWAS, AU and UN, to extend the transition period for additional 12 to 16 months, effective from 15 March 2022. However, Mali's interim President did not take part at the 15 March ECOWAS Summit, despite invitation extended by the regional body. On the other hand, upon ECOWAS's communication of the proposed addition of 12 to 16 months to the transition period, Malian authorities engaged the ECOWAS mediator for Mali and successively proposed a period of 36, 29 and then 24 months. ECOWAS has however maintained the 12 to 16 months proposed by the joint technical team.

In light of this discourse, Council may urge Mali's transition authorities to adhere to the new timeline agreed by ECOWAS, AU and UN and to work towards resolving the stalemates faced with regional and international stakeholders. It may also reiterate its previous calls for Malian transition authorities to commit to not participate in the elections at the end of the transition period.

The Council was last updated on the situation on Sudan during its 1060th session held on 25 January 2022. In this session, the Council is expected to hear about latest developments in the country and AU's engagement to resolve the crisis following the 25 October 2021 coup. The anti-coup protests have continued and the absence of any political agreement that would break the dangerous political stalemate over the future of the transition. The military has continued its grip on power while regular protests against military rule have persisted in Khartoum and elsewhere, leaving at least 94 people reportedly dead and thousands injured.

Meanwhile, diplomatic efforts have intensified to help Sudanese parties find way out of the current crisis. The Chairperson of the Commission, Moussa Faki Mahamat, visited Sudan in February where he met Sudanese parties for consultation on the political situation in the country.

Professor Mohammed Al-Hacen Lebatt, the AU Special Envoy, also visited Sudan on several occasions to ensure consultations are inclusive. A field mission was also scheduled to take place from 27 to 28 February, but this has been postponed pending the readiness of Sudan. The United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS) also released its report on 28 February highlighting areas of convergence and divergence among stakeholders, which is an outcome of more than 110 consultations. The regional bloc, IGAD, also undertook a fact-finding mission to Sudan from 29 January to 1 February 2022. Though diplomatic efforts by UNITAMS, AU and IGAD were not coordinated initially, this has changed in recent weeks as they agreed to join efforts in supporting Sudan to resolve the crisis.

As noted by Volker Perthes, the Special Representative for Sudan and Head of UNITAMS, in his latest brief to the UN Security Council on 28 March, reaching an agreement on: interim constitutional arrangement, the criteria and mechanisms to appoint a Prime Minister and a cabinet, a roadmap for the transitional period, and the type and timing for the elections remain 'urgent priorities' to address the current impasse and put the political transition back on track.

The expected outcome of tomorrow's session is a communiqué. Having addressed the key issues specific to each of the countries on its agenda, Council may generally emphasise the importance of adhering to AU norms on democracy, good governance and constitutionalism in order to avert the occurrence of coups and the resulting disruption to constitutional order as well as peace and security. On Burkina Faso, Council may take note of the positive developments notably the adoption of the Transition Charter, establishment of transitional bodies and the release of President Roch Kabore. However, echoing the 25 March 2022 Communiqué of ECOWAS, it may express its concern over the duration of the transition period set for 36 months under the Transition

Charter.

Similarly, Council may emphasise its concern over the slow progress in Guinea's transitional process. Based on its previous practice, it is possible for Council to endorse ECOWAS's decision with respect to Burkina Faso and Guinea adopted in the Communiqué of its Extraordinary Summit of 25 March 2022. It is however possible that some members of the Council may find the threatened imposition of immediate sanctions in ECOWAS's Communiqué counterproductive to diplomatic efforts and engagements with the transitional authorities of each country, particularly having regard to the recent experience of Mali. With respect to the transition in Mali, Council may welcome and commend the engagements between Malian authorities and ECOWAS Mediator. It may also welcome the initiative of the Malian Minister of Foreign Affairs to set up a Framework for dialogue at the political and technical level, which led to the formation of the joint technical team of ECOWAS, AU and UN that proposed an electoral timetable of 12 to 16 months.

On Chad, the PSC may urge the military council to honor its pledges to limit the transition to eighteen months and exclude its own members from running in the planned election. The PSC may further underline the importance of holding an inclusive and genuine national dialogue.

Regarding Sudan, the PSC may express its concern over the lack of political agreement on the future of the transition and its impact on the economic and security conditions of the country. Council may welcome the joint efforts of AU, UNITAMS and IGAD to facilitate consultations among Sudanese stakeholders. It may also urge both the military and the civilian political forces to reach a deal on a transitional arrangement that would steer the country to the election. The PSC may reiterate its call upon the Sudanese authorities to refrain from using excessive force against protesters and hold perpetrators to account.