

MONTHLY DIGEST ON THE AUPSC

AMANI AFRICA

Media and Research Services

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MONTHLY DIGEST ON THE AUPSC – APRIL 2021

THE MONTH AT A GLANCE

During April, the PSC was chaired by Djibouti. In total, five substantive sessions were convened during the month. Out of these, only one was thematic while the rest were country specific sessions dedicated to situations in the central Africa and east and horn of Africa regions. All sessions convened during the month took place at ambassadorial level.

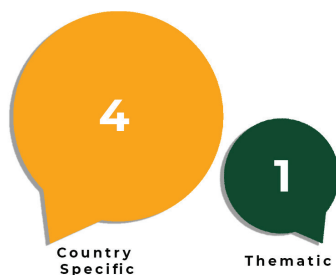


FIG 1: TYPE OF SESSIONS

Two of the country specific sessions convened during the month – consideration of the situation in Somalia and emergency session on the situation in Chad – were not part of Council's programme of work for the month and were held as a result of key developments in the respective countries. On the other hand, although the original programme of work for the month envisaged a session to discuss the strategic priorities for utilisation of the AU Peace Fund as well as another session dedicated to consideration of the situation in Abyei and the future of the United Nations (UN) Interim Security Force for Abyei (UNISFA), both of these sessions were postponed to later months.

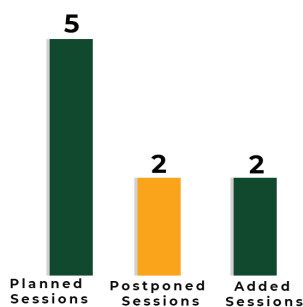


FIG 2: PROGRAMME OF WORK PATTERN

The outcomes of all sessions convened during the month were adopted as Communiqués. On average, it took about two weeks for these outcome documents to be released.

HATE CRIMES & FIGHTING IDEOLOGY OF GENOCIDE IN AFRICA

At its 989th session convened on 12 April, Council discussed the prevention of the ideology of hate, genocide and hate crimes. The outcome of the session was adopted as a [Communiqué](#).

The session served to highlight Council's concern over the growing trend of identity-based violent conflicts and intercommunal violence in the continent. An interesting and important highlight Council drew attention to at the session was the need for developing a common definition of what constitutes hate speech and hate crimes in order to allow the enactment of necessary legislations against the phenomenon by member States. Another crucial point Council highlighted at that session was the importance for member States to formulate inclusive policies which are reflective of their diversities in order to promote national reconciliation and social cohesion. These are necessary steps in advancing tolerance and combating the creation of conditions conducive for genocide.

In terms of actionable points and tasks, Council stressed the need to implement the decision of the AU Assembly to establish a Human Rights Memorial of the Union to be dedicated to victims of human rights violations.¹ Having regard to the instrumentality of preventive approaches in combating genocide and hate crimes, Council also urged the AU Commission, through the Continental Early Warning System (CEWS), to establish mechanisms for monitoring regularly conflict situations and alert member States as well as the PSC on the potential of escalation of hate crime into genocide. In that spirit, Council also adopted a key decision to include in the annual "Report of the PSC on its Activities and the State of Peace and Security in Africa", analysis in indicators of hate crime and risk factors for their escalation into genocide.

Another key decision emanating from the 989th session was Council's request for the Chairperson of

¹ At the 14th Ordinary Session convened in 2010, the AU Assembly called on the AU Commission to initiate steps for building a permanent memorial for victims of human rights violations, including victims of genocide. (See Assembly Decision Assembly/AU/5 (XIV)). In 2012, the foundation for the permanent AU human rights memorial (AUHRM) was unveiled and since then, various activities have been undertaken within its framework including the provision of historical background and resources to past violations and atrocities.

the AU Commission to appoint an AU Special Envoy on the Prevention of Hate Crimes and the Crime of Genocide. These are the main outcomes of the session which will require close follow up.

CONSIDERATION OF THE REPORT OF PSC'S FIELD MISSION TO SOUTH SUDAN, CONDUCTED FROM 24 TO 26 MARCH 2021

The consideration of Council's report of its field mission to South Sudan which took place on 13 April, and constituted its 990th session. The outcome document of the session was adopted as a [Communiqué](#).

The key findings of the session included some of the notable progresses observed in South Sudan, such as the appointment of a High-Level peace committee to find durable solutions to intercommunal violence. In the report of Council's field visit to the country, the appointment of a high-level peace committee was one of the key recommendations made by the PSC. Despite the commendable appointment of the committee however, South Sudan has continued to experience flare-up of intercommunal violence drawing attention to the urgent need for inclusive intercommunal peace dialogue in the country.

Pending issues in the implementation of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) were also addressed by Council. The delayed implementation of Chapters II and V of the R-ARCSS as well as the delay faced in reconstituting the Transitional National Legislative Assembly (TNLA) were the main pending tasks highlighted. With respect to implementation of Chapter II of R-ARCSS on ceasefire and transitional security arrangements, while the ceasefire seems to have largely continued to hold, key elements of Chapter II such as the unification process of forces and the process of disarmament, demobilisation and reintegration (DDR), showed little progress.

With regards to implementation of Chapter V of R-ARCSS, RJMEC's report of 31 March 2021 on the status of implementation of the R-ARCSS indicates that despite the government's efforts for establishing the envisaged justice mechanisms including the

Commission on Truth Reconciliation and Healing (CTRH) and the Hybrid Court of South Sudan (HCSS), their formation is still pending.²

The pending formation of the TNLA has also led to delays drafting of legislations relevant for conducting the elections scheduled for 2023, including the process for adopting the permanent constitution. This delay could have a direct impact on the election slotted for 2023.

In light of the approaching deadline for ending the transitional period and in anticipation of upcoming elections, the PSC also made a request to the AU Commission as well as the AU Post-Conflict Reconstruction and Development (PCRD) Centre, to urgently dispatch a technical needs assessment team to identify areas of support as to provide assistance to the National Electoral Board and other institutions, and to assist the Revitalised Transitional Government of National Unity (R-TGoNU) in drafting the new constitution.

CONSIDERATION OF THE REPORT OF PSC'S FIELD MISSION TO SUDAN, CONDUCTED FROM 30 MARCH TO 1 APRIL 2021

Along with the consideration of the report on its field mission to South Sudan, Council also considered the report of its field mission to Sudan on 13 April, at its 990th meeting. The outcome document of the session, which was adopted in the form of a [Communiqué](#), was released almost a month after the session was convened.

As far as progresses go, a relatively new advancement in the country's transition highlighted by the PSC was the formation of a Partnership Council between the Transitional Government and the Sovereign Council. The Partnership Council – formally Transitional Partners Council (TPC) – is a 29-member Council formed through a decree issued by General Abdel Fattah al-Burhan, Chairman of the Sovereign Council,

² See RJMEC Report on Implementation of the R-ARCSS for the period 1 January to 31 March 2021 (Report No. 010/21) available on <https://jmecsouthsudan.org/index.php/reports/rjmecc-quarterly-reports/181-rjmecc-quarterly-report-on-the-status-of-implementation-of-the-r-arcss-from-1st-january-to-31st-march-2021/file>

with the aim of managing the transitional period and resolving disputes among various transitional parties. The composition of the TPC has however caused controversies. General Burhan was particularly accused by some civil society and political party actors, of attempting to transfer authority from the country's constitutional institutions to the TPC.

In terms of remaining concerns, the challenge of insecurity due to UNAMID's withdrawal and the non-signing of the Peace Agreement by the Abdul Wahid Nur Movement were the main ones highlighted at the session. The humanitarian situation in Darfur continues to deteriorate and renewed intercommunal conflict has gripped the region substantiating the concerns over UNAMID's withdrawal. The growing insecurity experienced among internally displaced persons (IDPs), including the infiltration of their camps by adverse forces and their abduction as well as killing was also highlighted. Having noted that, Council requested the Chairperson of the AU Commission to engage the transitional leaders with the central aim of ensuring provision of adequate protection in IDP camps.

POLITICAL AND SECURITY SITUATION IN SOMALIA

Convened on 22 April, the session on Somalia formed the 993rd meeting of Council. The outcome of this session was adopted as a [Communiqué](#). As one of the sessions of the month which was not anticipated in the programme of work of the PSC, it was convened within the context of key developments that took place in the political and security situation of Somalia.

The session mainly revolved around the unilateral act of the lower house of the Somali Parliament which on 12 April, passed a resolution signed into law by the President, superseding the 17 September 2020's Agreement on the electoral model and timeline. Accordingly, the bill envisaged to extend the Parliament's term of office and the term of office of the President for another two years and return Somalia to a one-person one-vote electoral model contrary to the agreed indirect electoral system known as 'Electoral Constituency Caucuses'. Council in this session expressed its deep concern over the 'unilateral action by Somalia's House of the People', and further reaffirming that the September 2020

Agreement remains the 'basis and the most viable path towards the holding of timely, transparent and credible elections' in the country.

Coming on the backdrop of the tense political climate and an outbreak of confrontation and rift within the security apparatus as well as Federal Member States (FMS), triggered by the unilateral act of the lower house, the session also highlighted the serious repercussion of the act on unity of the Somali federation and its national army, the process of force generation and the fight against Al Shabaab.

A major outcome of this session is, perhaps, Council's request of the Chairperson of the Commission to 'immediately appoint and dispatch to Somalia' a High Representative as Special Envoy for Somalia to assist political actors reach mutually acceptable compromise, and report back within a month. Furthermore, it requested the Commission to urgently convene meetings of Troop and Police Contributing Countries (T/PCCs) and the Military Operations Coordination Committee (MOCC) to discuss the security implication of the political impasse prevailing at the time.

EMERGENCY SITUATION IN CHAD

The session on the situation in Chad was held on 22 April at Council's 993rd meeting, and its outcome document was adopted as a [Communiqué](#). It was an emergency meeting convened following the military seizure of power on 20 April after the death of President Idriss Deby Itno, reportedly from the wounds he sustained during a fight with rebel groups. Council expressed its concern over the establishment of the Military Transitional Council, and urged military authorities to 'expeditiously embark on a process of restoration of constitutional order and handing over of political power to the civilian authorities' pursuant to the constitution of the Country.

The military takeover took place in clear contravention to the terms of Chad's Constitution which provides that in the event of vacation of power, the president of the National Assembly should be appointed as interim president and lead the country to elections within 90 days. The PSC did not label the power seizure as Unconstitutional Change of Government nor imposed sanction against Chad, which is in clear departure to

its well-established practice and norm.

Council instead mandated the Commission to constitute a 'high-powered Fact-Finding Mission', with the participation of PSC members, to engage with stakeholders and provide support in efforts to restore constitutionalism, and report back to the Council on the outcome of the engagement in 15 days.

AU HUMAN RIGHTS OBSERVERS AND MILITARY EXPERTS MISSION TO THE REPUBLIC OF BURUNDI

The last PSC session of the month which took place on 27 April and at Council's 993rd meeting, was focused on the future of the AU Human Rights Observers and Military Experts Mission to the Republic of Burundi. The outcome document of the session, which was adopted in the form of a [Communiqué](#), decided to end the mandate of the mission on 31 May 2021 and to remove Burundi from PSC's agenda.

It is to be recalled that the mission was deployed in July 2015 in line with the PSC decision at its 515th session convened on 13 June 2015 with the mandate to monitor the human rights situation on the ground, and support and verify the disarmament of militias and other armed groups in the country. As emphasised in the communiqué, Council's reached its decision in light of the notable progresses in Burundi such as the peaceful elections conducted in May 2020. At the session, the Chair of the AU Commission was also requested to deploy a technical impact assessment team to Burundi to evaluate mission and draw lessons/best practices for future deployment of similar missions and to create manual for management of AU missions. In terms of AU's future engagement in the country, the PSC underscored the role that AU's Centre for Post-Conflict Reconstruction and Development to provide the necessary support in line with the needs and priorities of the government of Burundi.

OTHER PSC ACTIVITIES DURING THE MONTH

In addition to its substantive sessions convened during the month, Council also held preparation meeting in advance of the annual PSC Retreat which took place from 27 to 29 May 2021, in Mombasa Kenya and constituted the 13th PSC Retreat on its working method.



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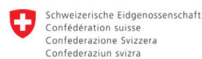
ABOUT AMANI AFRICA

Amani Africa is an independent African based policy research; training and consulting think tank with a specialization and primary focus on African multilateral policy processes, particularly those relating to the African Union.

We support the pan-African dream of peaceful, prosperous and integrated Africa through research, training, strategic communications, technical advisory services, and convening and facilitation.

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