The Month at a Glance

In May, the African Union (AU) Peace and Security Council (PSC) was chaired by Algeria. Out of the nine sessions that were convened throughout the month, three were held at ministerial level while the remaining took place at ambassadorial level.

FIG 1: LEVEL OF SESSIONS

Five of the total sessions addressed country/region specific concerns whereas the remaining had thematic focus, including one session dedicated to the celebration of PSC’s 1000th meeting.

FIG 2: TYPE OF SESSIONS

At its 1000th meeting, Council also considered the situation in Mali, following the coup which took place on 24 May. This agenda item was not envisaged in Council’s monthly programme of work and it was an emergency session. On the other hand, the 999th session which took place on 24 May was a ministerial level meeting on the situation in Mali, although no outcome document was made publicly available on that meeting.

It is worth noting that although the initial draft of Council’s programme of work for May included a discussion on AU’s role on the fight against terrorism in Mozambique, the session was later cancelled. Partly this may be related to the principle of subsidiarity and to give priority to Southern African Development Community (SADC)’s interventions, particularly taking into account that SADC was also planning to convene before the end of May in order to discuss the possibility of a regional military intervention force to tackle the growing Islamist insurgency in Mozambique.1

FIG 3: PROGRAMME OF WORK PATTERN

Out of the total sessions convened during the month, seven were adopted as Communiqués and one was adopted as a Press Statement while one session did not have a publicly available outcome document.

FIG 4: TYPE OF OUTCOME DOCUMENTS

As planned, a Summit of Heads of State and Government of SADC was convened in Maputo, Mozambique, on 27 May 2021. The Summit served to consider the proposed regional response in support of Mozambique. Based on the discussions at this Summit, the regional bloc decided at its Extraordinary Summit of 23 June 2021, to deploy Southern African Development Community Mission in Mozambique (SAMIM) in Cabo Delgado province of northern Mozambique. SAMIM was accordingly deployed on 15 July 2021 and so far, its mandate has been renewed twice (for three months period in October 2021 and for another three months in January 2022). At its 1062nd session convened on 31 January 2022, Council finally addressed the deployment of SAMIM and endorsed SADC’s decision on both the initial deployment of the mission as well as the most recent mandate renewal. (See Communique of the 1062nd meeting of the PSC, AU Doc PSC(PM)COMM/1062 (2022) available on https://www.peaceau.org/uploads/eng-communique-of-the-1062nd-meeting-of-the-psc-held-on-31-january-2022.pdf).

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PROTECTION OF CHILDREN IN CONFLICT SITUATIONS IN AFRICA

On 11 May, the PSC convened its 994th session which had two agenda items. The first agenda item was dedicated to the theme ‘protection of children in conflict situations’. The outcome of the session was adopted as a Communiqué on 18 May.

Much like its previous session on the theme which took place at PSC’s 965th meeting, the main focus of this session was the deteriorating humanitarian condition of children affected by armed conflicts. Council paid specific attention to the concerning trend of attacks on and occupation of schools as well as the plight of refugee and internally displaced children. Particularly, the increasing trend in abduction of girls and boys from schools was stressed by Council as one of the persisting concerns. Nigeria in particular has been majorly affected by the abduction of school students, perpetrated by Boko Haram. Records show that well over 1000 children have been abducted by Boko Haram since its first mass abduction seven years back. These abductions have also resulted in the closure of 600 schools so far.

Council’s request for the AU Commission to institutionalise a child protection architecture within Africa Peace and Security Architecture (APSA) was on the other hand a new stride. In its previous sessions on the theme, Council has reiterated the importance of mainstreaming child protection throughout all AU activities. Particularly, at its 757th session which took place in 2018, the PSC requested the Chairperson of the AU Commission to establish a child protection architecture mandated to mainstream rights and welfare of children throughout various processes of AU decision-making.

The recent request for institutionalising a child protection architecture within APSA is interesting in that it could be considered as more specific, focusing on mainstreaming child protection concerns throughout the various phases of intervention – conflict prevention to mediation and management as well as post-conflict reconstruction and development (PCRD). In terms of implementing this request, a good starting point would be finalising the ‘AU Policy on Mainstreaming Child Protection in the APSA’ as recommended in the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)’s recent study, ‘Stock take of the African Union Responses to Child Protection in Conflict Situations’, which was also welcomed by the PSC at its session.

PSC’s request for the AU Commission to develop a matrix for monitoring and evaluation of decisions adopted by Council as well as the AU Assembly with regards to protection of children affected by armed conflicts was another key decision adopted. The development of such matrix would significantly contribute to tracking progress made and challenges encountered so far in the implementation of important decisions including Council’s request since 2014 (at its 434th session), for the Chairperson of the AU Commission to appoint a Special Envoy on Children in Situations of Conflict. This call has also been reiterated by the Assembly at its 32nd Ordinary session.

THE SITUATION IN SOMALIA

This was the second agenda item addressed by the PSC at its 994th session held on 11 May, and the outcome was adopted as a Communiqué, released on 20 May. The session revolved around two major concerns: the political situation in the country and the mandate renewal of African Union Mission to Somalia (AMISOM).

With regards to the political situation in Somalia, it is to be recalled that the PSC at its previous (993rd) session condemned the unilateral act of the Lower House of Parliament which extended the mandate of the President and delayed the elections in contravention to the 17 September 2020 Agreement. In addition, Council called on all political leaders of Somalia to resume dialogue on the basis of the 17 September Agreement.

At its 1070th session convened on 29 March 2022, Council was updated on the draft Policy on Mainstreaming Child Protection in APSA and a draft Policy on Integrating Child protection in AU Peace Support Operations (PSOs). Having taken account of the progress obtained in drafting the policies, Council has requested the AU Commission to submit both to the Specialised Technical Committee on Defence, Safety and Security (STCDSS) before their adoption. The central purpose of these policies is to ensure the existence of a comprehensive approach to AU’s child protection efforts.

A key development which took place right after the adoption of PSC’s 994th Communiqué on the situation in Somalia was the decision made by political leaders on 27 March 2021, to have the elections of the two Houses of Parliament as well as the President, within 60 days. This was regarded at the time, as a major milestone and a big win for Somalia in averting further tensions and possibility of regress into civil war. Although after repeated delays, postponements and disagreements, Somalia was to finalise its elections.
On 1 May, the House of the People rescinded the Bill which extended the elections and the President’s mandate, thereby returning to the agreement of 17 September. In addition, the responsibility for organising the elections was entrusted to the Prime Minister. One of the notable progresses achieved following this development is the 10-point agreement reached between opposition Council of Presidential Candidates and the Prime Minister for the disengagement of opposing armed forces and their return to their respective bases. The 994th session welcomed these progresses.

The appointment of an 11-member technical committee was another progress highlighted by the PSC. It is however worth noting that the composition of this committee is still an issue of controversy since most of the federal member States and other political actors do not consider members of the committee to be neutral.

The grave implication of the current political impasse on the timeline and implementation of the Somali Transitional Plan (STP) was another point emphasised by Council.

The PSC also expressed regret over the Federal Government’s rejection of Mr John Dramani Mahama who was appointed by the Chairperson of the AU Commission as a Special Envoy to Somalia. In addition to the PSC, the AU, EU, IGAD, and UN also expressed similar regret in a joint-communiqué.

In relation to AMISOM’s mandate renewal, as noted by the PSC at its previous session, the recent political impasse significantly impacts the force generation process of Somalia security forces. This in turn negatively affects the successful implementation of AMISOM’s drawdown by the end of 2021. Particularly, the clan based division observed within the Somalia army is a reason for serious concern. Council’s request at the 994th session for the AU Commission to increase AMISOM’s capacity in order to allow its effective response to these new realities has hence been a timely request. It is however unclear in what form this increase in capacity is expected to be implemented (not clear whether Council envisaged additional force to the current troop ceiling or other forms of assistance to existing troops such as training and material support).

In tandem with UN Security Council Resolution 2568 (2021) which re-authorised AMISOM until 31 December 2021, the PSC also renewed the mission’s mandate, deciding to review AU’s post-2021 engagement in Somalia before the expiry of AMISOM’s mandate. Although no deadline was set for its completion, Council did indicate that the report of the AU Independent Assessment Team to Somalia would guide the review.

**INTERNATIONAL DAY OF LIVING TOGETHER IN PEACE**

The 995th session of the PSC was committed to its annual meeting on the ‘international day of living together in peace’. The session was convened via email exchange of Council members and the outcome was adopted as a Press Statement released on 20 May.

It is to be recalled that PSC, during its 891st meeting convened in November 2019, decided to dedicate an annual open session to commemorate the ‘International Day of Living Together in Peace’. UN General Assembly Resolution A/RES/72/130 declared 16 May as the ‘International Day of Living Together in Peace’ with the aim to mobilize the efforts of the international community to promote peace, tolerance, inclusion, understanding and solidarity. Since its first session in 2019, Council has convened one session in 2020 (the 928th session), making the 995th session the third session convened on the theme so far.

The previous session on the theme had a specific focus on the Covid-19 pandemic and its implication on peace in the continent. At its current session, Council emphasised the particular repercussion that the lack and delay in accessing Covid-19 vaccination may have on peace efforts in Africa. More specifically, the session was focused on drawing a linkage between AU’s 2021 theme: “Arts, Culture and Heritage: Levers of The Building of Africa We Want” and living together in peace. Accordingly, the utility of art and culture for the promotion of tolerance, inclusivity and peace was highlighted.

The importance of free movement of people and free trade in the continent to facilitate interstate and people to people relations was also emphasised by Council and in light of that, member States were encouraged
to sign and ratify the Agreement Establishing the African Continental Free Trade Area (AfCFTA), as well as the 2018 Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment.

CONSIDERATION OF THE REPORT OF THE FACT-FINDING MISSION TO CHAD

Council’s 996th session which took place on 14 May considered the report of the fact-finding mission to Chad, which was deployed in accordance with PSC’s decision at its 993rd meeting of 22 April. The outcome of the session was adopted as a Communiqué and released on 20 May.

The session mainly focused on the current political and security situation in Chad. Council also deliberated on the humanitarian situation in the country.

With regards to the political and security situation, the central point emphasised during the session was the importance of ensuring a civilian-led transition and having a clear separation in the functions of the Transitional Government and Transitional Military Council (TMC). Following Council’s previous session where it expressed concern over the establishment of the TMC and stressed the need to restore constitutional order, there was much expectation for Council to take measures similar to its previous decisions on unconstitutional change of governments. However, the Council did not suspend Chad from all AU activities and it did not label the illegal power grab as a Coup or Unconstitutional Change of Government. Not only has this been viewed as a deviation to its well-established practice, it is also criticised as an act that sets precedence.

The PSC did set some conditions to be met by the Transitional Government starting with the formation of a National Transition Council, which would serve as the interim legislative organ and consult the government in revising the Transitional Charter initially drafted by the TMC. However, no deadline was set by the Council with regards to either the establishment of the National Transitional Council or the review of the Transitional Charter. The categorical rejection of any form of extension to the transitional period – which is 18 months effective from 20 April 2021 – was also another condition set by Council. Members of the TMC including the Chairman were also urged by Council not to take part in the upcoming national elections. Council’s request to the AU Commission to appoint a Special Envoy to work closely with the transitional government in organising free, fair and credible elections by the end of the transitional period further solidifies its position in this regard.

On the security situation Council paid attention to the engagement of foreign fighters and mercenaries in hostilities in Chad. This was condemned by the Council as a clear violation of the 1977 OAU Convention for the Elimination of Mercenarism in Africa.

The Chairperson of the AU Commission was also requested by the PSC to appoint a Special Representative to Chad and to set up an AU-led Support Mechanism to coordinate and facilitate efforts of the High Representative to support Chad’s transition. No specific deadline was set for either one of these requests. However, a general deadline was set by Council, for the AU Commission to report to it by the end of June 2021 on the implementation of its Communiqué, particularly on the work of the Support Mechanism.

The Chairperson of the AU Commission was also requested to regularly brief Council, on a quarterly basis, on the evolution of the situation in Chad, following submission of the report expected by the end of June 2021.

With regards to the humanitarian conditions in Chad, Council noted the direness of the situation and called up on all international and AU actors to scale up humanitarian assistance to populations in need particularly refugees and internally displaced persons (IDPs).

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4 Since its establishment, the PSC has imposed sanctions under Art.7(g) of its Protocol upon unconstitutional change of governments in countries such as Togo (2005), Côte d'Ivoire (2010), Sudan (2019), Mali (2012 & 2020) and many more. In total, Council has invoked Art.7(g) sanctions in 15 cases of unconstitutional change of governments so far. Hence, the Chad’s recent coup was also highly expected to be treated in a similar manner.
THE SITUATION IN LIBYA

Council’s 997th session on the situation in Libya was convened on 18 May, at the level of ministers. The outcome of the session was adopted as a Communiqué. At its 961st session previously dedicated to the situation in Libya, Council made a request for the UN Secretary General to appoint a UN Special Representative to Libya, of African origin. One of the new developments welcomed at the 997th session was the appointment of Mr. Ján Kubiš – a Slovak diplomat – as a Special Envoy of the UN Secretary General and the Head of UN Support Mission in Libya (UNSMIL).5

The election in Libya which was then expected to take place in December 2021 was one of the main areas Council addressed at the session. In that regard, some of the progresses since Council’s previous session were highlighted including the approval of the composition of the Government of National Unity (GNU), which was formed in March 2021, assuming responsibility for leading the country to the election. Unlike the Government of National Accord (GNA) which lacked recognition from the parliament, the newly formed GNU has been endorsed by majority of representatives in parliament.

It is to be recalled that the Inter-Libyan Political Dialogue Forum took place in November 2020. Among the central purposes of the dialogue, one was setting up the time frame for the election. Despite setting of electoral timeline (24 December 2021) and repeated calls by the PSC to finalise the legal frameworks relevant for the conduct of the election including the constitutional basis, the election was postponed due to the absence of an agreed constitutional basis as well as controversies around the list of presidential candidates.

Another area of concern addressed during the session was the security situation. In terms of bringing relative peace to the country, the Permanent Ceasefire Agreement of 23 October 2020 has by far seemed to be effective. Council’s warning to impose punitive measures against those who may violate the ceasefire agreement was a show of a firmer stand than it has done at its previous session. The presence of numerous foreign mercenaries is another major challenge to the security of the country. In that regard, Council reiterated its call for all foreign fighters to withdraw and warned once again, to name and shame those promoting involvement of foreign mercenaries. It is to be recalled that Council extended the same warning at its 961st and its 957th sessions. However, Council is yet to go through with its warning despite the continued proliferation of foreign fighters, particularly in Libya, and their spread to other parts of the region.

On the other hand, the adoption of an action plan for a gradual, balanced and sequenced withdrawal of mercenaries and foreign fighters from the country has been a welcome development since the 997th session. The action plan, adopted on 8 October 2021 by the 5+5 Joint Military Commission is already on its implementation phase. For instance, the eastern delegation of the Commission has announced on 11 November, the repatriation of 300 foreign fighters from Libya.6

One of the interesting points emphasised at Council’s previous session on Libya (the 961st session) was the need to ensure AU’s full engagement in all efforts aimed at overseeing the implementation of the October 2020 Permanent Ceasefire Agreement. At the 997th session, Council made some concrete requests to the AU Commission which would be instrumental in ensuring its full engagement. One of these requests is for the AU Commission to provide capacity building and technical assistance to Libya in areas such as security sector reform and national reconciliation. Another request was for the AU Commission to contribute to the ceasefire monitoring component of UNSMIL within the framework of AU/UN partnership. With the withdrawal of foreign forces set as the current priority in the implementation of the ceasefire agreement, the AU along with UNSMIL and other key partners, has assisted the 5+5 Joint Military Commission in the development of the withdrawal action plan. In addition to commending AU for its involvement in the development of the Action plan, Council may, at its upcoming sessions on the situation in Libya, follow up on the AU Commission’s other engagements in supporting Libya.

It is also to be recalled that Council, at its 961st session, requested the Commission to undertake preparations 5

5 On 17 November 2021, Mr. Ján Kubiš tendered his resignation. This became effective as of 10 December 2021 and the UN Secretary General has appointed Stephanie Williams as his Special Adviser on Libya since then.

6 See UN Secretary-General's report on the situation in Libya and activities of the United Nations Support Mission in Libya (UNSMIL) of 17 January 2022 (S/2022/31).
for AU’s participation in the Ceasefire Monitoring and Verification Mechanism (CMVM) set up under the Permanent Ceasefire Agreement and report back to the PSC. However, in light of UNSC resolution 2570(2021) where it was agreed that the participation of regional organizations including AU should be through UNSMIL, PSC reformulated its request for the Commission to deploy civilian observers and ceasefire monitors, under the auspices of UNSMIL.

In addition to the electoral and security issues, the humanitarian situation in Libya, particularly the situation of smuggled and trafficked migrants as well as other refugees during the Covid-19 pandemic was addressed by Council. According to data recorded by the IOM, Libya continues to host over 500,000 migrants a significant number of which are kept in detention centres/camps under inhumane circumstances.

In concluding its session, the PSC requested to be regularly briefed by the AU Commission on the implementation of AU decisions aimed at supporting Libya’s transitional process. Since the 997th session, Council’s 1035th session has addressed some aspects of the situation in Libya with a particular focus on the impact of withdrawal of foreign forces from Libya on the rest of the continent, particularly the Sahel region. Although a session on Libya was also planned to take place in November of the same year, the session was later postponed. At the time of publishing this digest, Council is yet to receive an update regarding the situation in Libya.

COVID-19: ACCESS TO VACCINE IN AFRICA

At its 998th session convened on 22 May, the PSC discussed the challenges faced in Africa in accessing Covid-19 vaccination and its implications on human security in the continent. The session was held at the ministerial level and the outcome was adopted as a Communiqué, released on 31 May.

The session was initiated due to the increasing inequality to accessing Covid-19 vaccination which benefited only very few States and leaving out majority of the world, principally African countries.

Since Council’s previous session on the topic, there have been some new developments in AU’s response to the pandemic including appointment of AU Special Envoys for COVID-19 Response. The establishment of the Africa Medical Supplies Platform (AMSP) has been another major stride. The AMSP, a non-profit platform which basically facilitates the online purchase of Covid-19 medical supplies including masks, sanitisers, test kits, and ventilators has been an exemplary achievement from the private sector. The AMSP’s efforts are now extended to assisting in vaccine procurement efforts of the African Vaccine Acquisition Task Team (AVATT). As emphasised by Council at its previous sessions on the theme, the contribution of the private sector is instrumental in the fight against the pandemic. AMSP demonstrates how the private sector can elevate government efforts and inspires further engagement from private and non-government actors. Council welcomed these and other progresses at its 998th session.

Despite such strides having been achieved, Africa’s access to the vaccine still remains to be a major concern. As emphasised by Council, Africa has received only 2% of the world’s vaccine. In light of that, Council made key remarks calling on member States to take measures that will ensure access to the vaccine for their citizens, including through continuous engagement with AVATT and supporting the proposal on wavier of certain provision of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. Although no specific mention was made by Council in this regard, it is important to recognise the failure by some member States to timely administer received vaccines. Such instances can be taken as learning points for member States to be better organised and prepared in the future to administer vaccines as soon as they are received and before they reach their expiry period.

THE SITUATION IN MALI

On 25 May, following the coup which took place in Mali on 24 May, Council added as an agenda item to its 1000th meeting, to consider this emergency situation. The outcome of the meeting was adopted as a Communiqué which was released on 1 June, seven...
days after the session.

It is also important to note that on 24 May, Council convened its 999th session which was a ministerial level meeting on the situation in Mali. The session was aimed at taking stock of the progress and challenges experienced in the country’s transition following the coup of August 2020, including preparations for upcoming national elections at the end of the transitional period. The coup was staged on the same day on which PSC’s 999th ministerial session on Mali was taking place.

As stated above, the 1000th session on Mali was convened following the unlawful arrest of the President and a second coup after the one which took place in August 2020. Unlike previous instances of similar events in other countries as well as in Mali, Council failed this time to designate the arrest of civilian leaders and power grab by the military as a Coup or an Unconstitutional Change of Government. It is to be recalled that at its 941st session, in response to the coup of 18 August 2020, Council suspended Mali from all AU activities until restoration of normal constitutional order in the country. At its 954th session, Council lifted the suspension imposed on Mali having regard to some progressive steps taken by the authorities to ensure a civilian-led transition. The second coup d’état which took place on 24 May 2021, less than a year after the first one, was executed by the leader of the National Committee for the Salvation of the People (CNSP), who was also in charge of the 2020 coup.

In response to this military takeover for the second time in less than a year, Council stressed its condemnation in strong terms at its 1000th session. The key decision of the session was Council’s warning to impose sanctions in line with Art.7(g) of its protocol including suspension from all AU activities – which it executed at the 1001st session convened on 1 June 2021. The main conditions Council set at the 1000th session to avert suspension were: the immediate and unconditional release of the President and Prime Minister; cessation of military interference in the country’s political process; and return to the civilian-led transition.

**OTHER PSC ACTIVITIES DURING THE MONTH**

In line with its programme of work, Council concluded the month with a Retreat which took place from 27 to 29 May. The Retreat, convened in Mombasa, Kenya, constituted Council’s 13th Retreat and its conclusions were adopted at Council’s 1004th session convened on 17 June 2021.
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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