

# **MONTHLY DIGEST ON THE AFRICAN UNION PEACE AND SECURITY COUNCIL**

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Table of Contents

THE MONTH AT A GLANCE .....1

JOINT PSC-UNSC 8<sup>TH</sup> INFORMAL SEMINAR AND 17<sup>TH</sup> CONSULTATIVE MEETING  
HELD IN ADDIS ABABA WITH NONE OF THE P5 REPRESENTED AT AMBASSADORIAL LEVEL .....1

PSC EXPRESSES DEEP CONCERN OVER THE WORSENING HUMANITARIAN CRISIS  
IN AFRICA BUT FALLS SHORT IN ADOPTING ACTIONABLE MEASURES .....4

PSC CONVENES FIRST MEETING ON SUDAN SINCE MAY AS SUDANESE  
CIVILIAN ACTORS CONVENE THEIR VERY FIRST MEETING .....5

PSC EXPRESSED ‘DEEP CONCERN’ OVER THE LACK OF A ‘CLEAR,  
PRACTICAL AND TIME-BOUND’ TIMETABLE FOR GABON’S TRANSITION .....6

PSC URGED ECOWAS TO MINIMIZE THE DISPROPORTIONATE EFFECTS  
OF ITS SANCTIONS ON THE ORDINARY PEOPLE OF NIGER.....8

THE PSC HIGHLIGHTED THE NEED FOR EVALUATING AND MODIFYING  
EXISTING SANCTIONS FRAMEWORKS FOR THE CURRENT SECURITY ENVIRONMENT.....9

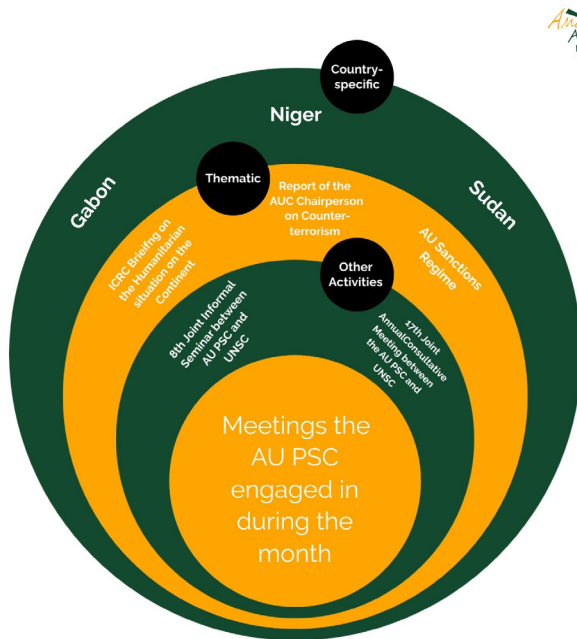
PSC ENDORSED THE USE OF DIALOGUE AND NEGOTIATIONS  
AS ELEMENTS OF THE TOOLBOX APPLIED AGAINST TERRORISM .....10

OTHER PSC ACTIVITIES DURING THE MONTH.....12

## THE MONTH AT A GLANCE

In October, the Republic of Congo chaired the African Union (AU) Peace and Security Council (PSC), which had a scheduled program of work consisting of four sessions and a field mission to Libya.<sup>1</sup> However, during the month, five sessions were convened.

Out of the five sessions, three focused on thematic issues, while the other two addressed country-specific situations. All sessions were held at the ambassadorial level.



AUPSC activities  
October 2023

The Provisional Programme of Work (PPoW) of the PSC underwent two revisions during the month.<sup>2</sup> The first revision included the removal of the field mission to Libya, originally scheduled for 23 to 26 October. The second revision added a session on the situation in Sudan for 19 October.

The outcomes of the three meetings were adopted as Communiqué, while one meeting only adopted a summary record. For the session on Sudan, it was decided that issues that emerged during the session would be taken forward during the ministerial session on Sudan proposed for November. On average, it took 15 days for the published outcome documents to be released.

<sup>1</sup> Amani Africa, Provisional Programme of Work for the month of October 2023, <https://amani-africa-et.org/provisional-programme-of-work-for-the-month-of-october-2023/>

## JOINT PSC-UNSC 8<sup>TH</sup> INFORMAL SEMINAR AND 17<sup>TH</sup> CONSULTATIVE MEETING HELD IN ADDIS ABABA WITH NONE OF THE P5 REPRESENTED AT AMBASSADORIAL LEVEL

On 6 October, the members of the United Nations Security Council (UNSC) travelled to Addis Ababa, Ethiopia to hold the annual consultative meeting with their counterpart, the PSC.



AUPSC and UNSC Joint Consultations, Source: @AUC\_PAPS

Prior to the joint consultative meeting, the experts from both Councils (PSC Committee of Experts and the UNSC Ad Hoc Working Group of the Security Council on Conflict Prevention and Resolution in Africa) held a meeting on 3 and 4 October. It is the first time that the UNSC experts travelled to Addis Ababa to negotiate the Joint Communiqué. Additionally, the 8<sup>th</sup> Joint Seminar took place on 5 October.

The members of the UNSC and the PSC dedicated the 8<sup>th</sup> Joint Seminar to three thematic issues: a) the financing of AU-led Peace Support Operations, b) youth, peace, and security, and c) ways to improve their working methods in order to enhance their cooperation.

Within the context of the theme on financing of AU-led peace support operations, the [Joint Communiqué](#) adopted by the consultative meeting the UNSC and the PSC highlighted the importance of regularly reviewing and adjusting the mandates of the UN peacekeeping missions and the need to enhance the effectiveness of the UN and AU in promoting

comprehensive solutions to the security challenges facing the continent. The two Councils also exchanged on how to establish a mechanism allowing AU-led peace support operations, authorized by the UNSC and in line with Chapter VIII of the UN Charter, to access UN assessed contributions taking note of recent developments both on the part of the AU and the UN (For more information and background to this, see our special research report [Seizing the new momentum for UNSC resolution on UN funding of AU Peace Operations](#)).

Although the joint communique does not have any reference value neither for UNSC products nor for PSC outcome documents, in expressing support for use of UN assessed contributions, the joint communiqué stated that the two sides underscored the importance of predictable, sustainable, and flexible financing for AU-led peace support operations through AU and UN contributions, including the use of UN assessed contributions, in line with resolutions [2320](#) (2016) and [2378](#) (2017). It also becomes apparent from the discussion during the consultative meeting and the joint communique that use of UN assessed contribution for AU led peace support operations depends on 'a case-by-case basis, subject to relevant, agreed standards and mechanisms to ensure strategic and financial oversight and accountability in line with resolutions 2320 (2016) and 2378 (2017).'

It also becomes apparent from the discussion during the consultative meeting and the joint communique that use of UN assessed contribution for AU led peace support operations depends on 'a case-by-case basis, subject to relevant, agreed standards and mechanisms to ensure strategic and financial oversight and accountability in line with resolutions 2320 (2016) and 2378 (2017).'

## Relevant Previous decisions:

- PSC's 1153<sup>rd</sup> Session [[PSC/MIN/COMM.1153](#)] held on 12 May 2023, **decided** to increase the ceiling of the Crisis Reserve Facility (CRF) from five million USD to ten million USD for 2023 and the same provision of 10 million for 2024; to enable the AU to urgently and effectively address emergency peace and security challenges on the Continent; and in this regard the PSC **requested** the AU Commission to submit this decision to the relevant AU Policy organs in line with the AU Financial Rules; and

- PSC's 1107<sup>th</sup> Session [[PSC/MIN/COMM.1107](#)] held on 23 September 2022, **agreed** to utilize the AU Peace Fund and CRF to rapidly respond to peace and security matters in Africa and ensure Africa's ownership of the peace and security agenda in the Continent.



Then AUPSC decided to increase the ceiling of the Crisis Reserve Facility (CRF) from 5 million USD to 10 million USD for 2023 and the same provision of 10 million for 2024

With regards to the **youth, peace and security** agenda, the UNSC and the PSC stressed the significance of creating favourable conditions for the meaningful engagement of young people in peace processes, and emphasized the importance of implementing policies that enable youth to contribute positively to peacebuilding efforts, including through local, national and regional roadmaps.

On **working methods**, they agreed to improve their working arrangements through structured monthly coordination meetings between the Chair of the AUPSC and the President of the UNSC. On the long pending issue of joint field missions, they expressed commitment to undertake 'joint field and assessment missions, with modalities of such trips being determined on a case-by-case basis.' With this formulation, it appears that the search for one agreed upon modality for undertaking joint field missions is put to rest.

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The 17<sup>th</sup> consultative meeting was dedicated to the situation in the Democratic Republic of Congo (DRC), Somali/ATMIS, the Sahel and Sudan.

## KEY INSIGHTS: 17TH CONSULTATIVE MEETING BETWEEN THE UNSC MEMBERS AND THE PSC

### SUDAN

Emphasizing the need for coherence of efforts, the two also underlined, on the various at times competing initiatives for peace, 'the importance of cooperation of international efforts to promote peace, including under the auspices of the AU and IGAD.'



### SOMALIA

Reiterated the call for the joint convening of an international pledging conference for ATMIS operations.



### DRC

The UNSC and the PSC recalled the request made by the Deputy-Prime Minister and Minister of Foreign Affairs of the DRC in a letter urging the UN to commence the mission's withdrawal before the end of the year and emphasised that it is crucial to ensure that the withdrawal of MONUSCO does not create a security vacuum in the DRC.



### THE SAHEL REGION

#### BURKINA FASO

#### MALI

#### NIGER

For the countries that have experienced unconstitutional changes of government, the UNSC and the PSC, signalling their concerns about the postponement timelines for elections, called on the respective Transition Governments to adhere to the agreed roadmaps and timelines and encouraged them to activate the joint transition monitoring committees in their countries.



### MALI

On the withdrawal of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) from Mali, they highlighting the need for a safe and orderly drawdown, liquidation, and the provision of safe passage for peacekeeping personnel.

On the situation in **Sudan**, the UNSC and the PSC, condemning the conflict between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), emphasized that a military solution to the conflict is not feasible and stressed the importance of dialogue and reconciliation for achieving and maintaining peace. They also expressed their concern over the dire humanitarian situation in the country. Additionally, they called for the resumption of the political transition process, leading to the conduct of

elections and the establishment of a democratically elected, civilian-led government and reaffirmed the need for inclusivity and the participation of all Sudanese stakeholders, including civil society, in the political process.

Emphasizing the need for coherence of efforts, the two also underlined, on the various at times competing initiatives for peace, 'the importance of cooperation of international efforts to promote peace, **including under the auspices of the AU and IGAD.**' (Emphasis added)

On the situation in the **Sahel**, the two Councils expressed their concern about the deteriorating situation in the region, specifically regarding terrorism, violent extremism, political instability, and unconstitutional changes of government. To address this growing concern, they emphasized the importance of adopting a comprehensive approach to tackle the underlying causes of insecurity in the region. Furthermore, with regards to countries that have experienced unconstitutional changes of government, the UNSC and the PSC, signalling their concerns about the postponement timelines for elections, called on the respective Transition Governments to adhere to the agreed roadmaps and timelines and encouraged them to activate the joint transition monitoring committees in their countries. Regarding the withdrawal of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) from Mali, they highlighting the need for a safe and orderly drawdown, liquidation, and the provision of safe passage for peacekeeping personnel. Additionally, they reiterated 'the centrality of the Agreement on Peace and Reconciliation in Mali for the achievement of lasting peace in Mali.' However, the deliberation on the Sahel and Mali also highlighted diversity of positions.

## Key actionable decisions

- The UNSC and the PSC requested the Transition Government in Mali to support and guarantee the safety of MINUSMA personnel and assets throughout the drawdown and liquidation processes until the exit of the final element of MINUSMA.



On the situation in **Somalia**, the joint communiqué emphasized the importance of the Federal Government of Somalia (FGS) being able to extend governance and state authority in the recently liberated regions. It also stressed the need for urgent implementation of programs to address emergency needs, in order to sustain the progress made against Al-Shabaab and strengthen public trust. Additionally, the PSC and the members of the UNSC highlighted the necessity of enhancing the predictability, sustainability, and flexibility of financing for AU-led peace support operations authorized by the UNSC.

Ahead of the consultative meeting during the briefing to the UNSC delegation by the UNOAU and the Special Envoy for the Horn of Africa, attention of the members of the UNSC was drawn to the risk of deterioration of the situation in Somalia, the importance of financing of ATMIS and to the fact that the December 2024 deadline for withdrawal of ATMIS might need to be reconsidered.

## Key actionable decision

The PSC and the UNSC:

- Requested the FGS to provide regular detailed updates on the progress in implementing its national security architecture, force generation and integration in line with the Somalia Transition Plan (STP).
- Reiterated the call for the joint convening of an international pledging conference for ATMIS operations.
- Encouraged the Secretary-General, AU, and Member States to continue their efforts to explore funding arrangements for the African Union Transition Mission in Somalia (ATMIS) in a dedicated manner.

On the situation in the **DRC**, they underscored the importance of the participation of Congolese armed groups in the Demobilisation, Disarmament, Community Recovery and Stabilisation Program (P-DDRCS) and engagement in intra-Congolese dialogue unconditionally was emphasised. They also recognized the Joint Framework on Coordination and Harmonisation of Peace Initiatives in Eastern DRC, adopted on 27 June 2023 by the East African Community (EAC), Economic Community of Central African States (ECCAS), International Conference on the Great Lakes Region (ICGLR), Southern African

Development Community (SADC), and the AU with the participation of the United Nations (UN) as useful framework for facilitating coordinated action.

In relation to MONUSCO, the UNSC and the PSC recalled the request made by the Deputy-Prime Minister and Minister of Foreign Affairs of the DRC in a letter urging the UN to commence the mission's withdrawal before the end of the year and emphasised that it is crucial to ensure that the withdrawal of MONUSCO does not create a security vacuum in the DRC.

This year's consultative meeting did not involve the participation of any of the ambassadors of the permanent five members of the UNSC. It was interesting that Gabon, which is under suspension from the AU on account of the coup, formed part of the delegation of the UNSC. The fact that the meeting discussed unconstitutional changes of government and Gabon, despite its suspension by the AU, took part fully in the discussions was perceived as anomalous. However, it is difficult to avoid such anomaly where AU's suspension applies only to AU activities and may not be extended to joint activities. Yet, as a form of acknowledgement of AU's policy position, Gabon did not co-lead the UNSC side in the consultative meeting. It was noted that during the meetings, the AU PSC members displayed adequate preparedness and presented unified position.

At the end of the meeting, the UNSC and the PSC agreed to convene their 9<sup>th</sup> Informal Joint Seminar and the 18<sup>th</sup> Annual Joint Consultative Meeting in October 2024, in New York, at dates to be jointly agreed by the two sides in due course.

## PSC EXPRESSES DEEP CONCERN OVER THE WORSENING HUMANITARIAN CRISIS IN AFRICA BUT FALLS SHORT IN ADOPTING ACTIONABLE MEASURES

On 10 October 2023, the PSC held its 1178<sup>th</sup> meeting at the Ambassadorial level dedicated to the annual briefing by the International Committee of Red Cross (ICRC) on the humanitarian situation and its activities

in Africa. The session received a briefing from **Patrick Youssef**, ICRC Regional Director for Africa.

The meeting was held at a time when the humanitarian situation in various regions of Africa, such as the Horn of Africa, Sahel, Lake Chad Basin and parts of northern and southern Africa, is deteriorating. This deterioration is a result of armed conflicts, violent extremism and the increasing impact of climate change-related disasters like droughts, floods, famine, cyclones and earthquakes.

The meeting took place in accordance with the Memorandum of Understanding (MoU) between the Organization of African Unity (OAU) and ICRC, which was signed on 4 May 1992 and the outcome of the 99<sup>th</sup> session of the PSC in November 2007 where the ICRC delivered a briefing to the PSC for the first time.

## Relevant previous AU Assembly Decisions:

- Decision [EX.CL/Dec.1145 9(XL)] adopted by the AU Executive Council at its 40<sup>th</sup> Ordinary Session held in February 2022;
- Decision [Assembly/AU/Dec.604(XXVI)] which adopted the Common African Position on Humanitarian Effectiveness and endorsed the recommendation for the establishment of the African Humanitarian Agency (AfHA) to ensure effectiveness of AU responses to humanitarian crises on the Continent;
- Decision [[Ext/Assembly/AU/Decl.\(XVI\)](#)] adopted by the 15<sup>th</sup> Extraordinary AU Humanitarian Summit and Pledging Conference held in Malabo, Equatorial Guinea in May 2022, which also adopted the **Malabo Declaration on Terrorism and Unconstitutional Changes of Government** in Africa.

In the [Communique](#) the PSC adopted on the session, the PSC noted the need to establish humanitarian corridors, allow unhindered access to the populations in need and guarantee protection of humanitarian actors. While calling for an immediate and unconditional cessation of hostilities in all conflict areas, the PSC singled out the conflicts in Sudan and eastern Democratic Republic of Congo as cases with the urgency for cessation of hostilities.

Cognizant of the primary responsibility of states, the

PSC recognized the importance of investment by Member States in humanitarian diplomacy, operational knowledge and expertise, and mainstreaming international humanitarian law in all peace efforts.

Council expressed concern over the dwindling resources to respond to humanitarian crises in Africa, despite the expanding humanitarian needs due to the increase of armed conflicts and natural disasters. The Council appealed for enhanced international support towards refugees and host communities. This includes providing adequate, flexible, predictable and consistent humanitarian financing to meet immediate needs and support long-term development.

Council requested the AU Commission, working closely with Member States to expedite action in the **finalization of the AU Convention Governing the Specific Aspects of Statelessness in Africa**.

It is worth noting that despite the recognition of the worsening of the humanitarian crises on the continent, the communique is bereft of any actionable decision. For example, the PSC urged respect the safety and security of diplomatic missions and staff, protection of public infrastructures including, water and electricity supplies, schools and hospitals, and the welfare of women, children and the elderly'. Yet, it failed to go further in terms of putting in place mechanism for monitoring and reporting on instances of breaches for putting warring parties on the spotlight and as a measure of accountability as well.

┐ despite the recognition of the worsening of the humanitarian crises on the continent, the communique is bereft of any actionable decision ┘

## PSC CONVENES FIRST MEETING ON SUDAN SINCE MAY AS SUDANESE CIVILIAN ACTORS CONVENE THEIR VERY FIRST MEETING

On 20 October, the PSC convened its 1179<sup>th</sup> session to consider the situation in Sudan. The session was not envisaged in the initial Program of Work for the month of October. The session provided members of the PSC with an update on the situation in Sudan from Mohamed el Hacen Lebatt, Principal Strategic

Adviser to the Chairperson of the AU Commission and Special Envoy to Sudan and Mohamed Belaihe, Special Representative of the Chairperson of the AU Commission (SRCC) in Sudan.

## SUDAN CONFLICT

Six months into the conflict in the country between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF)



Despite the existence of various mechanisms and initiatives for the peace process in Sudan, no effective process has as yet taken off the ground. Similarly, none of the nearly a dozen mediated or declared ceasefire initiatives succeeded to hold. The war has thus been allowed to rage on with devastating consequences for the people of Sudan, the Sudanese state, and the wider region.

### AU and IGAD efforts for peace process since May 2023

- 1156th Session Held at the Heads of State & Government level on 27 May 2023.
- 3rd Meeting of the Expanded Mechanism for the Resolution of the Sudan Conflict Held on 31 May 2023.
- Inaugural meeting with the Core Group of the Expanded Mechanism Held on 2 June.
- 14th Ordinary Session of the IGAD Assembly Held at the Heads of State & Government level on 12 June.
- 1st IGAD Quartet Group Meeting Held at the Heads of State & Government level on 10 July 2023.
- 2nd IGAD Quartet Group Meeting Held at the Heads of State & Government level on 6 September 2023.

## PSC decisions pending implementation

- PSC at its 1156th session [PSC/PR/COMM.1256 (2023)], requested the Chairperson to coordinate the implementation of the AU Roadmap in close cooperation with the Sudanese Parties; IGAD, League of Arab States, UN and partners, towards the restoration of peace and stability in Sudan.
- PSC, at its 1149th session [PSC/PR/COMM.1149 (2023)], decided to undertake a field visit to Sudan, but the visit could not happen yet due to the security condition of the country.

The session was prompted by and took place three days prior to the first-ever convening among Sudanese civilian actors and stakeholders in Addis Ababa, Ethiopia.



1179th Session of the PSC, Source: @AUC\_PAPS

The convening which was held in Addis on 23 October, reportedly facilitated by the troika, was aimed to lay the groundwork for a strong and united civilian front. Civilians highlighted their guidelines for dialogue via a paper titled "General Guidelines for the Negotiating Process to Stop the War and Reestablish the Sudanese State" which has yet to be released. Despite the lack of access to the guidelines, a few representatives of the civilian actors reported the [Declaration of Principles Group \(DOP Group\)](#) and the [Coordination of the Civil Democratic Forces for Ending the War and Restoring Democracy \(Taqaaddum\)](#) provided the requests of civilian actors in regards to the implementation of the provisions of the humanitarian obligations of both warring parties and international actors. It was envisaged that the second round of talks will resume in 4 to 8 weeks' time.

## PSC EXPRESSED 'DEEP CONCERN' OVER THE LACK OF A 'CLEAR, PRACTICAL AND TIME-BOUND' TIMETABLE FOR GABON'S TRANSITION

On 23 October, during its 1180th session, PSC considered the situation in Gabon as a follow-up to its request, at its 1172nd session, for the Commission to report within 15 days about the evolution of the situation in the country. As is not uncommon in the practice of the AU Commission, the timeline envisaged in the PSC was not complied with.



PSC's 1180th session, 23 October, Source: @AUC\_PAPS

It is recalled that on 30 August, the military staged a military coup in Gabon, deposing President Ali Bongo shortly after the announcement of his disputed re-



election to a third term. On 31 August, PSC decided to immediately suspend Gabon from all AU activities until the restoration of constitutional order. The representatives of Equatorial Guinea – as the President of the Economic Community of Central African States (ECCAS) – and Central African Republic (CAR) – as ECCAS facilitator for Gabon – were among the speakers during PSC's 1180<sup>th</sup> session. A [communiqué](#) was adopted as an outcome of the session.

PSC expressed its support for the leading role that ECCAS assumed. It specifically welcomed the appointment of Faustin-Archange Touadera, President of the Central African Republic, as the ECCAS Facilitator for the political process in Gabon, and to appoint of Sylvie Baïpo-Témon, Minister of Foreign Affairs of the Central African Republic, as the ECCAS Special Envoy for Gabon. Yet, it is notable that the appointment of Touadera, who extended his term limit by changing the provisions of CAR's constitution, highlights the limitations that characterizes the response of the AU and RECs/RMs to unconstitutional changes of government.

## PSC decisions pending implementation

PSC's 1172<sup>th</sup> session [PSC/PR/COMM.1172 (2023)] requested the AU Commission Chairperson:

- To deploy a high-level mission to Gabon to engage with key Gabonese stakeholders on all key issues, with a view to laying the necessary foundation for the immediate transfer of power to a civilian-led and democratically elected government; and
- to continue to closely monitor the evolution of the situation, including through the establishment of an inclusive monitoring mechanism.

Despite some of the progress welcomed during the session, the PSC pertinently expressed its 'deep concern' over the 'lack of clear, practical and time-bound timetable' for the transition, particularly in relation to the holding of a national dialogue and elections. It further requested the Commission to provide support for Gabon on two areas, which the PSC deems critical for the country's transition towards constitutional order – drawing up a 'reasonable and acceptable' transition period and conducting a 'truly inclusive and comprehensive national dialogue.'

Subsequent to the session, the military junta issued an important announcement on 13 November, unveiling a timeline for transitional milestones. According to the announcement, the transition is envisaged to end in August 2025 following general elections. If the experience with the transitions in Mali, Guinea, Burkina Faso etc are anything to go by, it is unlikely that the two-year timeline for the transition in Gabon would be deemed too long. However, the final timeline for the transition will be determined through the national dialogue slated for April 2024. A new constitution is also expected to be put through a referendum between November and December 2024.

Seeking to pre-empt any tendencies for auto-legitimization by the coup perpetrators, it is worth noting that the PSC urged the members of the junta and the transitional government to 'refrain from enlisting their candidatures' in the upcoming elections. One observes here that the PSC abandoned its demand from the communique of its 1172<sup>nd</sup> session for 'the military to immediately return to the barracks and to unconditionally return power to the civilian authority'.

┐ The PSC abandoned its demand from the communique of its 1172<sup>nd</sup> session for 'the military to immediately return to the barracks and to unconditionally return power to the civilian authority' ┘

## Key actionable decisions requiring follow-up:

PSC requested the Commission to:

- Expeditiously deploy a high-level mission to Gabon to determine the needs of the Transitional Government for the return to constitutional order, as well as organizing a 'truly inclusive and comprehensive' national dialogue (this request was first made at its 1172<sup>nd</sup> session on 31 August);
- Provide the necessary technical support to Gabon to enable the country draw-up a 'reasonable and acceptable timetable' for the transition; and
- Submit quarterly reports to the PSC.

## PSC URGED ECOWAS TO MINIMIZE THE DISPROPORTIONATE EFFECTS OF ITS SANCTIONS ON THE ORDINARY PEOPLE OF NIGER

On 23 October, PSC discussed the situation in Niger as the other agenda item of its 1180<sup>th</sup> session, where the regional bloc, the Economic Community of West African States (ECOWAS), delivered statement. This was the third time that the PSC met to discuss the situation in that country after the 26 July military coup.



PSC's 1180<sup>th</sup> session, 23 October, Source: @AUC\_PAPS

As with Gabon, the issue of transition timeline remains primary cause of concern for PSC's session on Niger. Expressing its 'deep concern' over the 'lack of a clear, practical and time-bound timetable' for the handover of power to civilian government, PSC requested the transitional authority to adopt a 'practical and time-bound timetable' for the implementation of the transition period. Earlier in August, the military junta indicated their intention of returning to civilian rule within three years, which ECOWAS saw as 'provocation'.

### PSC decisions pending implementation

PSC's 1168<sup>th</sup> session [[PSC/PR/COMM.1168 \(2023\)](#)] requested the AU Commission to:

- Undertake an assessment of the economic, social and security implications of deploying a Standby Force in Niger and report back to Council;
- Appoint and deploy High Representative(s) to foster the mediation efforts by the ECOWAS; and
- Urgently compile and submit the list of members of the military junta and their military

and civilian supporters of the coup d'état in Niger, including those involved in the violation of fundamental human rights of President Bazoum and other detainees for targeted sanctions, and the application of individual punitive measures.

The session also came amid an uptick of terrorist attacks against government forces, which killed dozens of soldiers. This increasing violence coupled with the tough economic sanctions imposed by ECOWAS on Niger compounded the dire humanitarian situation in the country. Against this backdrop, the [communiqué](#) adopted at the 1180<sup>th</sup> session, urged the regional bloc to 'minimize the disproportionate effects of sanctions on ordinary people of Niger'. This is not the first time that PSC was raising concerns with the regional bloc's severe forms of sanctions. In its 1057<sup>th</sup> session, PSC reluctantly endorsed ECOWAS's sanctions against Mali (which encompasses economic sanctions and blockade) but with a proviso on the need for ensuring that the sanctions do not affect the general public. Likewise, in its 1168<sup>th</sup> session, while endorsing paragraph 10 (K) of the [Final Communiqué](#) of ECOWAS Summit on 30 July that imposed punitive measures against Niger, PSC underscored the importance of ensuring a 'gradual application' of the sanctions and 'minimize' their 'disproportionate effect' on the ordinary people. In addition, PSC decided to undertake a Field Mission to the country, although no specific timeline has been provided for the visit.

### Key actionable decisions requiring follow-up

In this session, PSC:

- Requested Niger's transitional authority to adopt a practical and time-bound timetable for the implementation of the transitional period;
- Requested the AU Commission to expeditiously appoint a High-Level Representative for Niger and deploy a high-level mission to Niger to determine the needs of the Transitional Government for the return of constitutional order and organize national dialogue; and
- Decided to undertake a Field Mission to Niger.

## THE PSC HIGHLIGHTED THE NEED FOR EVALUATING AND MODIFYING EXISTING SANCTIONS FRAMEWORKS FOR THE CURRENT SECURITY ENVIRONMENT

The AU PSC convened its 1181<sup>st</sup> session on 24 October 2023 at the ambassadorial level to deliberate on the potential of the AU sanctions regime to prevent and deter unconstitutional changes of government in Africa. This meeting served as a precursor to the upcoming 15<sup>th</sup> Annual Retreat of the PSC on the Review of its Working Methods, which is scheduled to take place in Tunisia from November 25 to 27, 2023, where the topic will be further explored.

The convening was an opportunity for Council to deliberate on the analysis of the sanctions provided by the AU normative framework to address unconstitutional changes of government.

Some of the existing AU normative tools and frameworks against unconstitutional changes of Government include:

- Lomé Declaration (2000);
- AU Constitutive Act (2000);
- Protocol Relating to the Establishment of the PSC of the AU (2002);
- African Charter on Democracy, Elections and Governance (ACDEG);
- African Governance Architecture (AGA);
- Declaration [Ext/Assembly/AU/Decl.(XVI)] on Terrorism and Unconstitutional Changes of Government, adopted by the 16<sup>th</sup> Extraordinary Session of the AU Assembly of Heads of State and Government held in Malabo, Equatorial Guinea (May 2022);
- Accra Declaration on Unconstitutional Changes of Government (17 March 2022).

From the Summary Record released after the meeting, Council highlighted the need to make existing frameworks more effective. In this regard, the current frameworks may require improvements in order to effectively address issues related to unconstitutional changes of government. The normative framework of the AU that governs the prevention and handling of unconstitutional changes of government, particularly

its system of sanctions, seems to be strong. In this regard, if a comprehensive range of sanctions is not fully or adequately enforced, it can diminish the effectiveness of the entire framework and erode the organization's credibility. Consequently, it may have limited deterrent effects on individuals planning future unconstitutional changes of government. This underscores that considering AU's main attribute of diplomacy it would be unwise to focus on sanction as the key instrument in AU's response to unconstitutional changes of government.

**If a comprehensive range of sanctions is not fully or adequately enforced, it can diminish the effectiveness of the entire framework and erode the organization's credibility**

Additionally, there was a discourse on the need to expedite the full operationalization of the Sub-Committee on Sanctions, suggesting that the AU should draw inspiration and best practices from the UN sanctions regimes. As mentioned in the [Communique](#) of the PSC's 1100<sup>th</sup> meeting on Sanctions and Enforcement Capacities, Council requested for the complete implementation of the PSC Sanction Committee and the acquisition of necessary technical capabilities to ensure its efficiency. This included conducting appropriate capacity-building training programs for the Sub-Committee, in accordance with the Decision of the May 2022 16<sup>th</sup> Extraordinary Session of the AU Assembly of Heads of State and Government which was held in Malabo, Equatorial Guinea. The council further instructed the PSC Committee of Experts to develop the Terms of Reference (ToRs) for the PSC Sub-Committee on Sanctions urgently. In this regard, by expediting the operationalization of the Sub-Committee on Sanctions, the AU aims to enhance its ability to enforce sanctions against individuals, groups or entities that pose a threat to peace and stability in the continent. It is expected that the outcome of the 15<sup>th</sup> PSC retreat on the review of its working methods will consider the operationalization of this sub-committee.

**By expediting the operationalization of the Sub-Committee on Sanctions, the AU aims to enhance its ability to enforce sanctions against individuals, groups or entities that pose a threat to peace and stability in the continent.**

The Summary record also highlighted the need to evaluate the effectiveness of existing frameworks and modify them to align with the current security

environment. This is to ensure that the frameworks are suitable and effective for their intended purpose. This echoes Amani Africa's [Insight](#) published on 23 October 2023, which found it prudent for the PSC meeting to consider the need for refining existing sanctions pronouncements into consistent frameworks that are aligned with the current evolution of the challenges they are meant to address. Subsequently, Council had requested the Commission, in conjunction with the UN stakeholders and relevant African research institutions and think tanks, including the African Members of the UN Security Council (A3) and UN Security Council Permanent Members, to explore and develop an effective collaborative mechanism to strengthen the AU sanctions regime and provide appropriate technical capacities to the PSC Committee of Experts and the Military Staff Committee.

Noteworthy, was the suggestion by Council for the need of quiet diplomacy when there are clear and undisputable early warning signs of an impending crisis in a Member State in order to address the situation before it escalates into a full-blown crisis. As also echoed in the Amani Africa's Insight on the session, Council highlighted the primacy of addressing potential crises early on, while also emphasizing the need for discretion and diplomacy in doing so.

Lastly, Council brought to fore the need for strict application of the criteria for Membership in the PSC as stipulated in Article 5 of the PSC Protocol. The strict application of the criteria for membership in the PSC is necessary to ensure the effectiveness of the Council. Despite the issues raised during this PSC's 1181<sup>st</sup> session, it is expected that they will be further examined during the 15<sup>th</sup> Annual Retreat of the Council. The purpose of the retreat will be to review the Council's working methods, and the key issues discussed during the meeting will be a focus of this review. However, without a report that distinguishes countries that meet the criteria from those that don't and the endorsement of such report by the Assembly, it is not clear how Article 5 (2) criteria could be consistently be applied given that the power to nominate candidates is reserved to the five regions of the AU.

## PSC ENDORSED THE USE OF DIALOGUE AND NEGOTIATIONS AS ELEMENTS OF THE TOOLBOX APPLIED AGAINST TERRORISM

PSC's 1182<sup>nd</sup> session, which was held on 27 October, was dedicated to consider the report of the chairperson of the Commission on counter-terrorism in Africa. The session is convened pursuant to the decision of the Assembly during its 15<sup>th</sup> ordinary session held in July 2010, and PSC's 249<sup>th</sup> session, which requested the Commission for regular reports and briefings on the state of terrorism in Africa and progress of counter-terrorism efforts. Idriss Mounir Lallai, the Acting Director of the Africa Centre for the Study and Research on Terrorism (ACRST) made a presentation during the session.

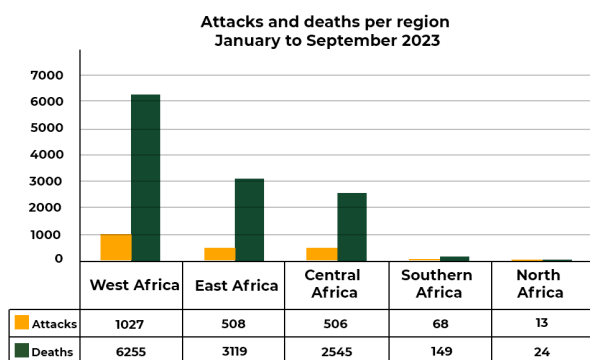
The [communiqué](#), adopted following the session, expressed its 'deep concern' over the 'expanding and worsening' scourge of terrorism and violent extremism (TVE) in the continent. As highlighted in the report of the Chairperson, incidents recorded throughout the reporting period (01 January-30 September 2023) have revealed an alarming trend, witnessing a staggering 95% surge in terrorist attacks and a 55% rise in fatalities when compared to the corresponding period in 2022. ACSRT's data indicates that the continent experienced 2,122 terrorist attacks and 12,092 deaths during the period. Burkina Faso, Democratic Republic of Congo (DRC), Mali, Nigeria, and Somalia remain the most affected countries, accounting 62% of the attacks and 86% of the associated fatalities recorded in the continent. In terms of regional distribution, West Africa stands out as the most affected, representing 48% and 52% of the total attacks and fatalities, respectively. Conversely, North Africa remains the least affected region on the continent. The Al-Qaida affiliated Al-Shabaab, operating in the Horn of Africa, and Jama'a Nusrat ul-Islam wal-Muslimin (JNIM) or Group for the Support of Islam and Muslim (GSIM), operating in the Sahel region, dominate the continent's terrorism landscape, accounting for almost 50% of all attacks and 40% of fatalities recorded on the continent.

Despite the problematic reference to 'complex mix of ideology-driven acts of violence, transnational



organized crime (TOC) and insurgency,' the report notes that political and economic factors, including governance deficit, state failure, political exclusion, marginalization, and low employment play **significant role in the emergence, development, and escalation of (TVE)** - this echoes findings of Amani Africa's ground-breaking research report [The growing threat of terrorism in Africa: A product of misdiagnosis and faulty policy response?](#) In some context, breakdown of trust in governments, coupled with the imperative for survival and self-preservation, is cultivating a 'relationship of mutual support' between terrorist groups and local communities living in areas affected by the presence of such groups.

Counter-terrorism operations in the continent have achieved some success in degrading terrorist capacities, yet they have fallen short of yielding the desired outcomes. Terrorist groups have shown remarkable resilience, and the dynamics of TVE in the continent, despite being dynamic, breeds and feeds on existing and emerging conflict systems and fragilities. This context requires a major rethink of the prevailing counter-terrorism strategy, necessitating a more 'comprehensive, nuanced, and coordinated response at the local, national, and continental levels'. As argued by Amani Africa's [Special Report](#) on the topic, there is a need for a 'shift from a security first approach to an approach that is premised on the primacy of human-security centered political strategy'.



Indeed, these points are reflected in the communiqué adopted at the 1182<sup>nd</sup> session. The communiqué underscored the imperative of prioritizing political solutions alongside military and security interventions. It further emphasized the need for 'context-specific interventions' tailored to address specific security, governance, development and humanitarian needs of the affected countries and regions.

However, the AU has as yet to articulate a strategy on the deployment of non-security tools and the channeling of resources and technical support for enabling the emergence and functioning of local governance structures and the delivery of basic services. This is the next frontier in AU's policy intervention in this area and can be key aspect of the implementation of the PSC's decision on the establishment of an annual roundtable on alternative approaches to countering terrorism and preventing violent extremism.

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In light of the above context and recognizing the imperative of enhancing continental normative framework and institutional infrastructure to effectively address the menace of terrorism and violent extremism in Africa, PSC in this session also emphasized the need to implement the following specific initiatives:

- i. Expediting the establishment of the AU Ministerial Committee on Counter Terrorism (AUMCCT) and the operationalization of the African Counter-Terrorism Coordination Task Force (A2CTF), under the office of the AU Special Representative for Counter-terrorism Cooperation. It is to be recalled that the Malabo Declaration and Decision on Terrorism and Unconstitutional Change of Governments (UCGs) of the 16<sup>th</sup> extraordinary session of the Assembly, held in May at Malabo, Equatorial Guinea, recognized the need to establish an AU Ministerial Committee on Counter Terrorism to serve as a high-level coordination, monitoring, evaluation and follow up mechanism of the implementation of the commitments made in Malabo Declaration. PSC's Committee of Experts developed the ToR and the modalities on the functioning of the AUMCCT. The documents are expected to be submitted to the Executive Council for its consideration.
- ii. Full operationalization and activation of the PSC Sub-Committee on Counter-Terrorism; and the operationalize the AU Spe-



cial Fund on the Prevention and Combatting of Terrorism and Violent Extremism in Africa, pursuant to Decision [Assembly/AU/Dec.614(XXVII)] adopted by the 27th Ordinary Session of the AU Assembly held in July 2016, in Kigali, Rwanda.

- iii.** Reviewing the Continental Counterterrorism Framework, to ensure that it responds to the current manifestations and development of the threats of terrorism and violent extremism.
- iv.** Accelerating the change of name of the ACSRT to the African Union Counter Terrorism Centre (AUCTC), and the review of its status and structure with the aim to align the center with international bodies, and improve synergies and further enhance the efficiency of member states in the fight against terrorism and violent extremism. In this regard, the 36<sup>th</sup> ordinary session of the AU Assembly, held in February 2023, requested the Commission to undertake due process and report back to it. Subsequently, the revised status and proposed new structure have been developed.

PSC's relatively very detailed communique also draws attention to some emerging concerns with respect to the threat of terrorism in Africa. The first of this is the emphasis on protecting critical infrastructure from terrorist attacks. And in this respect, it tasked the ACSRT, working with others, 'to develop training programs on protection of soft targets and critical infrastructures, pursuant to UN Security Council Resolution 2341 (2007). The other is its endorsement of the use of 'dialogue and negotiations to facilitate voluntary surrender and rehabilitation of terrorists and extremists.' Additionally, it stressed 'the need to name and shame all those countries, entities and individuals supporting terrorist and violent extremist activities.'

### Key actionable decisions requiring follow-up

PSC requested the ACSRT to undertake the following tasks:

- Develop training programs on protection of soft targets and critical infrastructures, pursuant to UN Security Council Resolution 2341 (2007);
- Conduct field research for purposes of gather-

ing empirical evidence for policy response on the nexus between Transnational organized Crime (TNOC) and Terrorism;

- Assist Member States in the development of their Counter improvised explosive devices (IED) capabilities
- Enhance terrorism related information exchanges;
- Strengthen its Continental Counter-Terrorism Early Warning System and Situation Room;
- Facilitate accessibility of its database to National and Regional Focal Points;
- Develop a compendium of African national reconciliation best practices to be submitted for consideration by Council, as soon as possible;
- Institute an annual roundtable on the alternative approaches countering terrorism and preventing violent extremism, tapping into the expertise local actors; and
- Institute a continental capacity building program to counter the use of cyberspace for terrorism purposes.

## OTHER PSC ACTIVITIES DURING THE MONTH

In addition to the sessions, the Committee of Experts (CoE) of the PSC held a meeting on 2 October to prepare for the 8th Joint Informal Seminar and 17th Joint Annual Consultative Meeting between the PSC and UNSC. Furthermore, the CoE of the PSC met with their UNSC counterparts on 3 and 4 October to negotiate the draft outcome document of the 8th Joint Informal Seminar and 17th Joint Annual Consultative Meeting between the PSC and UNSC. Unlike previous years when the CoE of the PSC travelled to New York, this year marked the first time for the UNSC Working Group to travel to Addis Ababa. Additionally, the CoE convened for the preparations of the PSC Retreat planned for 21 to 23 November 2023 in Tunis, and the 10th Oran Process scheduled for 17 and 18 December 2023 in Oran, Algeria. Moreover, the Military Staff Committee held a meeting with the United Nations Military Staff Committee on 12 October 2023..

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## MEDIA AND RESEARCH SERVICES

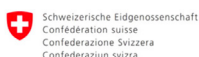
### ABOUT AMANI AFRICA

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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