

POLICY BRIEF

2024 ELECTIONS OF THE MEMBERS OF THE AFRICAN UNION PEACE AND SECURITY COUNCIL: OVERVIEW OF THE PROCESS AND CANDIDATES

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THE PROCESSES FOR 2024 ELECTIONS

30 March 2024 will mark the end of the mandate of 10 members of the African Union (AU) Peace and Security Council (PSC) who were elected for a two-year term in February 2022 during the AU summit. The ten members of the PSC departing the PSC are in the table below. Of the ten current members whose current term in the PSC ends, three of them, namely Tanzania, The Gambia and Uganda are seeking re-election.

Table 1: PSC Members whose 2-year term ends in March 2024

Region	PSC Members whose term end in 2024
Central Africa	Burundi and Congo
East Africa	Tanzania and Uganda
North Africa	Tunisia
Southern Africa	South Africa and Zimbabwe
West Africa	The Gambia, Ghana and Senegal

The process for the elections for taking over the 10 seats from the outgoing members of the PSC is in motion. The elections are scheduled to take place during the February 2024 AU summit starting mid of this coming week.

While original authority for the election of the members of the PSC is vested with the AU Assembly, it is to be recalled that the Assembly delegated its envisaged power to elect members to the Executive Council during its sixth Ordinary Session (Assembly/AU/Dec. 106(VI)).¹ One of the agenda items tabled for the 44th Ordinary Session of the Executive Council, to be held from 14 to 15 February 2024, will thus be the election of the 10 new or returning members who will serve in the PSC for the two-year term. Consistent with the stipulation of the PSC Protocol in Article 5, they will take their seats in the Council on 1 April 2024, joining the 5 three-year term members. The 10 elected

¹ (Assembly/AU/Dec. 106(VI)). (2006) https://papsrepository.africa-union.org/bitstream/handle/123456789/1523/6th.ordinary.session.2006_en.pdf?sequence=1&isAllowed=y

Members will be endorsed by the 37th Ordinary Session of the Assembly of the Union to be held from 17 to 18 February 2024.

The Protocol establishing the Peace and Security Council of the AU (PSC Protocol) and the Modalities for Election of PSC members adopted in 2004 remain the relevant instrument in outlining the procedure and requirements for the election of PSC members. Article 5(2) of the PSC protocol prescribes election of members to be conducted based on two sets of requirements. The first set involves the principles of 'equitable regional representation and rotation', which are premised on the sovereign equality of all States Parties to the PSC Protocol, hence the availability of membership to all States Parties to the PSC Protocol.² In line with this principle, Article 4 of the Modalities for the election of members of the PSC allocates two seats each for Central, East and South Africa for the two-year term seat, while North and West Africa are allocated with one and three seats, respectively for the two-year term seat.³

The process for this year's election kicked off following the note verbal from the AU Office of the Legal Counsel (OLC) sent to States parties to the PSC protocol notifying states of the schedule for PSC election and inviting them to submit candidacy for the election. On 22 November 2023, the OLC circulated a letter informing AU member states of the list of candidates for the election to the PSC submitted by various regions on the deadline of 30 October (and 13 November to the East Region). According to this list, 14 countries are candidates for the elections. These countries are depicted in the table below:

² Protocol Relating to the Establishment of the Peace and Security Council of the African Union. (July 2002). https://au.int/sites/default/files/treaties/37293-treaty-0024_-_protocol_relating_to_the_establishment_of_the_peace_and_security_council_of_the_african_union_e.pdf

³ EX/CL/78(IV),(2004). <https://www.peaceau.org/uploads/ex-cl-78-iv-e.pdf>

Candidates for the Two (2) Year Term of Office

Country	Region
Democratic Republic of Congo	Central
Equatorial Guinea	Central
Eritrea	Eastern
Ethiopia	Eastern
Tanzania	Eastern
Uganda	Eastern
Algeria	Northern
Egypt	Northern
Mauritania	Northern
Angola	Southern
Botswana	Southern
Côte d'Ivoire	Western
Sierra Leone	Western
The Gambia	Western

As this table makes it clear, the number of candidates is higher by four than the number of seats available. The number of candidates of three of the five regions, Central, Southern and West Africa, is the same as the number of seats for those regions. The candidates from these regions thus have clean slate. The mere fact that the candidates from these regions have clean slate does not automatically guarantee their membership in the PSC. Each of the candidates from these regions should garner two thirds majority vote of AU member states for securing their membership in the PSC. But the record of PSC elections suggests that there has been no instance in which AU member states did not confer the required majority to candidates running for PSC membership with clean slate. There are no indications that it would be any different for the elections to be held during the Executive Council session this week on 14-15 February.

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The other two regions, East and North Africa, have a higher number of candidates, by two each, than the number of seats available. While East Africa has four candidates for the two seats up for grabs, North Africa

has three candidates for the one seat. The election of these two regions is accordingly set to be competitive, although as discussed below ongoing negotiations among countries of the north could in the end reduce the number of candidates to one and hence removing competition for election against each other.

From the 14 candidates, 12 of them were previously elected to the PSC at least on two occasions.

The remaining two candidates namely, DRC and Eritrea, never had the opportunity of serving in the PSC. Of these two, DRC is the last AU member state that became qualified for election after becoming a state party to the PSC Protocol in 2022. It is the first time that it is standing for election since becoming qualified for membership in the PSC. On the other hand, Eritrea was a candidate for PSC membership on several occasions but never garnered the number of votes required for membership in the PSC. If these two countries garner the number of votes for election into the PSC, their membership will increase the number of States Parties to the PSC that served on the PSC to 43.

OVERVIEW OF THE CANDIDATES

From Central Africa's candidates, Equatorial Guinea was previously elected to the PSC three times. It has served on the PSC for a total of eight years. DRC had no previous membership history. Its election into the PSC would increase the number of States Parties from Central Africa to 7

These two countries will take the two seats for the region from Burundi and Congo. This change of guard may not change the dynamic of how PSC member states from this region pursue issues in the Central Africa region generally. Yet, the conflict in the Eastern DRC is the one peace and security situation of this region that is likely to witness change on how it is pursued by the countries of the region in the PSC on account of its PSC's membership.

From East Africa, Tanzania (elected three times previously and served in the PSC for a total of six years) and Uganda (elected five times previously and served in the PSC for a total of 11 years) are seeking renewal of their current mandate. Ethiopia (elected previously four times and served in the PSC for a total of 10) on its part is seeking to return to the PSC after two years of

absence. Eritrea is trying once again it's luck to have its first membership in the PSC after several attempts in previous elections. It is interesting to note that this is the region that implements regional rotation the least. The result is that six of the region's 14 states have never been elected to the PSC.

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Of all the four candidates from East Africa, Eritrea makes its case for election based on the principle of rotation. The others also find support in the PSC norms on account of their contributions to peace and security as troop contributing countries and hosts of mediation processes. Beyond that, what these candidates present is a choice between continuity and change.

By all indications, the election that is most anticipated is the election from this East Africa region. The dean of the East Africa region convened a meeting of the permanent representatives of East region in January to, among others, discuss candidacy to the PSC. This region was given more time for submission of candidacy and the meeting last month did not change the status of the number of candidates from the region. Discussions indicate that if it receives guarantee for support from the region to be a candidate with a clean slate for the PSC elections in 2025, Ethiopia is amendable for withdrawing from the current election. Considering the practice of this

region and the absence of an agreed framework in this region for regionally agreed candidacy or give-and-take bargaining, it is not clear that countries will give any such assurance.

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The North Africa region has fielded two more candidates than the one seat available to the region. Thus, like the East Africa region, this is the region that will witness competition for election to the PSC when elections are held during the 44th ordinary session of the Executive Council on 14-15 February.

Algeria, Egypt and Mauritania are the three states vying for the North Africa seat currently occupied by Tunisia, which is not seeking renewal of its current mandate. Algeria (elected four times previously and served a total of 14 years in the PSC) and Egypt (elected four times previously and served a total of 9 years in the PSC) are seeking to return to the PSC after two years of absence. Mauritania (elected only once previously and served a total of two years in the PSC) is returning to the PSC after 12 years of absence. Considering the agreement reached among the countries of North Africa on 9 February that Mauritania take the mantle of chairing the AU for 2024, Mauritania circulated a note verbale indicating the withdrawal of its candidacy for PSC election. Discussions continue between Algeria and Egypt to avoid facing a vote against each other. Amani Africa learned that the two countries will agree on having either one of them on the ballot. Indications are that Egypt may receive Algeria's support to go for the election on a clean slate.

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For the Southern Africa region, which is known for strictly adhering to the principle of rotation, the two candidates on the ballot (Angola and Botswana) are running on a clean slate. Angola (elected twice previously and served a total of four years) is seeking to return to the PSC after four years of absence. The last time it was elected into the PSC in 2018, it garnered 48 votes, which was far more than the required majority. Botswana (elected twice previously and served a total of 4 years) was elected to the PSC last in 2016.

Next to Southern Africa, the region with the most predictable and regionally negotiated rotation of candidacy for membership in the PSC is West Africa. As has been the case in the past many PSC elections, the three candidates from West Africa are running on a clean slate. The Gambia (elected three times previously and served in the PSC for six years) is running for renewal of its current mandate.

Sierra Leone (elected twice previously and served in the PSC for 4 years) is seeking to return to the PSC after four years of absence. With the departure of Ghana from the PSC coinciding with Ghana's conclusion of membership in the UN Security Council (UNSC), the election of Sierra Leone to the PSC will enable the PSC to have one of its members in the UNSC, which can contribute to enhanced coordination between the PSC and the African three members of the UNSC plus one (A3plus1) who play the role of projecting PSC's position in the UNSC.

Cote d'Ivoire (elected twice previously and served in the PSC for a total of four years) is the other candidate of the West Africa region seeking to return to the PSC after a decade of absence from the PSC. Considering the strong stance that Cote d'Ivoire took regarding the coup in Niger including in pushing for military action, its membership in the PSC may bring a new dynamic on how issues in the Sahel are dealt with.

Apart from the requirements of rotation and regional representation that guide the candidacy and process of election to the PSC, Article 5(2) of the PSC Protocol further sets out a list of criteria that should be taken into account during the election, in addition to the requirement of 'equitable regional representation and rotation'.⁴ These include a commitment to uphold the principles of the African Union; contribution to the promotion and maintenance of peace and security in Africa; provision of capacity and commitment to shoulder the responsibilities entailed in membership; respect for constitutional governance, the rule of law and human rights; and the availability of a sufficiently staffed and equipped Permanent Mission at the AU and the UN.⁵

⁴ Protocol Relating to the Establishment of the Peace and Security Council of the African Union. (July 2002). https://au.int/sites/default/files/treaties/37293-treaty-0024_-_protocol_relating_to_the_establishment_of_the_peace_and_security_council_of_the_african_union_e.pdf

⁵ Ibid

In practice, the criteria of Article 5(2) do not inform decision-making in the election of members of the PSC. While this has made PSC membership more egalitarian than based on assessment of compliance with the above listed criteria, this has not been without consequences to effective membership in the PSC. Most notably, the lack of enforcement of the criterion of possession of adequately staffed capable permanent missions continues to have an impact on the effectiveness of the PSC. As the Council can be only as strong as its members, the capacity of candidates to effectively discharge the responsibility that membership entails needs to be taken seriously if the PSC is to live up to the responsibilities entrusted to it under the PSC Protocol.

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SIZE OF THE MEMBERS OF THE PSC IS NOT A NECESSARY SIGNIFIER OF EFFECTIVENESS

Other than the inevitable re-election of The Gambia and the possible re-election of either one or both of Tanzania and Uganda into the PSC, the upcoming election will bring in seven to nine new members of the PSC. This is going to change the face of the PSC significantly.



The face of the 2022-2024 members of the PSC

The exit of Burundi and Congo and their replacement by DRC and Equatorial will not be without consequences for the PSC. Burundi was one of the dynamic outgoing members of the PSC. Burundi's now ending tenure in the PSC is one of the notably consequential ones. It was during Burundi's Chairship

of the PSC that the Council slapped two countries with suspension for unconstitutional changes of government in one calendar month for the first time in its history.

Burundi was the key player in overcoming the major division that the PSC faced on how to respond to the June 2023 coup in Niger on account of the push from ECOWAS for a kind of policy response that lacked support from most members of the PSC outside of the ECOWAS region. It is far from certain that the new members would be as dynamic and play the kind of role that Burundi played.

At least until they get the hang of how the PSC works and depending on the personality of the head of mission, DRC and Equatorial Guinea are likely to follow the lead of other members of the PSC particularly on files outside of their region.

How the election of members of East Africa affects the PSC would depend on whether it would lead to the re-election of Tanzania and/or Uganda or the election of Eritrea and Ethiopia.

In terms of the election from North Africa, the arrival of either one of the two North African countries to the PSC will be consequential. Given the rivalry between Algeria and Morocco, if Algeria were to be the one elected to the PSC, other members of the PSC would need to play a robust moderating role to avoid the PSC from being caught in the tussle between the two rivals. On the other hand, if, as becoming increasingly likely, Egypt gets elected to the PSC, the PSC will end up having two heavyweights of the North region as its members. As in the past, apart from exercising heavy influence in the PSC, Egypt also pays particular attention to the working methods of the PSC as well. It has been a champion of the idea that PSC members have to be on the driving seat including in holding the pen.

The departure of South Africa from the PSC will not also be without consequences for intra-PSC dynamics. South Africa, apart from the weight it carries in the AU writ large, was key in advancing the idea that the PSC has to spend its limited resources in dealing with conflict situations and much less on general thematic agendas. On this, it sought to lead by example during its chairship of the PSC in February 2023.

Last time Sierra Leone was a member of the PSC, it demonstrated its impact when it chaired the PSC in June 2019. This was most notably reflected in its leadership of the PSC to uphold the PSC Protocol in adopting a decision that led to the suspension of Sudan from the AU after the 3 June 2019 massacre and the failure of the military junta to make progress toward the establishment of a civilian-led transition in Sudan. Admittedly, this was mostly a function of the leadership responsibility that the mission head took at that particular time in point, rather than being a manifestation of institutional policy. Apart from its unique position as a member of both the PSC and the UNSC, how Sierra Leone pursues its membership in the PSC would thus depend also a lot on the leadership of its mission to the AU.

The renewal of the current mandate of The Gambia is indicative of the support the country has from the West Africa region. Its continued membership in the PSC, together with Nigeria, a de facto permanent member of the PSC, will maintain a degree of continuity in the PSC.

As the experience of various current and previous members, as we noted Burundi's current membership, attests, influence in the PSC does not always depend on the size of a country. The current membership of The Gambia illustrates that influence in the PSC also depends on the leadership skills and dynamism of the Permanent Representative of a member state of the AU and the quality and level of organization of the team of the mission. Apart from serving as co-chairperson of the African Platform on Children Affected by Conflict, The Gambia was more strategic than performative in its choice of issues during its chairship of the PSC, including in facilitating responsible consideration of conflict situations in the PSC (see Amani Africa Monthly Digest on the PSC for the months when The Gambia was chairperson of the PSC).⁶

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⁶ Monthly Digest on the African Union Peace and Security Council. (December 2023). Amani Africa. <https://amaniafrica-et.org/monthly-digest-on-the-african-union-peace-and-security-council-december-2023/>

Irrespective of how the elections would unfold, it is very certain that the PSC's current composition would significantly change. This is sure to be also reflected in the PSC dynamics.



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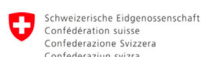
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We support the pan-African dream of peaceful, prosperous and integrated Africa through research, training, strategic communications, technical advisory services, and convening and facilitation.

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