

SPECIAL RESEARCH REPORT

THE AFRICAN UNION PEACE AND SECURITY COUNCIL AT 20: FROM A PROMISING PAST AND A CHALLENGED PRESENT TO A LESS CERTAIN FUTURE?

AMANI AFRICA

Media and Research Services

**M A Y
2 0 2 4**

AMANI AFRICA REPORT NO. 20



TABLE OF CONTENTS

1.	INTRODUCTION.....	1
2.	TAKING STOCK OF THE IMPLEMENTATION OF THE PSC PROTOCOL.....	2
2.1.	Conflict prevention.....	2
2.2.	Conflict management and resolution.....	6
2.3.	Post-Conflict Reconstruction and Development (PCRD).....	10
2.4.	Promotion of Democracy, Good Governance, and Human Rights.....	11
2.5.	Humanitarian action.....	13
2.6.	The Peace Fund.....	13
2.7.	Meetings of the PSC.....	13
2.8.	Relations with other bodies.....	15
3.	ASPECTS OF THE PSC PROTOCOL REQUIRING FURTHER ATTENTION.....	18
3.1.	PSC has become a ‘firefighter’, prioritizing conflict management and resolution over prevention.....	18
3.2.	Inadequate use of diplomacy as the primary instrument for promotion of peace and security in Africa.....	20
3.3.	AU’s inability to deploy peace operations creating a dangerous vacuum being filled by ad hoc, regional and bilateral security arrangements.....	21
3.4.	PSC and RECs/RMs are not aligning efforts adequately.....	21
3.5.	Inconsistent and lackluster application of AU’s anti-coup norm and its eroding deterrence effect.....	23
3.6.	Lack of follow-up to the decisions of the PSC is undermining its credibility.....	23
3.7.	The need for expanding the space for and engagement of CSOs.....	24
4.	CONCLUSION AND RECOMMENDATIONS.....	25
4.1.	Conclusion.....	25
4.2.	Recommendations.....	25

1. INTRODUCTION

On 25 May 2024, the African Union (AU) Peace and Security Council (PSC) will mark its 20th anniversary since its official launch. Comprising 15 elected Members, the PSC was established to serve as the AU's standing decision-making organ for the prevention, management and resolution of conflicts. The Protocol Relating to the Establishment of the Peace and Security Council of the African Union (the PSC Protocol), which established the PSC, was adopted at the inaugural Ordinary Session of the Assembly of the Union in July 2002, held in Durban, South Africa. The PSC Protocol came into force in December 2003 following the deposit of the instruments of ratification by 27 Member States.

The PSC went operational on 16 March 2004, with its inaugural session convened at the Ministerial level and attended by the first 15 elected Members of the PSC¹. One outcome of this inaugural session was its recommendation for a solemn ceremony to officially launch the PSC on Africa Day, 25 May 2004, bearing in mind the 'symbolism of that date and its importance to Africa.'² Accordingly, the PSC was officially launched at the meeting of heads of state and government of the PSC on 25 May 2004. During the official launch in May 2004, the operationalization of the PSC marked, in the ambitious if not

¹ The first 15 Members of the PSC were: Algeria, Ethiopia, Gabon, Nigeria and South Africa (for a three-year term) and Cameroon, Congo, Ghana, Kenya, Lesotho, Libya, Mozambique, Senegal, Sudan and Togo (for a two-year term).

² See the Report of the first meeting of the PSC at the level of Ministers (PSC/MIN/Rpt (I)), held on 16 March 2004, available on: <https://amani africa-et.org/wp-content/uploads/REPORT-OF-THE-FIRST-MEETING-OF-THE-PEACE-AND-SECURITY-COUNCIL-PSC-AT-THE-LEVEL-OF-MINISTERS.pdf>

unrealistic assessment of those African states, 'an historic watershed in Africa's progress towards resolving its conflicts and the building of a durable peace and security order.' This is another way of saying that the PSC represents the institutional expression of what Ali Mazrui called *pax Africana*—a peace protected and maintained through the exertion of Africa.³

As part of the commemoration of its 20th anniversary, the PSC, among others, convenes an open stocktaking session on the implementation of the PSC Protocol, and a summit-level meeting focusing on the theme of '20 years of the AU PSC as a Standing Decision-Making Organ: The Next 2 Decades of the Peace and Security We Want in Africa.' These sessions offer the PSC the opportunity to step back and critically reflect on its performance and explore ways of making the Council fit for purpose in the changing security landscape.

As the analysis below illustrates, while a lot of progress has been registered towards the realization of the promising potential of the PSC, at this moment of major changes in the world and the peace and security dynamics of the continent, the PSC is challenged and faces a less certain future than it did in the past 20 years.⁴ This

³ See for more on this Solomon Ayele Dersso, *The quest for pax Africana: The case of the AU peace and security regime*, 2012 *African Journal of Conflict Resolution* 12(2).

⁴ In his address to the AU Assembly in February 2024, the AU Commission Chairperson was blunt in how far the PSC's present is challenged noting that 'the recurring decisions of the PSC, ignored and violated, have become unimportant, without impact.' Speech of H.E Moussa Faki Mahamat Chairperson of the African Union Commission Thirty Seventh Ordinary Session of the Assembly of the African Union (17 February 2024), available on: <https://shorturl.at/fnxDR>

special research report is put together to enrich and critically complement the policy debates on the lessons from the 20 years journey of the PSC and how the PSC can position itself effectively for the coming decades, fulfilling its envisaged role as the central body for promoting peace, security and stability in Africa—in other words, for realizing *pax-Africana*.

2. TAKING STOCK OF THE IMPLEMENTATION OF THE PSC PROTOCOL

The PSC Protocol consists of 22 Articles, covering a broad spectrum of issues. These include delineating the mandate, powers and functions of the PSC, defining its composition and decision-making processes, establishing support structures known as the African Peace and Security Architecture (APSA) for effective mandate execution, and outlining its relationship with entities such as the United Nations Security Council (UNSC), regional mechanisms (RECs/RMs) and Civil Society Organizations (CSOs). In this section, the special research report examines key provisions of the Protocol and highlights the practical application and achievements made in their implementation over the past two decades.

2.1. Conflict prevention

One of the key objectives of the PSC Protocol is the anticipation and prevention of conflicts, as stipulated in Article 3 of the Protocol. Article 2(1) of the Protocol envisages that the Council shall be ‘a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.’ It is tasked with

initiating early response to contain crisis situations, thereby preventing them from escalating into full-blown conflicts.⁵ Moreover, it is vested with the power to ‘anticipate and prevent disputes and conflicts, as well as policies that may lead to genocide and crimes against humanity.’⁶

To effectively fulfill this prevention mandate, the PSC may engage in ‘early warning and preventive diplomacy’, leveraging range of tools at its disposal. These may include collective intervention by the Council itself or through its Chairperson and/or the Chairperson of the Commission, the Panel of the Wise, and/or in collaboration with the regional mechanisms.⁷ The Protocol also highlights the roles of the Chairperson of the Commission (Article 10(2)), the Panel of the Wise (Article 11), and the African Standby Force (Article 13(3d)) in conflict prevention. Importantly, Article 12 of the PSC Protocol establishes a dedicated mechanism for conflict anticipation and prevention within the APSA, known as the Continental Early Warning System (CEWS). Its main objective is to collect and analyze relevant data for providing timely advice on potential conflicts and threats to peace and security in the continent to enable the development of appropriate response strategies.

The Continental Early Warning System:

The CEWS comprises an observation and monitoring center known as the ‘Situation Room’, along with the observation and monitoring units of the regional mechanisms, all directly connected to this central hub. As part of the operationalization efforts, a framework

⁵ Article 4(b) of the PSC Protocol.

⁶ Article 7(1a) of the PSC Protocol.

⁷ Article 6(b) and Article 9(2) of the PSC Protocol.

for operationalizing the CEWS was developed in 2006, further strengthened by the signing of a Memorandum of Understanding between the AU and regional mechanisms, intended to enhance AU's cooperation with other regional early warning and response mechanisms. Housed within the Conflict Prevention and Early Warning Division at the AU headquarters, the Situation Room has been equipped with technological infrastructure and technical experts for data collection and analysis. Apart from the technical and infrastructural development it achieved for its operationalization, the CEWS has developed analytical frameworks and various early warning products tailored to various levels of decision-makers with a range of options for action.⁸

A Continental Structural Conflict Prevention Framework (CSCPF) has also been developed to identify and address structural weaknesses that have the potential to escalate into violent conflicts if left unaddressed. The Country Structural Vulnerability Resilience Assessment (CSVRA) and Country Structural Vulnerability Mitigation Strategies (CSVMS) serve as pivotal tools within this framework.⁹ Despite slow political buy-in among Member States and inadequate attention from the Commission in recent years, some countries such as Ghana,

Cote d'Ivoire, and Zambia volunteered and undertook the CSVRA, while others, including Seychelles, Madagascar, and Mauritius, have expressed interest in engaging in the process.¹⁰

Horizon-Scanning Briefings: To reinforce preventive diplomacy and advance the overarching goal of conflict prevention on the continent, the PSC, at its 360th session in March 2013, agreed to receive periodic updates, at least once every six months, on the state of peace and security on the continent, using horizon scanning approaches and on the basis of updates provided by the CEWS and other relevant actors. While the horizon-scanning briefings were initially intended to provide early warning analysis on emerging or deteriorating conflict or crisis situations, they have primarily focused on updates regarding the development and operationalization of the CEWS, as well as discussions on the overall state of peace and security on the continent.¹¹ Notably, discussions around security threats such as terrorism and violent extremism, unconstitutional changes of government and climate change have dominated such briefings.¹² The next phase in the effective deployment of CEWS is ensuring its reinstatement as envisaged in the PSC Protocol and implementing a protocol for sharing early warning to the AU

8 See Amani Africa, *The African Union Peace and Security Council Handbook: Guide on the Council's Procedure, Practice and Traditions (2023)*; International Peace Institute, 'Preventing Conflicts in Africa: Early Warning and Response' (August 2012); Institute for Security Studies, 'Should the Old Continental Early Warning System be Restored?' (15 April 2024).

9 CSVRA is designed to facilitate the early-stage identification of a country's structural vulnerability to conflict, while CSVMS focuses on implementing strategic and medium- to long-term measures aimed at mitigating these vulnerabilities and fostering resilience.

10 Amani Africa, *Insights on the PSC, 'Consideration of the Status Report on the Implementation of the Continental Structural Conflict Prevention Framework'* (1 March 2023), available on: <https://amaniafrica-et.org/consideration-of-the-status-report-on-the-implementation-of-the-continental-structural-conflict-prevention-framework/>

11 Amani Africa's PSC Handbook (2023), pp.1144-5

12 Amani Africa, 'Unlocking the Obstacles to effective Continental Early Warning System', *Insights on the PSC* (15 April 2024), available on: <https://amaniafrica-et.org/unlocking-the-obstacles-to-effective-continental-early-warning-system-cews/>

Commission Chairperson and the PSC dedicated to specific country or regional situations. Not any less important is ensuring the timely crafting and activation of early action.

Preventive diplomacy: There can be no effective conflict prevention where early warning is not accompanied by and does not trigger follow-up preventive action. Cognizant of the imperative of preventive action, the PSC Protocol articulated avenues for preventive diplomacy. Article 9 enjoins the PSC to ‘take initiatives and action it deems appropriate with regard to situations of potential conflict’. It is remarkable to note that the Protocol sought to facilitate the implementation of this mandate of the PSC by outlining a menu of options for effecting such ‘initiatives and action’. Thus, it is incumbent on the PSC to determine whether to pursue such ‘initiatives and action’ through a) collective intervention of the Council as a whole, b) its Chairperson, c) the Chairperson of the AU Commission, d) the Panel of the Wise, e) in collaboration with a regional mechanism. As such, the collective intervention of the PSC—whether through a) having a matter on the agenda of the PSC, b) considering such matter in an informal consultation, or c) undertaking a field mission—is only one of the range of options available for preventive action.

“the collective intervention of the PSC—whether through a) having a matter on the agenda of the PSC, b) considering such matter in an informal consultation, or c) undertaking a field mission—is only one of the range of options available for preventive action.”

An interesting instance of effective preventive diplomacy in the context

of fragile elections unfolded during the August 2021 Zambia’s elections. Diplomatic efforts by former Sierra Leone President Ernest Bai Koroma, acting in his capacity as the head of AU Observer mission, alongside other influential figures, contributed to averting imminent post-election violence, thus playing critical role in facilitating the peaceful transfer of power in the country.¹³ The Panel of the Wise, which paid particular attention to electoral conflicts, also demonstrated the importance of preventive action in Guinea, where diplomatic intervention by the Panel and the regional bloc, ECOWAS, prevented the 2010 elections from evolving into a deadly violence.¹⁴

On its part, the PSC used its collective intervention as means of conflict prevention instrument by a) outlining and implementing a roadmap for averting the descent of South Sudan and Sudan into full-fledged war following incident over the Heglig oilfields in the communique of its 319th session b) undertaking field mission for averting a brewing political crisis in Guinea Bissau from blowing up into political violence in 2019 and c) putting the maritime boundary dispute between Somalia and Kenya (September 2019) and the tension between Somalia and Ethiopia (triggered by the MoU signed between Ethiopia and Somaliland) formally on its agenda and convening sessions on both in September 2019 and January 2024, respectively.

“On its part, the PSC used its collective intervention as means of conflict prevention instrument by a) outlining and implementing a roadmap for averting the descent of South Sudan and Sudan into full-fledged war following

¹³ Amani Africa’s PSC Handbook (2023), p.145.

¹⁴ Ibid, p.147.

incident over the Heglig oilfields in the communique of its 319th session b) undertaking field mission for averting a brewing political crisis in Guinea Bissau from blowing up into political violence in 2019 and c) putting the maritime boundary dispute between Somalia and Kenya (September 2019) and the tension between Somalia and Ethiopia (triggered by the MoU signed between Ethiopia and Somaliland) formally on its agenda and convening sessions on both in September 2019 and January 2024, respectively.”

The Panel of the Wise: This is AU’s principal preventive diplomacy mechanism. Composed of five African eminent personalities, the Panel of the Wise is the other APSA pillar established to support the efforts of the PSC and the Chairperson of the Commission, particularly in the area of conflict prevention, as highlighted under Article 11 of the Protocol. Since its operationalization in 2007, the Panel undertook various missions to countries with potential risks of crises particularly in the context of elections. With the aim to regularize its engagement with the Panel, the PSC, at its 665th session in March 2017, decided to receive quarterly briefings from the Panel, though this has not been followed-up. In 2023, the Panel conducted missions to various countries, including Chad, Central African Republic, and South Sudan to evaluate the political and security situations in the respective countries. However, there is a growing trend within the PSC to expand the Panel’s mandate beyond prevention, notably involving it in the implementation of peace agreements, mediation efforts, and supporting countries undergoing political transitions. This tendency, described as ‘spreading the Panel’s role too wide,’ raises concern

about potentially compromising its effectiveness.¹⁵ Despite the progress made in its operationalization, the Panel of the Wise’s role in the implementation of its core mandate—preventive diplomacy—remains a work in progress at best, a potential yet to be realized optimally.¹⁶

Preventive deployments: In December 2015, during its 565th session, the PSC made a landmark decision to authorize the deployment of the African Prevention and Protection Mission in Burundi (MAPROBU), comprising 5,000 personnel initially, for the duration of six months.¹⁷ One of the mandates of the Mission was to prevent the deterioration of the security situation in Burundi, which the Council believed to pose a risk of degenerating into widespread violence. This marked the first instance where the Council asserted the will to exercise its authority in invoking Article 4(h) of the Constitutive Act for averting risks of mass atrocities. Although the deployment did not materialize as the AU Assembly reversed the decision, the 17 December 2015 PSC decision to deploy MAPROBU under Article 4 (h) of the Constitutive Act contributed to the de-escalation of the situation in Burundi.¹⁸

¹⁵ Solomon Dersso and Previne Habu, *Ideas Indaba, ‘Making the Panel of the Wise fit for Purpose Critical for Effectively Delivering on AU’s Preventive Diplomacy Role’* (9 May 2024), available on: <https://amani africa-et.org/making-the-panel-of-the-wise-fit-for-purpose-critical-for-effectively-delivering-on-aus-preventive-diplomacy-role/>

¹⁶ *Ibid.*

¹⁷ See PSC Communiqué adopted at its 565th session, held on 17 December 2015, available on: <https://www.peaceau.org/uploads/psc-565-comm-burundi-17-12-2015.pdf>

¹⁸ Paul D Williams, *The AU’s less coercive diplomacy in Burundi*, IPI Global Observatory, (16 February 2016); Solomon A. Dersso, *To intervene or not: An inside view of the AU’s decision-making on Article 4(h) and Burundi*, World Peace Foundation, (March 2016).

“Although the deployment did not materialize as the AU Assembly reversed the decision, the 17 December 2015 PSC decision to deploy MAPROBU under Article 4 (h) of the Constitutive Act contributed to the de-escalation of the situation in Burundi.”

In addition, within the context of the situation in Burundi, the PSC deployed Human Rights Observers and Military Experts Mission in July 2015, marking the first instance of the Council utilizing such a tool as part of its efforts to prevent escalation of violence and facilitate the resolution of unfolding crisis in the country.¹⁹

2.2. Conflict management and resolution

Within the framework of its conflict management and resolution mandate, the PSC Protocol empowers the Council to undertake peace-making such as the use of good offices, mediation, conciliation and enquiry and to mount peace support operations.²⁰

¹⁹ The human rights observers and military experts mission was authorized by the PSC during its 515th session held on 13 June 2015 and the first deployment of the mission took place in July 2015. The human rights observers were mandated to monitor the human rights situation on the ground and report on the possible violations of human rights and humanitarian law, whereas the mandate of the military experts was to support and verify the disarmament of militias and other armed groups. The PSC ended the mandate of the mission during its 993rd session, convened in April 2021. For more details on the mission, see Amani Africa’s ‘insights on the PSC’ on the AU Human Rights Observers and Military Experts to the Republic of Burundi, available on: <https://amani-africa-et.org/discussion-on-the-au-human-rights-observers-and-military-experts-to-the-republic-of-burundi/>

²⁰ Article 6(c) of the PSC Protocol.

“Within the framework of its conflict management and resolution mandate, the PSC Protocol empowers the Council to undertake peace-making such as the use of good offices, mediation, conciliation and enquiry and to mount peace support operations.”

The PSC or the Chairperson of the Commission may discharge their peace-keeping and mediation mandate through the deployment of ad hoc committees, special envoys, special representatives, the Panel of the Wise or the regional mechanisms, among others.²¹ These tools have been leveraged in different conflict and crises situations, engaging in shuttle diplomacy, mediation, dialogue facilitation, ceasefire negotiation, and peace agreement implementation. In addition to the peace-making and mediation mandate, the PSC is also empowered to authorize the deployment of peace support operations (PSOs).²² Over the past two decades, almost all of these tools have been employed to address conflict or crisis situations.

Ad hoc committee: High-Level ad hoc Committees have been constituted by the Chairperson of the Commission in various contexts such as in Cote d’Ivoire following the violently disputed 2010 elections, and in Libya after the country plunged into civil war in 2011. The most recent and active ad hoc committee is the one on South Sudan, often referred to as the C5, which was established in 2015 to support the IGAD-led mediation efforts and South Sudan in its search for durable peace.²³

²¹ Article 8(5) and Article 10(2c) of the PSC protocol.

²² Article 7(1c) of the PSC protocol.

²³ The ad hoc committee on South Sudan comprises five countries from each regions of the continent. These are: South Africa, Algeria, Chad, Nigeria and Rwanda.

High Level Panel: The PSC established a High-Level Panel for Darfur (AUPD) in 2008 to examine the situation in Darfur and recommend to the AU on the issue of accountability. In 2013, a High-Level Panel for Egypt was also formed following the military overthrow of the democratically elected President Mohamed Morsi. An AU High Level Implementation Panel on Sudan and South Sudan (AUHIP) was also established in 2009 with the mandate to assist the implementation of the recommendations of the High-Level Panel on Darfur, as well as to assist the Sudanese parties in the implementation of the Comprehensive Peace Agreement (CPA). The AUHIP, which established the template of a high-level panel as an African model for peacemaking and mediation, played instrumental role in facilitating negotiations on outstanding CPA matters and post-secession relations between the two parties.

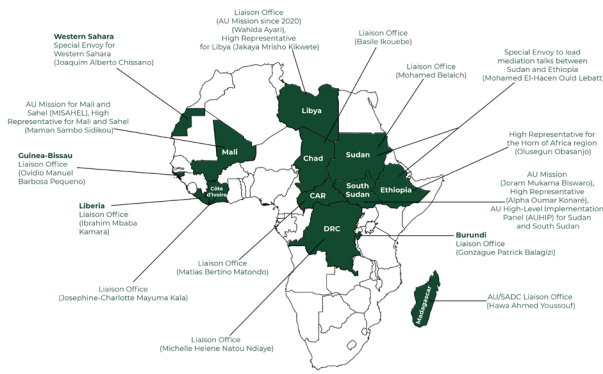
“The AUHIP, which established the template of a high-level panel as an African model for peacemaking and mediation, played instrumental role in facilitating negotiations on outstanding CPA matters and post-secession relations between the two parties.”

This continues to be used in respect to recent conflicts as illustrated by the High-Level Panel that was established in October 2022 to spearhead the peace process in Ethiopia, ultimately contributing to the facilitation of the signing of the Permanent Cessation of Hostilities between the federal government and Tigray People’s Liberation Front (TPLF) on 2 November 2022. This Agreement ended the two year most deadly war in northern part of the country. The most recent High-Level Panel is the one on Sudan, established by the Chairperson of the Commission

in January 2024 with the task of working with all Sudanese stakeholders and regional and global actors to ensure ‘an all-inclusive process towards the swift restoration of peace, constitutional order and stability in Sudan.’

High Representative, Special Representative and Special Envoy:

As provided under Article 10(2c) of the PSC Protocol, the Chairperson of the Commission may appoint special envoys, special representatives, or utilize other mechanisms to address conflicts or crises situations. Within this framework, the Chairperson has deployed a number of high representatives (mostly senior former ministers or heads of state), special envoys (individuals with strong expertise or extensive diplomatic experience, although not necessarily former senior government officials), and special representatives (often designated to head PSOs or liaison offices) in different situations, as indicated in the map below. While some remain actively engaged, the status of others’ mandates remains unclear. Notably, following the ouster of President Omar al-Bashir in 2019, AU, through its special envoy, contributed in brokering a power-sharing deal in Sudan between the civilian and the military components, leading to the establishment of a transitional government, although the military used its continued domination of the transition to orchestrate another coup in October 2021 that not only unraveled Sudan’s transition but also paved the way for the eruption of a new war in Sudan in April 2023.



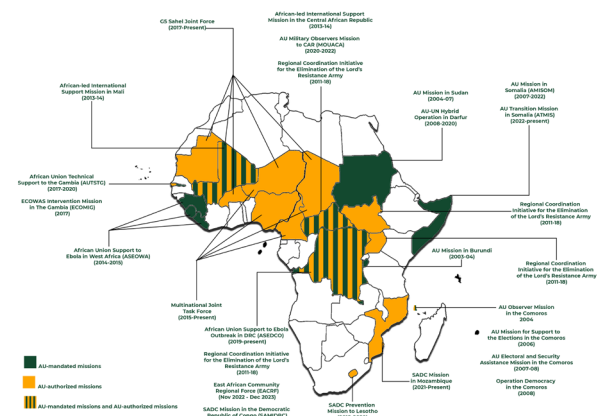
High Representatives and Special Envoys deployed by the Chairperson of the Commission

Peace Support Operations (PSOs): PSOs are one of the key APSA instruments, employed by the PSC to discharge its mandate in conflict prevention, management and resolution, and peacebuilding. As documented by Amani Africa in its AUPSC Handbook, the AU/PSC has mandated, authorized or endorsed around 23 PSOs between 2003 and May 2024.²⁴ These PSOs have been deployed either by the AU itself, regional mechanisms, or ad hoc coalitions of states, undertaking a wide range of roles including ceasefire monitoring, stabilization, counter-terrorism, peacebuilding, electoral observation, and humanitarian mission.²⁵

The first PSO authorized and deployed by the AU before PSC became operational was the AU Mission to Burundi (AMIB) in 2003 with the mandate to monitor and verify the implementation of the 7 October and 2 December 2002 Ceasefire Agreements, facilitate and provide technical assistance to the Disarmament, Demobilization and Reintegration (DDR) process.²⁶ In an unprecedented move in the history of the AU, in August 2014 at its 450th session, the PSC also authorized the deployment of an AU-led Military and Civilian Humanitarian Mission, comprising medical doctors, nurses and other medical and paramedical personnel, as well as military personnel to address the Ebola outbreak in West Africa.

“In an unprecedented move in the history of the AU, in August 2014 at its 450th session, the PSC also authorized the deployment of an AU-led Military and Civilian Humanitarian Mission, comprising medical doctors, nurses and other medical and paramedical personnel, as well as military personnel to address the Ebola outbreak in West Africa.”

Since 2007, the AU has been running the African Union Mission in Somalia (AMISOM), later reconfigured as the African Union Transition Mission in Somalia (ATMIS) in March 2022—a mission that stands as the Union’s ‘longest, largest, most expensive, and deadliest peace operation’ to date.²⁷ Despite ongoing



List of AU mandated or authorized PSOs deployed since its launch in 2002 (Source: Amani Africa’s PSC Handbook (2023)).

²⁶ AMIB was mandated by the 91st ordinary session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution on 2 April 2003. The communiqué adopted during this session is available on: <https://www.peaceau.org/uploads/comapr03.pdf>

²⁷ Paul D. Williams, Lessons for “Partnership Peacekeeping” from African Union Mission in Somalia (October 2019), available on: https://www.ipinst.org/wp-content/uploads/2019/10/1910_Lessons-from-AMISOM.pdf

²⁴ Amani Africa’s PSC Handbook (2023), pp.164-5.

²⁵ Ibid, p.164.

security threats from Al-Shabaab, the sacrifices made by the mission's troops have played indispensable role in restoring relative calm in Somalia, paving the way for the country to pursue its state-building process.

African Standby Force (ASF): Article 13 of the PSC Protocol outlines the establishment of the ASF as one of the APSA pillars. The ASF, as the peacekeeping and intervention outfit of the AU, is established under the PSC Protocol and is envisaged under the Protocol to be deployed in pursuit of a decision of the PSC for the promotion of peace and security.²⁸ A great deal of effort and investment went in to developing the institutional components, relevant policy and technical tools and the operational processes of the ASF for the past 20 years. In December 2020, the 14th extraordinary session of the Assembly on Silencing the Guns declared ASF's full operationalization and directed the PSC to utilize its framework in mandating and authorizing AU PSOs. In line with this, the PSC, at its 1129th session in December 2022, directed the AU Commission to 'utilize the ASF framework in mandating, implementation, management, and oversight of all AU PSOs.' Despite the declaration of its operationalization and the clear direction of the PSC to undertake all PSOs within the ASF framework, the practical application of an AU deployment of the ASF capabilities has remained elusive. Given the level of operationalization the ASF achieved, the best option for the AU is to deploy

²⁸ Amani Africa, *insights on the PSC, 'Briefing on Status of implementation of the Common African Defence and Security Policy and the Operationalization of the African Standby Force (ASF)'* (22 June 2023), available on: <https://amaniafrica-et.org/briefing-on-status-of-implementation-of-the-common-african-defence-and-security-policy-and-the-operationalization-of-the-african-standby-force-asf/>

peace support operations using the ASF normative and doctrinal framework rather than chasing what appears to be an impossible quest for a deployment of the ASF as conceived in the ASF concept.

"Given the level of operationalization the ASF achieved, the best option for the AU is to deploy peace support operations using the ASF normative and doctrinal framework rather than chasing what appears to be an impossible quest for a deployment of the ASF as conceived in the ASF concept."

Investigations: One of the functions provided to the PSC specified under Article 6 of the Protocol is enquiry. There are instances, albeit few, where the PSC exercised this mandate in conflict settings, using different modalities. The first of such instances is the establishment of the AU High-Level Panel on Darfur, in line with the decision of PSC's 142nd session in July 2008, to examine the issues of peace, justice, accountability, impunity and reconciliation in Darfur. The Panel, chaired by former South African President Thabo Mbeki, submitted its extensive report to the PSC in October 2009, providing a thorough roadmap on how best the interrelated issues of peace, justice, reconciliation and healing could be addressed in Darfur.²⁹

The other instance where the PSC deployed investigation mission as a conflict management and resolution tool was the establishment of a Commission of Inquiry to investigate the human rights violations and other abuses committed

²⁹ See the full report of the High-Level Panel entitled 'Darfur: the Quest for Peace, Justice and Reconciliation (October 2009), available on: <https://reliefweb.int/report/sudan/sudan-darfur-quest-peace-justice-and-reconciliation-report-african-union-high-level>

during the armed conflict in South Sudan and make recommendations on best ways of ensuring accountability, reconciliation and healing.³⁰

“The other instance where the PSC deployed investigation mission as a conflict management and resolution tool was the establishment of a Commission of Inquiry to investigate the human rights violations and other abuses committed during the armed conflict in South Sudan and make recommendations on best ways of ensuring accountability, reconciliation and healing.”

As highlighted in Amani Africa’s AUPSC Handbook, the report of the Commission, which was submitted to the PSC in September 2015, significantly shaped ‘the framing of the peace agreement that the conflict parties signed under the IGAD mediation process in August 2015.’³¹

PSC also established a Fact-Finding Mission of the African Commission on Human and Peoples’ Rights (ACHPR) to Burundi in 2015 to investigate all the human rights violations and other abuses in Burundi since the beginning of the crisis in April 2015. The report of the investigation mission was submitted to the PSC in April 2016.

2.3. Post-Conflict Reconstruction and Development (PCRD)

The PCRD mandate of the PSC is outlined in various provisions of the PSC Protocol, including Article 3(c), 7(1b), and Article 14. Article 14 provides

³⁰ The Commission of Inquiry was established by the PSC during its Summit-Level meeting at its 41st session, held on 30 December 2013 in Banjul, The Gambia.

³¹ AUPSC Handbook (2023), p.162.

that in post-conflict situations, the PSC shall ‘assist in the restoration of the rule of law, establishment and development of democratic institutions and the preparation, organization and supervision of elections in the concerned Member States.’ To this end, the PSC has created normative and institutional frameworks. For instance, the AU PCRD Policy Framework was adopted in 2006 and revised in 2024.³² Furthermore, the Union developed a Transitional Justice Policy in February 2019 to guide Member States in their pursuit to a comprehensive transitional justice process. An Inter-Departmental Task Force on PCRD was also established within the Commission in 2016 to serve as a platform for coordination and facilitating the implementation of the PCRD Policy. As part of expanding the operationalization of the PCRD Policy, AU launched a PCRD Centre in Cairo, Egypt in December 2021 as a hub of operational excellence on peacebuilding efforts on the continent.

In pursuit of the implementation of the Policy, AU/PSC implemented a variety of PCRD interventions in Member States over the years. These include: implementation of Quick Impact Projects (QIPs) and Peace Strengthening Projects (PSPs) in Somalia; the development of Regional Stabilization Strategy for the Lake Chad Basin; support in the areas of reconciliation and healing in South Sudan; support in the establishment of Human Rights Commission and in the areas of disarmament, demobilization and reintegration (DDR) as well as security

³² For details on the revision process, see Amani Africa’s ‘Insights on the PSC’ published on the issue, available on: <https://amaniafrica-et.org/consideration-of-the-revised-au-post-conflict-reconstruction-and-development-pcrd-policy/>, and <https://amaniafrica-et.org/briefing-on-the-post-conflict-reconstruction-and-development-pcrd-activities-in-africa/>

sector reform (SSR) in Central African Republic; and support in the areas of SSR, rule of law, and transitional justice in the Gambia.

In the past, liaison offices served as the primary means for the AU to channel its support for PCRDR to Member States. Additionally, in recent years, the AU has begun to explore alternative approaches, such as the deployment of support missions, particularly in countries without an AU liaison office. An example of this is the deployment of the AU Technical Support Team to the Gambia (AUTSTG) in 2018, which became the primary instrument for supporting local PCRDR efforts. The AUTSTG model has demonstrated the ability to achieve tangible results in providing PCRDR support with a limited number of experts and without the need for the establishment of liaison offices.³³

“The AUTSTG model has demonstrated the ability to achieve tangible results in providing PCRDR support with a limited number of experts and without the need for the establishment of liaison offices.”

Building on this success, similar missions were launched for the Comoros and Chad in 2021. Despite these efforts, as rightly noted by PSC’s 670th session in March 2017, the PCRDR dimension remains the ‘weakest link’ in the implementation of both the APSA and the African Governance Architecture (AGA).

³³ See Sophia Birchinger, ‘The AU as Peacebuilder in The Gambia: Why Pragmatic Peacebuilding is Good, But Not Enough’ (February 2022) available on: <https://blog.prif.org/2022/02/15/the-au-as-peacebuilder-in-the-gambia/>; ISS, ‘Lessons from The Gambia about Africa’s Evolving Post-Conflict Realities’ (December 2021), available on: <https://issafrica.org/pscreport/psc-insights/lessons-from-the-gambia-about-africas-evolving-post-conflict-realities>;

2.4. Promotion of Democracy, Good Governance, and Human Rights

The promotion of democracy, good governance, and human rights is another key mandate entrusted to the PSC, aimed at addressing the underlying causes of conflict within the framework of conflict prevention. While speaking to Amani Africa’s podcast, El Ghassim Wane, former Special Representative of the UN Secretary-General and Head of United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) who also served as the AU Commission Peace and Security Director (2009-2015), noted the significant emphasis placed on democracy, good governance and human rights within the PSC Protocol with the conviction that addressing instability in the continent requires a commitment to foster democracy, ensuring respect for human rights, and promoting good governance.³⁴

“While speaking to Amani Africa’s podcast, El Ghassim Wane, former Special Representative of the UN Secretary-General and Head of United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) who also served as the AU Commission Peace and Security Director (2009-2015), noted the significant emphasis placed on democracy, good governance and human rights within the PSC Protocol with the conviction that addressing instability in the continent requires a commitment to foster democracy, ensuring respect for human rights, and promoting good governance.”

³⁴ Amani Africa, The Pan Africanist Episode 1 Part 2 (22 April 2024), available on: <https://www.youtube.com/watch?v=Jt9yIAU1NoM>.

In this context, Article 3(f) and 7(lm) of the Protocol empowers the Council to follow-up ‘the progress towards the promotion of democratic practices, good governance, the rule of law, protection of human rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law by Member States.’

One area that the PSC has been actively involved while implementing this mandate is enhancing the credibility of the electoral process in Africa. The adoption of the African Charter on Democracy, Elections and Governance (ACDEG) and the Lomé Declaration on unconstitutional changes of government of 2000 constitute a milestone in terms of establishing AU’s normative framework in relation to democracy, election and good governance. In addition, the African Governance Architecture (AGA) has been established as a platform for dialogue between the various stakeholders who are mandated to promote good governance and strengthen democracy in Africa.

The PSC has established various mechanisms to follow-up the progress towards the promotion of democratic practices, good governance, rule of law, and protection of human rights in the continent. In line with this commitment, the PSC, during its 424th session of March 2014 decided to hold a quarterly briefing on national elections in Africa, while also urging the Commission to deploy both long-term and short-term election observer missions in countries holding elections. Consequently, a bi-annual election briefing, featuring a mid-year election report by the Chairperson of the Commission, has been regularized. The Commission has successfully deployed election observation mission to the majority of Member States undergoing

elections, in addition to providing various technical assistance to Member States.

Most notably, Article 7(g) of PSC protocol authorizes the PSC to ‘institute sanctions whenever an unconstitutional change of Government takes place in a Member State, as provided for in the Lomé Declaration.’ The PSC has invoked its 7(g) power around 22 times since its establishment in 2004 to combat unconstitutional changes of Government (UCG), often resorting to suspension and/or targeted sanctions.

During the first decade and half operation of the PSC, its zero-tolerance policy towards coups, coupled with its consistent application, has significantly diminished the frequency of military coups across the continent.³⁵ Moreover, this approach has helped mitigate the severity of coups and imposed restraint whenever they do occur.³⁶ However, Africa is witnessing a resurgence of military coup since 2021, with six Member States (Mali, Guinea, Burkina Faso, Sudan, Niger, and Gabon) currently suspended from the Union due to UCG. This resurgence raises concerns about whether AU’s anti-coup norm is losing its deterrence effect, hence warranting a revisit.³⁷

³⁵ See Solomon Ayele Dersso, ‘Defending constitutional rule as a peace-making enterprise: The case of AU’s ban of Unconstitutional Changes of Government’, *International Peacekeeping*, 24(4), (2017) 639-660.

³⁶ Solomon Dersso, *Coups are always a bad idea – even the popular ones*, *The Continent*, Issue 60 (September 18 2021); Jonathan Powel, Abigail Reynolds, and Mwita Chacha, ‘A New Coup Era for Africa?’ (March 2022), available on: <https://www.accord.org.za/conflict-trends/a-new-coup-era-for-africa/>

³⁷ For more details on the current dynamics of UCG in Africa, its causes and possible solutions, see Amani Africa’s Policy Brief, ‘Addressing the Recent Resurgence of Unconstitutional Changes of Government: Policy Recommendations for the AU Extraordinary Summit’ (May 2022),

2.5. Humanitarian action

Article 6(f), Article 7(p), and Article 15 of the PSC Protocol stipulate the mandate of the Council in supporting and facilitating humanitarian action in situations of armed conflicts or natural disasters in the continent. It is within this framework that the PSC authorized the deployment of the AU Support Mission on Ebola Outbreak in West Africa in 2014 and the AU Mission Against Ebola in DRC in 2019, addressing the Ebola virus outbreak in respective regions. The establishment of the African Humanitarian Agency also marks a big step in establishing an effective humanitarian architecture to respond to the dire humanitarian situations in the continent.³⁸

2.6. The Peace Fund

Article 21 of the PSC Protocol establishes the Peace Fund to provide the necessary financial resources for peace and security activities on the continent. Since 2015, new efforts have been launched to revitalize the Peace Fund, with the decision of the AU Assembly, held in July 2016 in Kigali, Rwanda to endow it with \$400 million by 2020, later extended to 2023. The Peace Fund is structured around three thematic windows: Window 1 (Mediation and Preventive Diplomacy),

available on: [Addressing-the-recent-resurgence-of-Un-constitutional-Changes-of-Government-Policy-Recommendations-for-the-AU-Extraordinary-Summit.pdf \(amaniafrica-et.org\)](#); and African Peer Review Mechanism and African Governance Architecture, 'Africa Governance Report: Unconstitutional Changes of Government in Africa' (2023); and Jonathan Powel, Abigail Reynolds, and Mwita Chacha, 'A New Coup Era for Africa?' (2022).

³⁸ For more details on the AU Humanitarian Agency, See Tsion Hagos, Ideas Indaba, 'a New Dawn for AU's Role in Humanitarian Action?' (February 2023), available on: <https://amaniafrica-et.org/a-new-dawn-for-aus-role-in-humanitarian-action/>

Window 2 (Institutional Capacity), and Window 3 (Peace Support Operations). AU has made significant strides in operationalizing the Peace Fund, which includes establishing its governance and management structure, identifying pilot projects for the peace fund, and utilizing the Crisis Reserve Facility—a revolving trust fund that can adjust quickly to the African continent's immediate and evolving peace and security needs. In 2023, \$6.5 million has been disbursed from the Crisis Reserve Facility of the Peace Fund, marking a milestone in the operationalization of the Peace Fund.³⁹ Moreover, as of 31st December 2023, the Peace Fund recorded a total amount of \$384.3 million, edging close to its 400 million target.⁴⁰

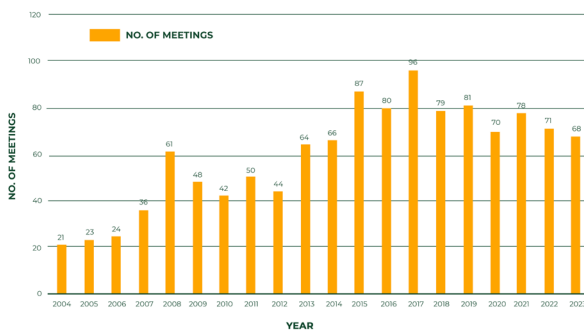
2.7. Meetings of the PSC

Established as a standing decision-making organ of the Union, the PSC operates continuously and is expected to meet regularly. Article 8(2) of the PSC Protocol specifies that the Council shall 'convene as often as required at the level of Permanent Representatives, but at least twice a month. Meanwhile, the PSC shall convene at least once annually at the level of Ministers and the Heads of State and Government.

³⁹ 2 million was disbursed to the East African Community Regional Force deployed to Eastern DRC for stabilization operations, while 3.5 million was utilized to address ATMIS funding gap. 1 million more was used to support the DDR Program in Ethiopia. See the Report of the PSC on its Activities and the State of Peace and Security in Africa (Assembly/AU/4(XXXVI)) for the period January to December 2023 (February 2024), p.81.

⁴⁰ AU Press Release (31 January 2024), available on: <https://au.int/en/pressreleases/20240131/au-peace-fund-board-trustees-see-expand-resource-mobilization-finance>

Between its operationalization in March 2004 and the end of 2023, the PSC convened a total of 1190 sessions. Over 93 percent of these sessions (1111 sessions) were held at the Ambassadorial level, with 52 and 27 sessions at the Ministerial and Heads of State and Government level, respectively. With only few exceptions, the PSC consistently met the required minimum number of meetings. ⁴¹The number of sessions also showed exponential increase over the years as shown in the graph below. Since 2015, the PSC has been meeting at the Ambassadorial level an average of no fewer than six times per month, according to Amani Africa's PSC Handbook. ⁴²



Number of PSC sessions since 2004 (Source: Amani Africa database and PSC background paper on the activities of the PSC (2021))

The frequency of PSC sessions has not only increased but also diversified in the range of issues they address. One noticeable trend is the shifting distribution of topics on the agenda. Historically, country/region-specific sessions have been predominant, comprising roughly 70% of the Council's agenda, with thematic issues making up the remaining 30%.⁴³

⁴¹ There have been three instances of annual cycles in which the PSC did not convene a meeting at the ministerial level even once. Such was the case in 2005, 2007, and 2009. Similarly, the PSC did not convene any meetings at the level of Heads of State and Government in 2007, 2009, 2017, 2019, and 2022.

⁴² PSC Handbook (2023), p.62.

⁴³ Amani Africa, *Insights on the PSC*, 'Session on

However, in recent years, thematic topics have been claiming a larger share of the agenda. In 2023, for instance, out of 68 sessions, thematic issues took center stage in 57% of them, reflecting a notable shift in focus.⁴⁴

“Historically, country/region-specific sessions have been predominant, comprising roughly 70% of the Council's agenda, with thematic issues making up the remaining 30%. However, in recent years, thematic topics have been claiming a larger share of the agenda. In 2023, for instance, out of 68 sessions, thematic issues took center stage in 57% of them, reflecting a notable shift in focus.”

Against this backdrop, it is noteworthy that the latest retreat of the PSC on its working methods (Tunis retreat) emphasized the importance of not only limiting the number of meetings per month but also prioritizing country/region-specific situations over thematic issues with the aim to ensure the dedication of more focused and sustained attention to existing and emerging conflicts. ⁴⁵

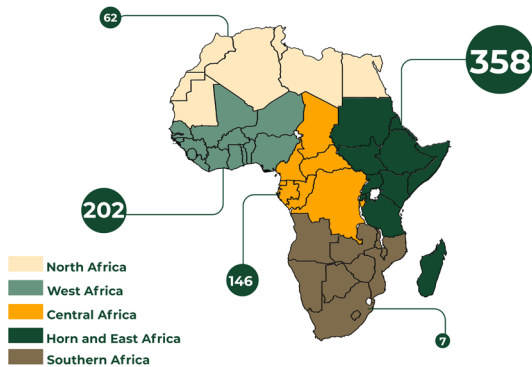
In terms of regional distribution, the East Africa region dominates the PSC agenda, accounting for 46 percent or nearly half

the 17 years journey of the PSC on the Occasion of its 1000th session' (May 2021), available on: <https://amaniafrica-et.org/session-on-the-17-years-journey-of-the-psc-on-the-occasion-of-its-1000th-session/>

⁴⁴ Amani Africa, *The Peace and Security Council in 2023: the Year in Review' (February 2024), p.8, available on: <https://amaniafrica-et.org/the-peace-and-security-council-in-2023-the-year-in-review/>*

⁴⁵ 15th Retreat of the Peace and Security Council of the African Union on the Review of its Working Methods, held in Tunis, Tunisia from 25 to 27 November 2023, see paragraph 13. The Conclusions of the retreat is available on: <https://papsrepository.africa-union.org/handle/123456789/2007>

of the country/region-specific sessions of the PSC. Notably, Somalia, Sudan, and South Sudan have held the top spots on the agenda within this region. On the other hand, the Southern Africa region receives comparatively less attention among the five regions.



Regional distribution of PSC sessions 2004-2023

Regarding thematic issues, certain items have consistently featured on the PSC agenda, evolving into standing agenda items over the years. These include terrorism and violent extremism; elections in Africa; women, peace, and security; children affected by armed conflicts; youth, peace, and security; humanitarian issues; and climate change and security. The PSC has also shown interest in addressing emerging issues such as cyber security. The Chairperson of the Commission has appointed special envoys for women, peace, and security, youth, and most recently for the prevention of the crime of genocide and other mass atrocities in April 2024. Other themes, notably climate change and security, and children in Africa, are waiting for the appointment of special envoys in line with the decisions of the PSC. In other cases, such as terrorism and violent extremism, and elections in Africa, the Chairperson of the Commission presents comprehensive regular reports to the PSC.⁴⁶

⁴⁶ For a comprehensive list of PSC's standing thematic agenda items and relevant decisions of the PSC in

2.8. Relations with other bodies

The PSC protocol dedicates its Articles 16-20 to regulate PSC's relationship with other bodies, namely regional mechanisms, UN and other international organizations, pan African parliament, the African Commission on Human and Peoples' Rights (ACHPR), and civil society organizations (CSOs).

Regional Economic Communities and Regional Mechanisms (RECs/RMs)

Article 16(1) of the PSC Protocol envisages that the 'regional mechanisms are part of the overall security architecture of the Union, which has the primary responsibility for promoting peace, security and stability in Africa.' While this provision establishes the primacy of the AU in the maintenance of peace and security in the continent, it also requires the Council to harmonize and coordinate the activities of the regional mechanism and work closely with them to ensure effective partnership and policy coherence. An important stipulation is that the modalities of partnership between the PSC and the regional mechanism 'shall be determined by the comparative advantage of each and the prevailing circumstances.'⁴⁷ It is worth noting that although subsidiarity becomes a dominant governing principle in the PSC-RECs/RMs relations, the PSC Protocol makes no reference to this principle.

As outlined under Article 16, the relationship between the PSC and the RECs/RMs is structured on two tiers: at the policymaking body level and at the Secretariats level. Different

⁴⁷ this regard, see PSC Handbook (2023), pp.237-9.

⁴⁷ Article 16(1b) of the PSC protocol.

modalities of engagements are also set out under the PSC Protocol and complemented by other instruments as well as policy decisions. For instance, the AU Commission and the Secretariats/Commissions of the RECs/RMs signed a Memorandum of Understanding (MoU) in 2008, as well as the 2020 Revised Protocol on Relations between the AU and RECs, with the intention to institutionalize coordination between the two bodies. The 2008 MoU indeed marked the introduction of subsidiarity as one of the guiding principles in the AU-RECs/RMs relationship for the first time.⁴⁸ Furthermore, the various PSC retreats on its working methods, including those in Dakar (2007), Swakopmund (May 2015), and Abuja (September 2015), elaborated different mechanisms and modalities aimed at bolstering collaboration and coordination between the PSC and regional mechanisms (see below a diagram on the different avenues for AU/PSC-RECs/RMs engagement).



Avenues for AU/PSC-RECs/RMs engagement (Source: Amani Africa, Special Research Report No.16)
One of the modalities envisaged within

⁴⁸ Amani Africa, Special Research Report No.16, 'Beyond Subsidiarity: Understanding the Roles of the AU and RECs/RMs in Peace and Security in Africa' (August 2023), p.4, available on: <https://amani-africa-et.org/beyond-subsidiarity-understanding-the-roles-of-the-au-and-recs-rms-in-peace-and-security-in-africa/>

the PSC Protocol, and further elaborated during the PSC retreats for a better operationalization, involves inviting relevant RECs/RMs to PSC meetings on matters of their interest. The other modality is convening a joint annual consultative meeting between the PSC and the policy organs of the RECs/RMs. The inaugural consultative meeting took place on May 24, 2019, in which they agreed to convene such meetings annually in May. To date, three such annual consultative meetings have been held, during which various mechanisms were agreed upon to deepen and institutionalize their collaborative relationship. Most recently, in April 2024, the PSC and the Mediation and Security Council of the Economic Community of West African States (ECOWAS MSC – Ambassadorial Level) held their Inaugural Annual Joint Consultative Meeting in Abuja, Nigeria to reflect on issues relating to the harmonization of their decision-making processes, enhancement of coordination, and strengthening of synergy in implementing the APSA and AGA.⁴⁹ This is the first ever consultative meeting between the PSC and a policy-making body of a REC/RM.

UN Security Council (UNSC)

Recognizing the primary responsibility of the UNSC for maintaining international peace and security, Article 17 of the Protocol requires the PSC to maintain close and continued engagement with the UNSC, including through periodic

⁴⁹ For the outcomes of the consultative meeting, see the joint communiqué of the inaugural annual joint consultative meeting between the PSC and the Mediation and Security Council of ECOWAS (ECOWAS MSC – Ambassadorial Level) held at the ECOWAS Headquarters in Abuja, Nigeria, on 24 April 2024. Joint Communiqué, available on: <https://papsrepository.africa-union.org/handle/123456789/2085>.

meetings and regular consultations on matters of peace, security and stability in the continent. Among the mechanisms established by the PSC within this framework is the annual joint consultative meeting between the two bodies. Since its inception in 2007, seventeen such consultative meetings have been convened, addressing various peace and security challenges in the continent. Article 17(2) of the Protocol also highlights the possibility for the PSC to seek recourse to the UNSC for resource support when necessary. A major breakthrough in the PSC-UNSC relationships in this regard is the adoption of UNSC Resolution 2719 (2023) on the financing of AU PSOs, albeit it falls short. This resolution determines that AU-led PSOs that are authorized by the Security Council will have access to funding from the UN assessed contributions, on a case-by-case basis. The PSC has also been able to establish close relationship with the African Members of the UNSC by institutionalizing an annual high-level seminar on peace and security in Africa, known as the Oran Process.

The Political and Security Committee of the European Union (EUPSC)

Similarly, the PSC has established standing relation with the EUPSC, convening joint annual consultative meetings since 2008. Fourteen consultative meetings have been held thus far. Moreover, the PSC and EUPSC have undertaken joint field missions,⁵⁰ indicating a more advanced level of engagement compared to other bodies such as RECs/RMs and the UNSC, where such joint field mission have not yet been pursued.

⁵⁰ For instance, the PSC and EUPSC conducted joint field missions to Mali in 2015 and to the Central African Republic in 2018.

Civil Society Organizations (CSOs)

The PSC Protocol also emphasizes the importance of engaging with CSOs for closer collaboration. Article 20 of the Protocol encourages the PSC to engage with CSOs in advancing peace, security, and stability in the continent. It also vests the PSC the authority to invite these organizations to its meetings whenever required. Moreover, Article 8(11) allows the Council to conduct informal consultations with CSOs while discharging its mandates.

The PSC convened two retreats focusing on the operationalization of Article 20: one in Livingstone, Zambia, in December 2008, and the other in Maseru, Kingdom of Lesotho, in February 2014. During the 2008 retreat, a mechanism for interaction between the PSC and CSOs was developed, known as the 'Livingstone Formula'. This framework outlines various avenues through which CSOs can contribute to the promotion of peace, security, and stability in Africa. Particularly, the formula underscores the important role CSOs can play in conflict prevention through early warning reporting and situation analysis.

⁵¹

In February 2014, the PSC organized another retreat in Maseru to review the implementation of the Livingstone Formula since 2008 while exploring ways and means of enhancing its implementation. Accordingly, various measures were agreed to enhance the operationalization of Article 20, including

⁵¹ *Conclusions on a Mechanism for Interaction between the Peace and Security Council and Civil Society Organizations in the Promotion of Peace, Security and Stability in Africa (PSC/PR/(CLX)), Retreat of the PSC held on 4-5 December 2008 in Livingstone, Zambia, available on: <https://papsrepository.africa-union.org/xmlui/handle/123456789/444>*

a flexible application of some of the requirement for CSOs participation, the convening of annual consultative meeting, regular briefings to the PSC during its open sessions, and the provision of inputs to the monthly chair to guide the agenda-setting.⁵² In this context, two consultative meetings have been held so far, in September 2022 and July 2023.

Regarding the informal engagement provided under Article 8 of the protocol, the practice over the past two decades shows that CSOs have occasionally been invited, albeit infrequently, to participate in some of the open sessions of the PSC focusing on thematic issues.⁵³ Meanwhile, the recent launch of the African Network of Think Tanks for Peace (NeTT4Peace) on 8 February 2023, aimed at enhancing the strategic partnership between African epistemic community and AU's Political Affairs, Peace and Security (PAPS) on areas of governance, peace and security, marks a step forward in operationalizing Article 20.⁵⁴

⁵² Maseru Conclusions on Enhancing the Implementation of the Livingstone Formula for Interaction between the Peace and Security Council and Civil Society Organizations in the promotion of Peace, Security and Stability in Africa, Retreat of the PSC held on 22-23 February 2014 in Maseru, Kingdom of Lesotho, available on: <https://papsrepositoryafrica-union.org/xmlui/handle/123456789/444>

⁵³ PSC Handbook (2023), p.222.

⁵⁴ Tim Muruthi, Ideas Indaba, 'AU's Network of Think Tanks for Peace: an Avenue for Bringing the AU Closer to the Wider African Public?' (June 2023), available on: <https://amani-africa-et.org/aus-network-of-think-tanks-for-peace-an-avenue-for-bringing-the-au-closer-to-the-wider-african-public/>

3. ASPECTS OF THE PSC PROTOCOL REQUIRING FURTHER ATTENTION

While significant progress has been made over the years in implementing key aspects of the PSC Protocol, It is evident that certain limitations persist. This section of the special research report seeks to highlight key provisions of the Protocol where implementation falls short. While not exhaustive, the focus will be on provisions critical to the mandates of the PSC and of a significant implication to its effectiveness as the Council endeavors to reposition itself for the next decades.

3.1. PSC has become a 'firefighter', prioritizing conflict management and resolution over prevention

In his appearance to Amani Africa's podcast 'The Pan Africanist', El Ghassim Wane made an apt observation, stating that 'Often, the PSC Protocol is seen as a tool that focuses on reactive measures such as peace support operations. In actual fact, the key component of the Protocol is conflict prevention.'⁵⁵

"In his appearance to Amani Africa's podcast 'The Pan Africanist', El Ghassim Wane made an apt observation, stating that 'Often, the PSC Protocol is seen as a tool that focuses on reactive measures such as peace support operations. In actual fact, the key component of the Protocol is conflict prevention.'"

Despite the Protocol's emphasis on prevention, as highlighted in one of Amani Africa's 'insights on the PSC', the Council has predominantly functioned akin to a 'fire-brigade,' primarily responding to

⁵⁵ The Pan Africanist Episode 1 Part 2 (22 April 2024).

conflicts after they erupt. This tendency has led to a situation where the proactive dimension of its mandate, particularly conflict prevention, remains largely ignored.⁵⁶

Several factors contributed to the reality described above. One major factor is the AU Commission's limited focus on conflict prevention as reflected in the institutional reform that restructured the peace and security department into the new Political Affairs, Peace, and Security (PAPS). Unlike its predecessor, the new PAPS lacks a dedicated division for conflict prevention and early warning, marking a significant institutional regression in the conflict prevention mandate. With the CEWS structure removed, early warning and governance monitoring are 'mainstreamed' into the regional desks, thereby depriving CEWS a dedicated structure housing and responsible for it. The 'Situation Room' now serves PAPS in its entirety rather than being part of the conflict prevention directorate.⁵⁷ This restructuring not only fails to confirm with Article 12 of the PSC Protocol but also has created operational difficulties, 'casting doubt on whether enhancing governance and conflict prevention was central to reform goals.'⁵⁸

There are also technical and political challenges, hindering effective conflict prevention. From a technical point of view, there are limitations in developing methodologically sound and substantively rigorous early warning reports. Moreover, it remains unclear whether the Commission

56 *Insights on the PSC, 'Session on the 17 Years Journey of the PSC on the Occasion of its 1000th Session'*

57 *PSC Handbook (2023)*, p.111.

58 *ISS, PSC Report, 'Should the Old Continental Early Warning System be Restored?' (April 2024)*, available on: <https://issafrica.org/pscreport/psc-insights/should-the-old-continental-early-warning-system-be-restored>.

has been able to establish a 'trigger mechanism and indicators' to facilitate the role of the PSC in assessing whether a given situation calls an early action by the PSC.⁵⁹ This is particularly important for ensuring consistent application of the early warning system.

On the other hand, there exists a gap between early warning and early response, where the analysis and reports generated by the early warning system fail to effectively reach decision-makers or prompt timely action. For example, although the 'horizon-scanning briefings' were intended to facilitate the exchange of 'sensitive' early warning information between the Commission and the PSC, as envisaged in the Mombasa retreat, these briefings seldom delve into such sensitive matters. Instead, they often duplicate efforts, focusing on topics already covered in other dedicated sessions. Regarding democracy and good governance, significant reforms are needed in the effectiveness of election observers, the quality of their reports, and the Chairperson's biannual reports on African elections, which often fail to engage in critical reflection on the elections they cover.

On the political front, the major hurdle, as alluded to by the PSC in various of its sessions including 1208th session, is the 'culture of denialism' by Member States and RECs/RMs regarding credible early warning reports of looming crisis and conflict situations, while invoking sovereignty as a shield.⁶⁰ This denial

59 *The idea of developing 'trigger mechanism and indicators' was raised during the Cairo Retreat, held in October 2018 and reiterated by the PSC during its 1073rd session.*

60 *Paragraph 4 of the Communiqué of the 1208th meeting of the PSC held on 16 April 2024*, available on: <https://papsrepositoryafrica-union.org/han->

prevents timely action, including the deployment of preventive diplomacy and mediation. At times, Member States are backed by RECs/RMs, claiming the principle of subsidiarity, to block a looming situation/crisis from reaching the agenda of the PSC. The challenge of denialism, which has manifested practically on several occasions over the last two decades, blatantly contravenes the PSC Protocol, specifically Articles 7(2-4) and 12(6).

3.2. Inadequate use of diplomacy as the primary instrument for promotion of peace and security in Africa

The conflict dynamics in the past few years suggest that the situation on the continent has generally continued to deteriorate alarmingly. This grim picture of the security situation of the continent makes the PSC and the wider AU as important, if not more important, today than earlier years. The fraying multilateral system and the growing geopolitical tensions in the world have made the PSC and its effective functioning a fundamental strategic imperative for Africa today more than at any other time before. In these circumstances, the PSC and the AU in general do not have the luxury to operate in a business-as-usual fashion.

“This grim picture of the security situation of the continent makes the PSC and the wider AU as important, if not more important, today than earlier years. The fraying multilateral system and the growing geopolitical tensions in the world have made the PSC and its effective functioning a fundamental strategic imperative for Africa today

[dile/123456789/2070](#)

more than at any other time before. In these circumstances, the PSC and the AU in general do not have the luxury to operate in a business-as-usual fashion.”

Alas, the AU seems to be performing even less than its records of yesteryears and the PSC barely sustaining its bare minimum functions and declining credibility. The reality is that the PSC and Africa ill afford for the PSC to continue its current path of being satisfied with sustaining the bare minimum of its functions and its challenged credibility. It has to rediscover the golden era of ambitious, robust and sustained peace and security diplomacy to make diplomacy the first and primary peace and security instrument.

There is also a need for rethinking the tendency that has emerged over the years on the part of policy makers that the policy response the continent needs is throwing weapons at the peace and security challenges, particularly those involving conflicts with terrorist groups and insurgents. The result of the dominance of this policy thinking has been the rise in the resort to highly securitized responses, but without success in stewing the tide of the expansion of such conflicts.⁶¹ Even when peace operations involving combat are necessary, they do not dispense with the need for political strategy and diplomacy.

If anything, there is a higher need for the use of and anchoring such operations on robust political strategy pursued through robust diplomatic instruments

⁶¹ See Amani Africa, ‘The growing threat of terrorism in Africa, a product of misdiagnosis and faulty policy response?’, Special Research Report 13 (May 2022), available on: <https://amani-africa-et.org/wp-content/uploads/2023/06/The-growing-threat-of-terrorism-in-Africa.pdf>

backed by socio-economic interventions including livelihood and socio-economic rehabilitation support.

3.3. AU's inability to deploy peace operations creating a dangerous vacuum being filled by ad hoc, regional and bilateral security arrangements

The AU has been successful in the deployment of peace support operations most particularly during the first decade of the operationalization of the PSC. Since its deployment to Mali and the CAR, the AU has not initiated any **major** deployment of peace support operations under its command.⁶² This is not because there have not been situations in need of peace support operations. Indeed, the proliferation of ad hoc missions by affected countries and regional interventions are indicative of the growing need for peace support operations unmet by the AU. Apart from major resource constraints, AU's inability or failure to deploy major peace support operations during the past decade is in the main due to the fact that the AU has become hugely behind the curve in mobilizing timely engagement in situations directly implicating its peace and security mandate.

“Apart from major resource constraints, AU's inability or failure to deploy major peace support operations during the past decade is in the main due to the fact that the AU has become hugely behind the curve in mobilizing timely engagement in situations directly implicating its peace and security mandate.”

⁶² MOUACA, a military observer mission deployed to CAR, ended without having been effectively operationalized.

The huge vacuum that this situation occasioned had led to not only the proliferation of ad hoc coalitions of the willing, regional deployments, bilateral interventions but also the enlisting of private military companies in conflict hot spots such as CAR, Mozambique and the Sahel. These developments have not only led to the increasing marginalization of the AU and the PSC but also are endangering the fragmentation of the APSA, as more and more peace operations are undertaken outside of and without the application of APSA norms and policies.

3.4. PSC and RECs/RMs are not aligning efforts adequately

The PSC Protocol considers regional mechanisms (RECs/RMs) as part of the 'overall security architecture of the Union', with the PSC being at the center of the architecture. While highlighting the imperative of closer engagement between the PSC and RECs/RMs, the latter are not only expected to inform the PSC about their activities but also to harmonize and coordinate with the activities of the Council.⁶³ Despite some progress, the partnership between them leaves a lot to be desired. As observed in Amani Africa's Special Research Report, the AU/PSC-RECs/RMs relationship is 'fraught with various issues that have stifled effective policy coordination and deployment of collective and joint action' to proactively and meaningfully address peace and security challenges in the continent.⁶⁴

One issue lies in the lack of clarity regarding the principle of subsidiarity, which often dominates discussions between the AU

⁶³ Article 16 (3) of the PSC Protocol.

⁶⁴ Amani Africa Special Research Report, 'Beyond Subsidiarity', p.12.

and RECs/RMs, despite the PSC Protocol's silence on the matter. As AU Commission Chairperson pointed out, '[s]ubject to all unfortunate interpretations, Subsidiarity has been frankly overused. By a strange semantic shift, subsidiarity has come to sound like Substitution.'⁶⁵ At times, RECs/RMs fail to recognize PSC's primacy regarding peace and security matters on the continent, misconstruing subsidiarity as reducing the PSC to a mere rubber-stamp body for their decisions.

The mutual value that the PSC and RECs/RMs place on each other is also a matter of concern, evident in various ways. Often, decisions are made in isolation, without meaningful consultation between them on how to address specific situations. There are several instances where RECs/RMs have shown limited interest in engaging substantively with the PSC on critical issues, such as military deployments and mediation efforts, resulting in policy divergence and competition. A notable example is the discord between ECOWAS and the PSC regarding the appropriate strategy to address the military coup in Niger in July 2023. SADC's military deployments in Mozambique in 2021 and the DRC in 2024 were brought to the attention of the PSC for endorsement without substantive prior engagement on the deployments. In the case of the Sudan conflict that erupted in April 2023, the PSC and IGAD launched parallel but uncoordinated roadmaps and mediation tracks for resolving the conflict.

Both the PSC and RECs/RMs have failed to follow-up to implement the long list of decisions and agreed modalities

⁶⁵ Speech of H.E. Moussa Faki Mahamat Chairperson of the African Union Commission Thirty Seventh Ordinary Session of the Assembly of the African Union (17 February 2024), available on: <https://shorturl.at/fnxDR>.

of engagement that cast doubt on their commitment to enhance their relationship. Despite the launch of I-RECHE in July 2022 as knowledge exchange platform, little progress has been made in translating those decisions, including convening regular consultative meeting at technical, strategic and political level and undertaking joint field missions as well as joint retreats, into action.⁶⁶ The recent consultative meeting between the PSC and the ECOWAS Mediation and Security Council, the first ever consultative meeting with a policy/decision-making body of a REC/RM, is a welcome development.⁶⁷

The other issue is the different level of institutional development among RECs/RMs. RECs such as ECOWAS and SADC have successfully established robust structures, including policy organs and mechanisms to address peace and security challenges, demonstrating both the will and capability to manage crises and conflicts within their regions. However, several others are still in nascent stages, lacking the necessary infrastructure and resources.

Divergent policy approach between the PSC and the regional mechanisms is also a challenge to a harmonious relationship. Such divergence arises notably in relation to unconstitutional changes of government. For instance, while the PSC sanctioned Sudan in October 2021, IGAD did not. Moreover, the regional bloc advocated for the lifting of the AU's sanction (reinstatement of Sudan's membership in the AU) even when the

⁶⁶ For a summary of the various decisions adopted at the annual consultative meetings and PSC sessions, Special Research Report No.16, 'Beyond Subsidiarity', p.11.

⁶⁷ See joint communique available on <https://paps-repository.africa-union.org/handle/123456789/2085>

conditions for lifting the sanction were not met.⁶⁸

3.5. Inconsistent and lackluster application of AU's anti-coup norm and its eroding deterrence effect

The recent resurgence of military coups presents a significant challenge to the PSC mandate regarding the promotion of democracy and good governance. This trend marks an unprecedented occurrence since the establishment of the AU, with six of its members currently suspended from the Union's Membership. Of particular concern is the fact that many of these nations experiencing military coups are also grappling with terrorism and violent extremism, highlighting the dangerous intersection of governance and security issues.

As previously noted in this special research report, the PSC has largely succeeded in implementing its zero-tolerance policy against unconstitutional changes of government by invoking its Article 7(g) power under the PSC Protocol. However, a departure from this principle occurred with significant consequences when the PSC failed to categorize the military takeover in Chad in April 2021 as unconstitutional change of government.

An analysis published on the 'Ideas Indaba' page of Amani Africa clearly highlights what this departure mean to the PSC's credibility in the implementation of its mandate.⁶⁹ It argues that the major

⁶⁸ See *Communiqué of the 48th Ordinary Session of the IGAD Council of Ministers, held on 30 November 2022 in Khartoum, Sudan. Communiqué, available on: <https://igad.int/communiqué-of-the-48th-ordinary-session-of-the-igad-council-of-ministers/>*

⁶⁹ Amani Africa, *Ideas Indaba, 'A Moment of Reckoning for the AU in Chad as Interim Leader Declares Candidacy for Presidential Election' (April 2024), available*

casualty of PSC's failure on Chad was the deterrence effect of the AU norm against coups, which created a bad precedent to others watching events in Chad that 'this was a season to stage a coup and get away with it.' This not only exposes the Council to valid charges of double standards, particularly in the eyes of countries subject to PSC sanctions, but also undermines its authority in upholding its own principles.

Beyond the Chad issue, doubts are arising about the effectiveness of AU's anti-coup norms, previously hailed for reducing the occurrence of UCG in the continent. The experiences of the last three years highlight the enormous challenge that the PSC is facing not only in deterring UCG but also in effectively restoring constitutional order in affected countries. Navigating the delicate balance between upholding its norms without pushing the affected countries to the brink of diplomatic breakdown has also been an additional challenge for the PSC to grapple with.

3.6. Lack of follow-up to the decisions of the PSC is undermining its credibility

In his address during the 37th Ordinary Session of the Assembly on 17 February 2024, the Chairperson of the AU Commission, Moussa Faki Mahamat, powerfully highlighted the profound failure to follow-up on the implementation of the decisions of the Assembly. He stated that 'the frantic tendency to make decisions without real political will to implement them, has grown to such an extent that it has become devastating to

on: <https://amaniafrica-et.org/a-moment-of-reckoning-for-the-au-in-chad-as-interim-leader-declares-candidacy-for-presidential-election/>

our individual and collective credibility.⁷⁰ As an alarming statistic, he pointed out that ‘over the last three years 2021, 2022 and 2023, 93% of decisions have not been implemented.’ This stark reality is also evident in the context of the PSC, which faces a significant challenge in tracking and implementing its decisions. While AU Commission Chairperson blamed this state of affairs on AU member states and the RECs/RMs, the AU Commission itself is not free from sharing the blame considering that, in relation to the PSC, its record of lack of implementation of decisions, including those that are within its means and capacity, has over the years been on the rise.

The PSC recognized this enormous challenge during the various retreats on its working methods, including the latest one convened in November 2023 in Tunis, Tunisia. To address the challenge on the implementation of the PSC decisions, the Tunis retreat agreed to take three important measures.⁷¹ The first is dedicating two sessions annually to the evaluation of the status of the implementation of the PSC and Assembly decisions on peace and security in the continent. Secondly, the PSC mandated the PSC Committee of Experts, supported by the PAPS Department, with developing a ‘matrix on the status of implementation of council decisions that include an impact assessment.’ Thirdly, as an interim measure, it was agreed for the PSC Secretariat to attach to the Concept/Briefing Note prepared for specific sessions a matrix indicating decisions

taken on the particular issue in the past, the state of the implementation of such decisions, and center of responsibility for its implementation. The effectiveness of these initiatives in practice remains to be seen.

3.7. The need for expanding the space for and engagement of CSOs

Efforts to operationalize normative frameworks and modalities of engagement between the PSC and CSOs are underway. Some commendable steps have taken in recent years including through the institutionalization of the annual consultative meeting and the establishment of platforms such as NETT4Peace. There remain enormous room for improvement in harnessing the significant potential CSOs offer to the Council’s work, notably in the areas of early warning, peace-making, mediation, and peacebuilding. The peace, security, and governance challenges facing the continent demand a collaborative approach beyond state actors alone. CSOs bring a diverse pool of expertise, technical resources, and a unique perspective on crises, operating close to the ground where challenges emerge. It is thus imperative for the Council to move beyond ad hoc arrangements for the participation of CSOs and instead fully leveraging these assets and meaningfully involve them in implementation and supporting peace processes, which is not only essential for legitimacy but also strategically important.

⁷⁰ Speech of H.E. Moussa Faki Mahamat Chairperson of the African Union Commission Thirty Seventh Ordinary Session of the Assembly of the African Union (17 February 2024), available on: <https://shorturl.at/fnxDR>.

⁷¹ The Conclusions of Tunis retreat (November 2023), p.3.

4. CONCLUSION AND RECOMMENDATIONS

4.1. Conclusion

PSC's 20-year journey highlights a notable stride in operationalizing key aspects of the PSC Protocol, yet it faces major challenges that put serious uncertainty about its future prospects. A web of normative and institutional frameworks, including the African Peace and Security Architecture, has been established to enable the Council to fulfill its mandate of conflict prevention, management, resolution, and peacebuilding. A variety of tools has been developed and implemented, ranging from preventive diplomacy in response to looming crises to the deployment of complex peace support operations in extremely fragile security dynamics to peacebuilding interventions in post-conflict settings.

Meanwhile, the experience over the last two decades is also a testament to the fact that the implementation of some aspects of the PSC Protocol leaves much to be desired. A notable limitation in this respect is the PSC's lopsided focus on conflict management and resolution over conflict prevention. There are several factors, including technical and institutional challenges, hindering the PSC from effectively fulfilling its conflict prevention mandate. However, the political will on the part of the AU, Member States, and regional mechanisms to engage in the hard work of mobilizing consensus and developing and effectively implementing dedicated strategy or roadmap tailored to each conflict situation on the agenda of the PSC remain critical. Another critical area where the provisions of the PSC Protocol are inadequately implemented is the relationship between the PSC and RECs/

RMs. Despite both sides emphasizing the importance of enhancing their coordination and policy coherence, the commitment to operationalize the terms of the Protocol and subsequent agreed-upon modalities to institutionalize their relations is far from adequate.

Another challenge is the inconsistent application of the AU's key norms and principles, particularly regarding unconstitutional changes of government. Although the Union's policy of zero tolerance for unconstitutional changes of government has been praised for contributing to the reduction of military coups, the resurgence of coups since 2021 in the continent emphasizes the need for a rethink to the gaps in the AU's approach to prevention of and response to unconstitutional changes of government. While the PSC Protocol recognizes the important role of CSOs and envisages their active participation in promoting peace, security, and stability on the continent, little progress has been made to meaningfully engage them in the decision-making process of the PSC.

4.2. Recommendations

In light of the foregoing, the following recommendations are provided to address the limitations in the implementation of the Protocol as the PSC commemorates its 20th anniversary and repositions itself for the next decades.

i. Prioritizing early warning and early response

The PSC operates within finite resources and capabilities, requiring strategic prioritization for the effective implementation of the PSC Protocol. It is crucial to rationalize PSC activities,

focusing on enhancing early warning and early response mechanisms. This entails measures such as a thorough reconsideration of the recent setbacks in the Continental Early Warning system, leveraging the Panel of the Wise as a preventive tool, establishing clear and objective standards for identifying crises deserving PSC attention, and enhancing regular interaction between the chairperson of the Commission and the Commissioner for PAPS with the PSC for timely early warning dissemination. Addressing the political challenge of denialism among Member States demands a clear strategy for early response, emphasizing discreet and non-intrusive measures in the initial stages of a crisis. The use of the collective intervention of the PSC as outlined in the earlier section should be reserved for situations where discreet interventions prove inadequate, and the crisis escalates significantly.

ii. Restoring the primacy of diplomacy as the main conflict management and resolution tool

Considering the peace and security landscape of the continent and the worsening geopolitical tension globally and its manifestations on the continent, the PSC and the AU broadly ill afford not to restore and even further expand the successful and robust peace and security diplomacy of the previous decade. In this respect, one cannot emphasize enough the PSC's emphasis on the centrality of mobilizing robust diplomacy in relation to countries facing political transition underscoring 'the need to demonstrate a clear determination in accompanying the countries, and in this regard, recommended (rightly) that the Chairperson of the AU Commission

consider the expeditious appointment of a retired Head of State/ Government to engage the countries concerned and to brief the Heads of State and Government to galvanize the required political support.'

This emphasis to 'demonstrate a clear determination' in mobilizing robust diplomacy as the primary peace and security instrument will be required in 2024, as many of these countries in transition have to contend with the end of their transitional period in a poor institutional and security environment. This determination for robust diplomacy is required from the PSC in relation to other issues it would need to deal with during 2024: ensuring smooth drawdown and exit of ATMIS and achieving consensus on the post-ATMIS mission, averting the impending breakdown of regional orders in West Africa and the Sahel and threat of such breakdown in Horn of Africa and Great Lakes regions, and ensure that the impending end of the transitional period in South Sudan does not occasion tension and risk of relapse to conflict.

iii. More focus on specific conflict situations than on thematic issues

The peace and security landscape of the continent is such that rather than seeking to implement all parts of the PSC Protocol particular attention should be given to rationalising the work of the PSC for prioritising the effectiveness of early warning and early response, preventive diplomacy and the mobilization of sustained and robust conflict management and resolution strategy dedicated to each of the various hotspots on the continent with focus on the major one in the Sahel, Horn of Africa and Great Lakes regions. Such dedicated

strategy with effective follow through is a pre-requisite for containing and mitigating the spread and escalation of conflicts and creating conditions for their resolution. This underscores that while it is worthwhile to map out the gaps and inadequacies in the implementation of the various parts of the PSC as a whole, enhancing and fully implementing those aspects of the PSC Protocol central to the core mandate of the PSC merits prioritisation.

Considering that the PSC only have very finite resources and limited institutional capacity, the issue that is of strategic importance for the credibility and effectiveness of the PSC is how it utilizes its time, diplomatic resources, legal powers and moral and political authority to deliver on the core of its mandates – prevention, management and resolution of conflicts. The cases where the PSC engaged successfully indicate that the PSC is effective when it makes effective use of the key tools of conflict prevention, management and resolution. For some of the high intensity conflicts, the PSC should dedicate more regular engagement. To this end, it is of paramount significance that the PSC ensures the implementation of the conclusions of its Tunis retreat that rightly called for the program of work of the PSC to give more attention to conflict situations and curtail the proliferation in and domination of the program of work by thematic issues.

iv. Reinvigorating AU-led PSOs

While lack of resources is a major factor, it is far from convincing that it is the main factor that is inhibiting the AU from deploying any major peace support operation for the past decade. In the

light of the major security vacuum that AU's inability to deploy has created and the risk of fragmentation facing the APSA as a result of it, there is a need for the PSC to request a comprehensive assessment of the challenges to the deployment of peace support operations within the framework of the APSA and the ASF norms and policies and present proposals on how to reinforce effective and proactive use of AU led PSOs, thereby preventing the emergence of vacuum that opened avenues for ad hoc or irregular arrangements, some of which with dangerous implications for regional stability.

The challenges identified above are on their own compelling enough for engaging in such strategic assessment of the use and challenges to AU-led PSOs. Additionally, the adoption of UNSC Resolution 2719 has added further impetus to the importance of reinvigorating and re-positioning AU-led PSOs.

v. PSC and RECs/RMs should engage in a more frequent and substantive manner than ever before

The nature and scope of the security dynamics in the continent require not only a regular interaction but also a genuine and substantive engagement to ensure coordination and policy coherence. To that end, both sides must address the bottlenecks hindering such substantive engagement. Building on the agreement reached during the second annual consultative meeting between the PSC and RECs/RMs in August 2021, they should urgently initiate 'a transparent, in-depth and dynamic dialogue' on the 'scope, dimensions, variables and criteria of the applicability of

the principle of subsidiarity'. They should also devise a detailed implementation plan to operationalize agreed modalities to institutionalize their relationship while dedicating the required resources to that end. The recent inaugural joint consultative meeting between the PSC and the Mediation and Security Council of ECOWAS in April 2024 is an encouraging step that could be replicated with other RECs/RMs as such platforms facilitate context-specific discussions tailored to the priorities and needs of each regional mechanisms.

“The recent inaugural joint consultative meeting between the PSC and the Mediation and Security Council of ECOWAS in April 2024 is an encouraging step that could be replicated with other RECs/RMs as such platforms facilitate context-specific discussions tailored to the priorities and needs of each regional mechanisms.”

vi. Reinforce AU's implementation of its anti-coup norm and its consistency

The current approach to the implementation of the norm has proved inadequate in effectively addressing the resurgence of military coups in the continent, hence requiring a revisit. In this respect, the PSC may mandate a relevant body, such as the Panel of the Wise, to undertake a comprehensive study that critically investigates the shortfalls of the existing approaches to implementing the anti-coup norm and approaches towards unconstitutional changes of government and proposes the necessary reforms moving forward. The AU and the RECs/RMs have not been effective particularly in taking appropriate measures for

preventing unconstitutional changes of government. They adopted 'see no evil and hear no evil' approach when incumbent leaders resort to extension of term limits (such as Guinea 2020, CAR 2023, Togo 2024) or, as AU Commission Chairperson put it, 'instead of being joyful modes of peaceful transfer or maintenance of power, elections have become, through the extent of their irregularities, factors for deepening crises.'⁷² In terms of responding to recent resurgence of coups, apart from lack of coherence between AU and RECs such as on Sudan and Niger, the AU weakened its zero tolerance policy when it supported coup makers to be in charge of transitional processes (in Sudan in 2019 and in others in subsequent years) and more significantly failed to designate the military seizure of power in Chad as a military coup and to suspend Chad. In addition to redressing these failures, the PSC needs to find ways of deploying robust crisis management diplomacy instruments taking the form of a high-level panel, special envoy or high-representative that not only works towards restoration of constitutional order but also facilitates the initiation and implementation of relevant reforms that guarantee non-recurrence of unconstitutional changes.⁷³

“the PSC needs to find ways of deploying robust crisis management diplomacy instruments taking the form of a high-level panel, special envoy or high-representative that not only works towards restoration of constitutional order but also facilitates the initiation

⁷² Moussa Faki Mahamat, Speech to the AU Assembly (17 February 2024), available on: <https://au.int/en/pressreleases/20240217/speech-he-moussa-faki-mahamat-chairperson-african-union-commission-thirty>

⁷³ Solomon Dersso, *Coups are always a bad idea – even the popular ones*, *The Continent*, Issue 60 (September 18 2021)

and implementation of relevant reforms that guarantee non-recurrence of unconstitutional changes.”

vii. Immediate action is required to implement the decisions made during the Tunis retreat to ensure effective follow-up on PSC’s decisions

There is a need to translate the decisions taken during the 15th (Tunis) retreat of the PSC on its working methods as a matter of priority, which, among others, include dedicating two sessions annually to assess the status of the implementation of the decisions of the PSC and the Assembly on peace and security matters, developing implementation matrix, and providing an annex to the Concept/Briefing Notes that highlight the status of implementation of previous decisions on a particular issue. However, beyond these measures, there is also a need to make the decisions actionable in two ways: by providing a timeframe for implementation when appropriate and by considering the budget implications of each decision.

viii. Leveraging the expertise and resources of CSOs to enhance the works of the PSC

Addressing the restrictive space for the meaningful involvement of CSOs in the PSC activities is imperative. Currently, CSOs are primarily invited to open sessions focusing on thematic issues. However, their engagement should extend beyond thematic discussions, and the PSC should consider allowing CSOs to brief the Council on country-specific situations. In this respect, the establishment of the NeTT4Peace is a

commendable step and can be leveraged to serve as an effective platform to inform evidence-based decision-making. Considering that the nature of the peace and security challenges on the continent demand the harnessing of resources and capacities not just of state actors but also of all sectors of the African public, the PSC could request the AU Commission to explore the various ways for leveraging the expertise and contribution of CSOs in a systematic way in supporting preventive action, providing proposals on options for mitigating, managing and resolving conflicts including in mobilizing support for and strengthening the role of mediation and peacemaking processes as well as the implementation of peace agreements.



MEDIA AND RESEARCH SERVICES

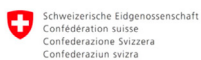
ABOUT AMANI AFRICA

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.

ACKNOWLEDGEMENTS

Amani Africa acknowledges with appreciation the contributions from Ireland, Norway, Open Society Foundations and Switzerland towards the publication of this special research report and for their support to our work in general.



Ambasáid na hÉireann
Embassy of Ireland



Norwegian Ministry
of Foreign Affairs



OPEN SOCIETY
FOUNDATIONS

ADDRESS

On the Corner of Equatorial Guinea St. and ECA Road, Zequala Complex,
7th Floor, Addis Ababa
Tel: +251118678809
Mobile: +251944723204 Addis Ababa, Ethiopia