Early Warning Issues for March

The scheduled Rotating Chair of the African Union (AU) Peace and Security Council (PSC) for the month of March is Nigeria. In the absence of a country’s representation at ambassadorial level, an alternate member will chair the Council for the month.

Egypt

Hosni Mubarak succumbed to the demands of Tahrir Square on 11 February 2011, less than 24 hours after he insisted that he would not leave office. While his departure met one of the major demands of the protestors, uncertainties and doubts remain as to whether the army, which has assumed the reins of power, is committed to allowing and facilitating real democratic change. First, there are groups in the opposition camp who have voiced concerns that the six months transitional period prior to new elections, as announced by the military, would be inadequate to introduce the required legal and institutional changes. These are the changes that would establish an even playing field and guarantee a free, fair and credible election. In addition, other substantive demands, most notably the removal of the emergency law, the release of political prisoners and replacement of the Mubarak appointed government, have not yet been met. Unless timelines are established for meeting these demands and an all-inclusive transitional process with a clear roadmap is crafted, the protests are likely to continue in one form or another.

While the departure of Mubarak, who held power longer than any other modern Egyptian leader, presents an opportunity for real democratic transformation of the country, this situation is not without its challenges. One concern is that Egypt may descend into chaos unless the transition to democratic rule is smooth, peaceful and orderly. It is not clear if the protesters will maintain their cohesion in the wake of Mubarak’s departure, an event that has set in motion a potential struggle for shaping the future of a new Egypt. There are also serious fears that the army may resist efforts to establish a full democratic system that erodes its own political and economic interests. It seems that the army may prefer an evolutionary and regulated change over a once off leap to a full democratic order. It may thus be impossible to have an orderly transition to democracy without deferring to the established interests of the military. Notwithstanding these concerns, the constitutional review process and eventually the organisation of the election, provide real opportunities for substantive democratic change.

DRC

Although the DRC can largely be classified as a post-conflict state, insecurity and violent attacks in the Eastern region still give the DRC a potential for the crisis in that region to escalate into conflict. With presidential elections slated for 27 November 2011, the DRC is faced with both the chance and the challenge to consolidate peace and security. Key challenges comprise...
stabilizing the East, managing natural resource exploitation and achieving an adequate degree of security and judicial sector reform prior to the elections. The presence of armed groups in the east is a continuing source of concern. Along with such concern, there is the negative impact on civilians of the activities of illegal armed groups which range from looting to sexual violence and arbitrary killings. Implicated in these attacks are various entities that include the Congolese army and FARDC (Forces Armées de la République Démocratique du Congo), thereby underlining the urgent need for security sector reform that would ensure effective reintegration and retraining of the integrated forces. As the different entities seek to access and control the region’s vast mineral reserves, the scramble for these natural resources contributes to the intractability of such conflicts.

The upcoming elections may add a new pressure point in the quest to consolidate peace and security in the DRC. Judging from past electoral experiences within the region, elections have served as triggers for conflict as contenders bid to amass political power that often provides substantial control over the nation’s wealth. Electoral processes of such a high stakes nature may serve to processes in the region tend to stunt democratic growth and give way to state fragility. An illustration of the increasing stakes is the attempted coup against Kabila, which involved a group of armed men who attacked Joseph Kabila’s residence in Kinshasa on 27 February 2011. Despite its failure as a coup attempt, 7 people were reported dead and 30 arrested in connection with the incident.

Furthermore, there are unintended consequences in hindering sustainable national growth and development. With a series of electoral polls scheduled to take place from November 2011 to August 2013, the elections will certainly take a financial and logistical toll on the country. A recent constitutional amendment to allow the president to win by a simple majority has been interpreted by the opposition as a tactic by the incumbent to consolidate power. However, the government has championed the amendment on the basis of cost. Nonetheless, with fewer than ten months to the elections, there is much to be done. Despite the inherent challenges, there is a need to ensure that the electoral process accomplishes the democratic ideal of providing a favourable environment that enables citizens to vote freely in anticipation of a fair outcome.

**Niger**

Since a bloodless military coup that overthrew and detained President Mamadou Tandja as well as several cabinet ministers on 18 February, 2010, Niger has been led by a group that calls itself the Supreme Council for the Restoration of Democracy or Conseil Suprême pour la Restauration de la Démocratie (CSRD). The past year has witnessed numerous reforms and changes in the state structure and legislative framework of Niger, raising the hopes of many for a smooth transition to a democratically elected civilian government. The 31 January elections were generally peaceful and according to observers, have met international standards. However, Niger is faced with multiple security, political and economic challenges, all with the potential to derail the transition process.

According to some media reports, members of the National Movement for the Development of Society or Mouvement National pour la Société du Développement (MNSD-Nassara) were physically assaulted on the day of the election and some were chased away from the polling stations by supporters of a rival candidate, Mahamadou Issoufou, the head of the National Party for Democracy and Socialism or Parti Nigerien pour la Democratie et le Socialisme-Tarayya (PNDS-Tarayya). Such incidents, in addition to the ever-growing threat emanating from Al-Qaed in the Islamic Maghreb (AQIM) which has extended its operations in urban areas of Niger including the capital city, Niamey, as well as the reactivated Touareg insurgency, present significant security challenges for the new government and could create problems for the transition and beyond.

**Crisis escalation potential**

Hosni Mubarak succumbed to the demands of Tahrir Square on 11 February 2011, less than 24 hours after he insisted that he would not leave office. While his departure met one of the major demands of the protestors, uncertainties and doubts remain as to whether the army, which has assumed the reins of power, is committed to allowing and facilitating real democratic change. First, there are groups in the opposition camp who have voiced concerns that the six months transitional period prior to new elections, as announced by the military, would be inadequate to introduce the required legal and institutional changes. These are the changes that would establish an even playing field and guarantee a free, fair and credible election.
In addition, other substantive demands, most notably the removal of the emergency law, the release of political prisoners and replacement of the Mubarak appointed government, have not yet been met. Unless timelines are established for meeting these demands and an all-inclusive transitional process with a clear roadmap is crafted, the protests are likely to continue in one form or another.

While the departure of Mubarak, who held power longer than any other modern Egyptian leader, presents an opportunity for real democratic transformation of the country, this situation is not without its challenges. One concern is that Egypt may descend into chaos unless the transition to democratic rule is smooth, peaceful and orderly. It is not clear if the protesters will maintain their cohesion in the wake of Mubarak’s departure, an event that has set in motion a potential struggle for shaping the future of a new Egypt. There are also serious fears that the army may resist efforts to establish a full democratic system that erodes its own political and economic interests. It seems that the army may prefer an evolutionary and regulated change over a once off leap to a full democratic order. It may thus be impossible to have an orderly transition to democracy without deferring to the established interests of the military. Notwithstanding these concerns, the constitutional review process and eventually the organisation of the election, provide real opportunities for substantive democratic change.

**Key issues and internal dynamics**

The protests in Egypt, inspired by the successes of the Tunisian uprising, began on 25 January 2011. Few, if any, expected at that point that it would repeat the success of the Tunisian uprising. As the protest grew in size, day after day, it surprised not only outside observers but also the authorities in Egypt. Like the uprising in Tunisia, the leaders of the protest in Egypt were mostly young educated Egyptians alienated from political decision-making and frustrated by unemployment and high levels of corruption among the ruling elites of Egypt.

Egypt has been under emergency rule for most of Mubarak’s presidency. As a result, public demonstrations were forbidden, and freedom of association and assembly were rendered inoperative. As in Tunisia, most of the youth mobilised and organised the protests using social media networks such as Facebook, Twitter and YouTube. The use of these new communication media enabled the protestors to bypass the restrictions that the emergency laws had imposed on physical freedom of assembly and association. It also allowed protestors to publicise the misdeeds of the ruling forces and gave expression to the yearnings of the Egyptian people for political and socio-economic change.

Apart from imposing limitations on public freedoms, the emergency law also allowed the security forces to act in a virtual legal vacuum with all the attendant consequential excesses. The security forces responded to political dissent and protests with ruthless violence. The police have become known for their brutality and tendencies toward extra-judicial detention and torture. Despite sporadic small-scale protests, most Egyptians remained subdued by the rules of the security apparatus until it was broken at Tahrir Square.

The public tolerated, and foreign actors acquiesced to, such draconian practices as a price for stability and peace in Egypt. President Mubarak based his legitimacy on maintaining stability and peace in Egypt. This served not only to reject calls for political liberalisation but also to justify restrictions on basic rights of citizens, brutally suppressing civil society, jailing opposition politicians, closing newspapers and silencing all independent voices. The government stifled freedom of the press and persecuted judges and lawyers who stood against such practices. The army, while not active in politics, has remained the most formidable actor in the structures of the Egyptian state. During the three decades of his rule, Mubarak turned Egypt into a police state. It is estimated that some 1.7 million people worked for Egypt’s Ministry of the Interior.

The logic of this political system is that it presented itself as a better alternative to real democracy, which was portrayed as a recipe for disaster. Accordingly, Mubarak’s government exploited public fears that a more democratic Egypt might fall into the hands of radical Islamist groups.

The immediate factors that triggered the protests in Egypt are similar to those in Tunisia. These include rising food prices and inflated costs of essential goods, the discontent of the country’s fast growing young population about unemployment and the rampant corruption among the ruling elites of the country. The political dimension of the demands of protestors, aims at achieving various substantive changes. The most immediate demand was the resignation of President Mubarak, which was expected to pave the way for a transition to democracy under new leadership. The more substantive demands for change include the dissolution of the parliament that is dominated by the ruling party and the rewriting of the Constitution that was used by the government to repress dissent.

Although the youth took the lead in the demonstrations, the protests attracted people of different age groups, religious backgrounds, and political orientation. Women, children and middle class working men from various walks of life gathered at Cairo’s Tahrir (liberation) Square day after day, with some of the protestors sleeping in the square. Various opposition forces, including the Muslim Brotherhood and figures such as Mohamed El Baradei and Amr Musa also joined the protestors. Despite their diversity in many ways and the lack of any centralised leadership, this disparate array of opposition protestors was united around the demand for the end of Mubarak’s thirty years of rule and the need to democratically transform Egypt.

25 January, designated as Police...
Day in Egypt, was purposely chosen to draw attention to the brutalities of the police and security forces. Coinciding as it did with the high point of the Jasmine Revolution in Tunisia, the protest on 25 January in Cairo looked more like a continuation of the uprising in Tunisia. The protest took everyone by surprise when it attracted more than 10,000 protesters. The success of the protest leaders in bringing large numbers of Egyptians to the streets and in having the nation-wide demonstrations proceed peacefully attracted many more Egyptians to the streets. The protests took place not only in Cairo but also in other cities such as Alexandria, Suez and Sinai.

The first reaction of Mubarak’s government was one of defiance. The government used the police and the security forces to disperse the protesters. They fired tear gas and rubber bullets; they even drove cars into the protesters. The clashes that ensued between the protesters and the security forces resulted in large numbers of deaths and many more injuries. The Egyptian government promised that it would not fire on protesters. None of the measures taken by the government succeeded in stopping the anti-government demonstrations across the country. On 1 February, the protesters called for a one million-person march, demanding the resignation of the President. Addressing the nation that evening, Mubarak said he would not seek a new term in office in the September elections, but rejected demands for him to step down immediately.

Another turn of events took place on 3 February 2011 when armed pro-Mubarak forces started to attack protesters in the Capital, Cairo. They attacked the anti-Mubarak protestors with rocks, machetes and firebombs, and rode horses and camels into the crowds of protestors. The police made no attempt to restore calm and the military chose to remain spectators. This situation resulted in violent confrontations as the protesters fought back. The celebratory mood of Tahrir square changed as it became a battle ground. The protesters stood their ground and repulsed the pro-Mubarak forces by closing the entrances to Tahrir Square and forcing the government forces to leave what had become a symbol of the revolution.

Appearing on national television, President Mubarak announced that he had sacked the cabinet but that he would remain in power. In a further concession to the protesters Mubarak appointed Omar Suleiman, a former boss of the Egyptian intelligence services, as vice president, a position that had been made redundant since he came to power 30 years ago. He also appointed a former Air Force General, Ahmed Shafiq, as prime minister. In a move that saw the military rise to the centre of power, the defence minister, M. Tantawi, was given the additional profile of deputy prime minister while remaining commander in chief of the armed forces.

On 31 January 2011, as the new Vice President was announcing that President Mubarak had requested him to start a dialogue with all political forces, the Egyptian army promised that it would not fire on protesters. None of the measures taken by the government succeeded in stopping the anti-government demonstrations across the country. On 1 February, the protesters called for a one million-person march, demanding the resignation of the President. Addressing the nation that evening, Mubarak said he would not seek a new term in office in the September elections, but rejected demands for him to step down immediately.

The army, which persistently tried to convince protestors to go back to their homes, has now started to assume a more active role. The military has established checkpoints and started to exercise control on the streets around Tahrir Square. On 4 February 2011, since designated as the ‘Day of Departure’, a large number of protesters, guarded by the military who were conducting body searches at entrances to Tahrir Square, gathered in anticipation of Mubarak’s capitulation. As further concessions, including a promise by Suleiman to lift the emergency law, failed to satisfy protestors who were demanding the immediate ouster of Mubarak, the military announced that it would ‘support the legitimate demands of the people’.

When Mubarak finally stepped down from power on 11 February 2011, less than 24 hours after he had delivered yet another televised address in which he promised to hand over power while remaining president, the high military council assumed control. While the high military council has kept the ministers and newly appointed officials of the government, it dissolved parliament and suspended the constitution. It also asked a committee of constitutional experts to review the Constitution. Apart from stating that it would hand over power to a civilian administration after elections are held in six months’ time, it has not developed or announced any clear roadmap concerning the transition.

While most of the protestors have accepted the assumption of temporary power by the military, many are not certain if the military will allow real democratic change to take place in Egypt. The army is the most powerful institution in Egypt. It is also the tenth largest army in the world. It is estimated that the Egyptian army controls 5 to 15 percent of the country’s economy. It has wide commercial networks and military owned companies that are active in the water, olive oil, cement, construction, hotel and gasoline industries. Its various manufacturing divisions produce television sets, jeeps, washing machines, wooden furniture, bottled water and even milk.

>>page 5
and bread. None of these enterprises is subject to taxation.

After decades of tight authoritarian rule, Egypt exhibits a weak foundation for democracy. The only political party with lengthy experience and a strong organisational base is the Muslim Brotherhood. Until recently, the country’s news media were not independent. The country has little or no tradition of formidable political opposition. Mubarak’s 30 years of iron-fisted rule also left the country with a generally weak civil society. The military is the only institution influential enough and powerful enough to be able to guarantee a relatively smooth transition. Consequently, given its historically and constitutionally strong ties with the former regime and its strong economic interests, it seems unlikely that there will be a democratic transition in which the military will not play a leading role.

In the coming months Egypt faces the challenge of undertaking comprehensive democratic changes in an imperfect political environment. These necessary changes are expected to address corruption, nepotism, and the embezzlement of public funds, and must establish accountability. Additionally, the government also needs to respond to the economic challenges facing the country and its people. In this regard, there is a need to introduce reforms designed to dampen the impact of high price hikes, the widening economic gap between those close to the centre of power and the masses, the deteriorating standard of living and, most notably, the high unemployment rate among young Egyptians.

**Geo-political dynamics**

**AU dynamics**

Neither the President of Libya nor the President of Algeria participated in the 16th ordinary session of the AU Assembly. Although the summit did not make any formal pronouncement on the crisis in Egypt, it could not have failed to note of the protests engulfing that country. At the very least, the conspicuous absence of Libya’s Muammar Gaddafi should have alerted those leaders attending the summit to the gravity of the political situation in the whole region.

The events in both Tunisia and Egypt sent shock waves through the entire North African region. The day after President Mubarak resigned opposition groups staged a protest in Algeria. Even in Libya, crowds of people have risen up calling for the removal of the longest serving head of state in Africa, Muammar Gaddafi.

Thus far, the AU has issued statements about protests in Tunisia, Egypt, and more recently, Libya. While it has expressed its solidarity with the people of Tunisia, the AU has merely urged that a consensual solution be found that takes into account the aspiration of the people of Egypt. Although the AU has also called for ‘appropriate reforms’, it has nevertheless refrained from advocating what these appropriate reforms need to include. In so doing, the AU is attempting to strike a balance between the need to respect the sovereign independence of states to determine their own political direction and the organisation’s responsibility concerning areas of peace and security as well as democratic governance.

**UN dynamics**

UN Secretary-General Ban Ki-Moon made repeated statements about the political situation in Egypt. In these statements the Secretary-General condemned the crackdown against protesters and urged the authorities to respect the rights of people to peaceful demonstration, freedom of assembly and freedom of expression. Calling on the authorities to respond to the demands of the protesters, Mr Ban said ‘I believe it is important for the Egyptian leadership to listen more attentively and carefully to what the genuine and real wishes of the protesters are’. Acknowledging the dangers involved, Mr Ban also expressed the need for an orderly and peaceful transition to democracy.

Within the UN Security Council (UNSC), the crisis in Egypt was treated as an Egyptian domestic affair in which the UNSC has no current jurisdiction. Speaking on the subject, Brazil’s Ambassador to the UN and the President of the UNSC, stated that ‘the UN Security Council is an institution of last resort’ and that the situation in Egypt has not reached a point where it affects international peace and security. Accordingly, he said that ‘this situation is being dealt with at the national level’. This is consistent with the traditional position of the UNSC whereby the Council has rarely shown interest in intervening in an on-going domestic uprising with the exception of those cases involving gross violations of international law. It is thus unlikely that the UNSC will act on the situation in Egypt, preferring the Secretary-General to continue monitoring the situation and reacting only as and when necessary.

**Wider international community dynamics**

The uprising in Egypt came as a shock not only to the authorities in Egypt, but also to Egypt’s allies. The United States is a major global power with tremendous influence in Egypt’s domestic political arena. Apart from the strategic importance that Egypt represents, as well as related areas of cooperation between the two countries, the US provides $1.3 billion annually in US aid to the Egyptian military establishment.

Baraka Obama’s administration was taken by surprise by the developments in Egypt, so much so that the White House and State Department were making improvised and ad hoc policy statements as events unfolded day after day during the 18 days of protest that eventually ousted Mubarak, a long-time ally of the US and the West. Whereas, two weeks earlier, Secretary of State Hillary Clinton had spoken of Mubarak as an ally of the US and affirmed that Egypt was stable, the Obama White House was soon making conflicting pronouncements. The major concern for Obama’s administration was whether a new government arising from the protest

>>page 6
would remain an ally of the US and uphold the Camp David Agreement with Israel. Accordingly, despite Obama’s push for substantive political reforms and even the possibility of Mubarak’s resignation, the US called for an orderly and peaceful transition. In view of the Egyptian army’s strong ties with the US Department of Defence and its dependence on American aid, the US can play a pivotal role in prompting the army to facilitate and undertake the necessary changes that will put Egypt on the course of real democratic transformation.

Scenario planning

Given the above analysis, any of the following scenarios, or a combination of them, may unfold:

Scenario 1:
The constitutional review process lays down the foundation for undertaking various political reforms that pave the way for a return to civilian rule. This could lead to the legal reform of political freedoms, including freedom of association, freedom of expression and freedom of the press, electoral reform and reform of the police and security institutions.

Scenario 2:
The army has little recent experience in directly governing the country and will therefore continue to rely on the rump cabinet that Mubarak put together before leaving office. This will disappoint protesters and opposition groups as well as religious leaders who called for the replacement of Mubarak’s government with new leadership.

Scenario 3:
With the emergency law still in force and the military providing no comprehensive roadmap on the transitional process, doubts over whether the military high command will allow real democratic change will persist. Protesters will continue to gather at Tahrir Square, pressing the military government to effect substantive political changes, thereby paving the way for truly democratic civilian rule.

Early Response options

Given the above scenarios the following options could be considered:

Option 1:
The PSC could issue a statement or a communiqué requesting the military government to establish an independent inquiry into the violence that resulted in the deaths of a number of peaceful protesters.

Option 2:
The PSC could also request the Egyptian army to respect its promise to lift the decades-old emergency law and, to this end, announce when it plans to lift the law in accordance with Egypt’s obligations in terms of various international and African human rights treaties.

Option 3:
The PSC could request that the military facilitates and encourages genuine constitutional and electoral reforms that would facilitate the country’s return to civilian rule on the basis of free, fair and democratic elections.

Democratic Republic of Congo (DRC)

Previous PSC and AU Communiqués and Recommendations

In a press release issued on 31 January 2011 after the 16th AU Summit, the Assembly lauded the Democratic Republic of Congo (DRC) for its efforts in peace consolidation and post conflict reconstruction and further exhorted the DRC to enable due process in the upcoming elections. This commendation followed a communiqué, PSC/PR/COMM. (CCXXX) on 27 May 2010 by the PSC at its 230th meeting on the report of the Multidisciplinary Mission for the Evaluation of Post-Conflict reconstruction and Development Needs that took place in the DRC from 21 January to 13 February 2010.

Some of the major recommendations from this mission included the consolidation of peace in Eastern DRC, security and judicial sector reform; administrative restructuring, addressing corruption and impunity; coordinating aid and natural resource management; supporting victims of sexual violence and mainstreaming gender in Vision Congo 2030; reconsidering UN engagement and ensuring adequate arrangements for elections in 2011; and guarding against illegal exploitation of the DRC’s mineral reserves. In addition, the 21 May 2010 communiqué of the 8th meeting of the AU Panel of the Wise urged implementation of the recommendations from the above mission’s report, as well as adherence by the DRC to the Nairobi Accord, the Goma Commitments and Agreements.

Crisis escalation potential

Although the DRC can largely be classified as a post-conflict state, insecurity and violent attacks in the Eastern region still give the
DRC a potential for the crisis in that region to escalate into conflict. With presidential elections slated for 27 November 2011, the DRC is faced with both the chance and the challenge to consolidate peace and security. Key challenges comprise stabilizing the East, managing natural resource exploitation and achieving an adequate degree of security and judicial sector reform prior to the elections. The presence of armed groups in the East is a continuing source of concern. Along with such concern, there is the negative impact on civilians of the activities of illegal armed groups which range from looting to sexual violence and arbitrary killings. Implicated in these attacks are various entities that include the Congolese army and FARDC (Forces Armées de la République Démocratique du Congo), thereby underlining the urgent need for security sector reform that would ensure effective reintegration and retraining of the integrated forces. As the different entities seek to access and control the region’s vast mineral reserves, the scramble for these natural resources contributes to the intractability of such conflicts.

The upcoming elections may add a new pressure point in the quest to consolidate peace and security in the DRC. Judging from past electoral experiences within the region, elections have served as triggers for conflict as contenders bid to amass political power that often provides substantial control over the nation’s wealth. Electoral processes of such a high stakes nature may serve to stunt democratic growth and give way to state fragility. An illustration of the increasing stakes is the suspected coup against Kabila, which involved a group of armed men who attacked Joseph Kabila’s residence in Kinshasa on 27 February 2011. Despite its failure as a coup attempt, 7 people were reported dead and 30 arrested in connection with the incident.

With a series of electoral polls scheduled to take place from November 2011 to August 2013, the elections will certainly take a financial and logistical toll on the country. A recent constitutional amendment to allow the president to win by a simple majority has been interpreted by the opposition as a tactic by the incumbent to consolidate power. However, the government has championed the amendment on the basis that the decision was made to avoid excessive cost and tension from a run-off. Nonetheless, with fewer than 10 months to the elections, there is much to be done. Despite the inherent challenges, there is a need to ensure that the electoral process accomplishes the democratic ideal of providing a favourable environment that enables citizens to vote freely in anticipation of a fair outcome.

**Key Issues and Internal Dynamics**

In 2006, the DRC held presidential elections, promulgated a new constitution and adopted a poverty reduction and growth strategy paper to guide reconstruction efforts until 2011. While most of the country engages in post-conflict measures, violent conflict has characterized instability in Eastern DRC with civilians bearing the brunt of incursions by illegal armed groups and FARDC. Amongst the illegal armed groups, the Lord’s Resistance Army (LRA), the Democratic Forces for the Liberation of Rwanda or Forces Démocratiques de Libération du Rwanda (FDLR) and the Mai Mai, are of current concern.

The strength of these groups fluctuates although recent events are cited as indicators of their potentially diminishing capacity such as senior officers of FDLR requesting to be repatriated. The illegal activities of these armed groups have exacerbated the humanitarian crisis in parts of Eastern DRC in spite of the presence of a UN mission comprising approximately 20,000 troops. Despite the proximity of the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO), there have been reports of sexual violence in Eastern DRC. Examples include a mass rape over four days in July and August 2010, with about 300 victims in Walikale in North Kivu; on 31 December 21, there were some 32 rapes in Bushani, North Kivu; and on 1 January 2011, there were reportedly 50 rape attacks in Fizi, South Kivu. As cited in the Security Council Press Statement, SC/10167, AFR/2114, the army, FARDC and the Congolese National Police (CNP) have been implicated in reported cases of human rights violations. This raises questions about how effectively former militia have been reintegrated into the army and whether they are able to ensure civilian protection.

Under scrutiny for failure to ensure civilian protection, MONUSCO has also been under fire for its successive joint military operations with FARDC. These operations, aimed at eliminating threats from rebel groups, reinstating state control and preventing illegal exploitation of resources, have been marred by human rights violations on the part of FARDC. MONUSCO has so far supported FARDC in eliminating threats by illegal groups through operations Amani Leo in North and South Kivu, Iron Stone in Ituri, Rudia in the Haut and Bas Uélé and Restoring Confidence in the West in Equateur Province. MONUSCO support of FARDC is guided by a policy of conditionality that links continued support with an assurance by FARDC of respect for international human rights, humanitarian and refugee law in all its operations. Implementing the conditionality policy to protect human rights provides challenges in terms of comprehensively enforcing and monitoring such a policy.

The reasons for the conflict in Eastern DRC are as varied as the actors. Although, initially, the existence of some of the groups was motivated by regional politics or elimination of foreign threats, the lure of mineral wealth continues to be a common thread in the narrative of the DRC conflict. Even neighbouring countries have experienced tensions over the exploitation of natural resources that may fall across national borders. One approach the DRC has made in order to regulate exploitation of its vast natural resources is to seek to join the Extractive Industries Transparency Initiative (EITI). It has until 12 June 2012 to achieve compliance in this regard. This is a crucial step in encouraging natural resource exploitation and preventing illegal exploitation of these valuable resources.
governance best practice and needs to be complemented by security sector reforms and strengthened national institutions, requirements that are keys to post-conflict reconstruction of the DRC.

Although a presidential election in 2011 will raise the stakes, it may not necessarily change the status quo. In view of the constitutional amendment allowing for a simple majority win, the incumbent, Joseph Kabila, is likely to retain power. The elimination of a likely challenger, Jean-Pierre Bemba, of the Movement for the Liberation of the Congo or Mouvement pour la Libération du Congo (MLC), who is now in the custody of the International Criminal Court, portends a Kabila win. This is made even more likely with other opposition parties fronting separate candidates like Etienne Tshisekedi of the Union for Democracy and Social Progress or L’Union pour la Démocratie et le Progrès Social (UDPS) and Vital Kamerhe of the Union for Democracy and Social Progress or L’Union pour la Démocratie et le Progrès Social (UDPS) and Vital Kamerhe of the Union for Democracy and Social Progress or L’Union pour la Libération du Congo (UDPS), respectively. With the election of a leader, Kabila, the majority win, the incumbent, Joseph Kabila, is likely to retain power. The elimination of a likely challenger, Jean-Pierre Bemba, of the Movement for the Liberation of the Congo or Mouvement pour la Libération du Congo (MLC), who is now in the custody of the International Criminal Court, portends a Kabila win. This is made even more likely with other opposition parties fronting separate candidates like Etienne Tshisekedi of the Union for Democracy and Social Progress or L’Union pour la Démocratie et le Progrès Social (UDPS) and Vital Kamerhe of the Union for Democracy and Social Progress or L’Union pour la Libération du Congo (UDPS), respectively.

Geo-political dynamics

In what can be described as a tough neighbourhood, the DRC is surrounded by states that have previously had their own respective national conflicts and have also, in some cases, fought proxy wars on DRC territory. The governments of Burundi, Rwanda and Uganda rejected the findings of a UN conflict mapping report published in August 2010, which implicated their national armies in the DRC conflict during the period, 1993-2003. However, both historical and more recent conflicts in countries bordering the DRC, such as Rwanda, Burundi, Sudan, Central African Republic and Angola, as well as the presence of active illegally armed groups, such as the LRA, the Allied Democratic Forces (ADF) and the FDLR, has resulted in an inevitable spill-over of conflict in the region. Growing trends particular to the conflict in Eastern DRC and which exhibit a regional dimension, include the sustained presence of illegally armed groups and the illegal exploitation of natural resources.

The PSC report PSC/PR/2 (CCXXX) of the Multidisciplinary Mission for the Evaluation of Post-Conflict Reconstruction and Development Needs that took place in the DRC from 21 January to 13 February 2010 gave recommendations on the key areas of sexual violence and illegal exploitation of natural resources. The former is now even more pertinent following incidences of reported mass rapes in the latter part of the year. A ‘vetting’ exercise was suggested in order to identify members of the police or army who may be guilty of sexual violence or resource theft with the recommendation that this should be conducted within the wider context of the implementation of security sector reform. Particular to natural resource management, there were also recommendations to comply with the EITI and to ‘revisit’ illegal contracts and concessions regarding mining and forestry.

Regionally, on 15 December 2010, ICGLR member states signed the Lusaka Declaration of the International Conference on the Great Lakes Region (ICGLR) Special Summit to fight illegal exploitation of natural resources in the Great Lakes Region. In establishing linkages between illegal resource exploitation, the proliferation of small arms, profiteering by armed groups and sexual violence, member states committed themselves to eradicating these vices through existing regional and international instruments. The Summit agreed on six tools to regulate the exploitation of natural resources and committed itself to country specific domestication of the protocol on the illegal exploitation of natural resources in the region.

UN Dynamics

At its 6324th meeting, on 28 May 2010, the adoption of UN Security Council Resolution 1925 created MONUSCO with a mandate until June 2011. Despite the prominence of civilian protection measures under this new mandate, terrible atrocities have been committed against many victims in Eastern DRC. Roger Meece, Special Representative of the Secretary-General for the DRC, reflected on the short supply of much needed military helicopters to effectively undertake civilian protection against a backdrop of a limited state presence and infrastructural challenges in the East. Following the briefing by Meece, the Security Council issued a statement, SC/10167, AFR/2114, on 7 February 2011, that requested member states to urgently address the situation by providing military helicopters. In the statement, the Security Council expressed concern over the impact of sustained insecurity on women and children, and inadequate security sector reform as evidenced by the attacks on civilians by the FARDC. Previously, on 29 November 2010, the Security Council adopted Resolution 1952 at its 6432nd meeting as based on the report of the UN Group of Experts to the DRC. This resolution called upon the DRC to deal with rogue elements in the FARDC in regard to the illegal exploitation of resources as well as sexual violence and to also effectively deal with illegal armed groups.

>>page 9
Civil Society dynamics

An Amnesty International Public Statement, AFR62/002/2011, issued on 7 February 2011, raises human rights concerns and calls upon the DRC to protect the rights of association, assembly and expression of all people, including human rights defenders and members of the opposition. Amnesty International alleges that there have been violations of these freedoms with reports of death threats directed against human rights defenders as well as arrests and detention of journalists and opposition members. Again, with the high stakes nature of elections in the region, it is unlikely that the electoral process will be without incident. However it is crucial that the government, civil society and MONUSCO deliberately promote peace to ensure a pre-electoral climate that is conducive to making this exercise transparent and free from violence.

Scenarios

As the DRC moves towards an electoral process starting on 27 November 2011, the urgency to consolidate peace in Eastern DRC persists. With the election outcome unlikely to dramatically alter national governance structures, the instability in the East will continually impede efforts toward national growth and development. In the light of these, any of the following scenarios, or a combination of them, may unfold in the coming months:

Scenario 1:

As the attention of the government is drawn more and more to the preparations for the upcoming election, rebels in Eastern DRC may take advantage of the resultant gap to perpetrate attacks.

Scenario 2:

The electioneering process itself may also raise the political temperature in the DRC as a whole. This has the potential to degenerate into confrontations and political violence of the kind that accompanied the 2006 elections.

Scenario 3:

In preparation for the November 2011 election and in an effort to assert its dominance, the government may tighten security measures. This may also be used to circumvent political rights, including freedom of association, freedom of the press, freedom of expression and freedom of assembly, to the disadvantage of opposition groups and the citizenry.

Scenario 4:

MONUSCO continues to lack the required capacity for effectively executing its protection of civilians mandate and it may prematurely withdraw from the DRC during the course of the year. In the absence of comprehensive reform of the DRC’s security sector, poor discipline on the part of the country’s military and police is likely to persist. The security of civilians will consequently be more precarious.

Early Response options

Given the above scenarios, the following options could be considered:

Option 1:

The PSC could issue a statement or a communiqué on the situation in the DRC, encouraging the government of the DRC to continue prosecution of those elements of the army and the police who contribute to, or condone, the perpetration of violence against civilians. It could also request the government to implement comprehensive security sector reform, including the implementation of a ‘vetting’ exercise as recommended in the PSC’s previous report.

Option 2:

The PSC could also urge the DRC government to provide MONUSCO with all the support it needs with a view to enabling it to effectively discharge its protection of civilians mandate. This may need to include the continued presence of MONUSCO in the DRC until the persistent threat of violence against civilians is effectively addressed.

Option 3:

The PSC could also request countries of the sub-region to support the peace process in the DRC, particularly by taking effective measures to deter their citizens or elements of their security forces from the illegal extraction of mineral and other resources from the DRC.

Option 4:

The PSC could additionally encourage the government of the DRC to ensure, as a measure for consolidating the democratic process in the DRC, that there is an even playing field and that the upcoming elections are properly organized and conducted. It could more specifically urge the establishment of a political and security environment that enables citizens, the press and opposition political groups to fully exercise their individual rights and political freedoms, such as the right to vote, the right to contest an election, freedom of expression, freedom of the press, freedom of association and freedom of assembly, all of which are essential prerequisites for free, fair and credible elections to take place.

Documentation

AU Documents

Press Release No. 12 (31 January 2011) following 16th AU Summit


Communiqué, PSC/PR/COMM. (CCXXX), (27 May 2010) on the above report

Communiqué of the 8th meeting of the AU Panel of the Wise, 21 May 2010
COUNTRY ANALYSIS

Niger

Previous AU/PSC Communiqués and Recommendations

On 31 January 2011 presidential and legislative elections took place in Niger, where a military coup had ousted President Mamadou Tandja a year earlier. In a Press Release dated 4 February, 2011, the Chairperson of the African Union Commission, Jean Ping, welcomed the successful conduct of the elections to facilitate steps towards the restoration of constitutional order and civilian rule. Dr. Ping, who referred to the positive assessment of the elections by the various observation missions, including the AU election monitoring team, stated that the elections demonstrated the maturity of the people of Niger and the various political actors as well as their determination to successfully conclude the transition to a democratic, constitutional and civilian government.

According to some media reports, members of the National Movement for the Development of Society or Mouvement National pour la Société du Développement (MNSD-Nassara) were physically assaulted on the day of the election and some were chased away from the polling stations by supporters of a rival candidate, Mahamadou Issoufou, the head of the National Party for Democracy and Socialism or Parti Nigerien pour la Democratie et le Socialisme (PNDS-Tarayya). Such incidents, in addition to the ever-growing threat emanating from Al-Qaeda in the Islamic Maghreb (AQIM) which has extended its operations in urban areas of Niger including the capital, Niamey, as well as the reactivated Touareg insurgency, present significant security challenges for the new government and could create problems for the transition.

CRISIS ESCALATION POTENTIAL

Since a bloodless military coup that overthrew and detained President Mamadou Tandja as well as several cabinet ministers on 18 February, 2010, Niger has been led by a group that calls itself the Supreme Council for the Restoration of Democracy or Conseil Suprême pour la Restauration de la Démocratie (CSRD). The past year has witnessed numerous reforms and changes in the state structure and legislative framework of Niger, raising the hopes of many for a smooth transition to a democratically elected civilian government. The 31 January elections were generally peaceful and according to official observers, have met international standards. However, Niger is faced with multiple security, political and economic challenges, all with the potential to derail the transition process.

According to the Independent National Electoral Commission or Commission Électorale Nationale Indépendante (CENI) of Niger, 6.7 million residents voted in Niger to choose the next president of the country and 133 members of parliament, a significant development in the one-year transition plan toward civilian rule. On 22 February, 2011, Niger’s highest court validated the results of the first round of the election process, deciding that a run-off election would be held between the veteran opposition leader, Mahamadou Issoufou, and ex-Prime Minister Seini Oumarou, on 12 March, 2011. According to the official results of the January election, former Prime Minister, and Tandja’s ally, Seini Oumarou of the MNSD party, got 23.2 percent of the vote, while Mahamadou Issoufou, a long time opposition leader, got 36.16 percent. In an encouraging gesture manifesting the high standard of the elections, both candidates announced that they would not contest any of the first-round results.

Since the first-round elections, Oumarou has been negotiating with other candidates to create a coalition and it is expected that he will be backed by a broad coalition, including Hama Amadou who came third with 19.8 percent of the vote, and five other opposition contenders. Amadou was Prime Minister of Niger from 1995–1996 and again from 2000–2007. In 2008 he was convicted of corruption but

Grounded in the Ongoing Mediation

The ongoing mediation process has been facilitated by former Nigerian President, Abdulsalami Abubacar, and urged Niger’s various political parties and political role players to fully cooperate with the mediator.

Key Issues and Internal Dynamics

On 31 January 2011 presidential and legislative elections took place in Niger, where a military coup had ousted President Mamadou Tandja a year earlier. In a Press Release dated 4 February, 2011, the Chairperson of the African Union Commission, Jean Ping, welcomed the successful conduct of the elections to facilitate steps towards the restoration of constitutional order and civilian rule. Dr. Ping, who referred to the positive assessment of the elections by the various observation missions, including the AU election monitoring team, stated that the elections demonstrated the maturity of the people of Niger and the various political actors as well as their determination to successfully conclude the transition to a democratic, constitutional and civilian government.

According to some media reports, members of the National Movement for the Development of Society or Mouvement National pour la Société du Développement (MNSD-Nassara) were physically assaulted on the day of the election and some were chased away from the polling stations by supporters of a rival candidate, Mahamadou Issoufou, the head of the National Party for Democracy and Socialism or Parti Nigerien pour la Democratie et le Socialisme (PNDS-Tarayya). Such incidents, in addition to the ever-growing threat emanating from Al-Qaeda in the Islamic Maghreb (AQIM) which has extended its operations in urban areas of Niger including the capital, Niamey, as well as the reactivated Touareg insurgency, present significant security challenges for the new government and could create problems for the transition.

CRISIS ESCALATION POTENTIAL

Since a bloodless military coup that overthrew and detained President Mamadou Tandja as well as several cabinet ministers on 18 February, 2010, Niger has been led by a group that calls itself the Supreme Council for the Restoration of Democracy or Conseil Suprême pour la Restauration de la Démocratie (CSRD). The past year has witnessed numerous reforms and changes in the state structure and legislative framework of Niger, raising the hopes of many for a smooth transition to a democratically elected civilian government. The 31 January elections were generally peaceful and according to official observers, have met international standards. However, Niger is faced with multiple security, political and economic challenges, all with the potential to derail the transition process.

According to the Independent National Electoral Commission or Commission Électorale Nationale Indépendante (CENI) of Niger, 6.7 million residents voted in Niger to choose the next president of the country and 133 members of parliament, a significant development in the one-year transition plan toward civilian rule. On 22 February, 2011, Niger’s highest court validated the results of the first round of the election process, deciding that a run-off election would be held between the veteran opposition leader, Mahamadou Issoufou, and ex-Prime Minister Seini Oumarou, on 12 March, 2011. According to the official results of the January election, former Prime Minister, and Tandja’s ally, Seini Oumarou of the MNSD party, got 23.2 percent of the vote, while Mahamadou Issoufou, a long time opposition leader, got 36.16 percent. In an encouraging gesture manifesting the high standard of the elections, both candidates announced that they would not contest any of the first-round results.

Since the first-round elections, Oumarou has been negotiating with other candidates to create a coalition and it is expected that he will be backed by a broad coalition, including Hama Amadou who came third with 19.8 percent of the vote, and five other opposition contenders. Amadou was Prime Minister of Niger from 1995–1996 and again from 2000–2007. In 2008 he was convicted of corruption but

Grounded in the Ongoing Mediation

The ongoing mediation process has been facilitated by former Nigerian President, Abdulsalami Abubacar, and urged Niger’s various political parties and political role players to fully cooperate with the mediator.
served only 10 months of his jail term due to ill-health. He later went into voluntary exile in France from which he returned in 2010 to form the Democratic Movement of Niger (MDN).

The CSRD and the National Consultative Council or Conseil Consultatif National, an independent body in charge of the transition roadmap, have been praised for their constructive role in the preparation of the elections. For many observers Niger has the potential to be a great example of a successful post-coup transition in Africa. The junta leader, General Salou Djibo, had called on voters for a massive turnout in the first round election and said that the polls offered ‘a new start for Niger’. The General showed commendable leadership in addressing internal dissensions that at a time threatened to derail the process. He also made it possible for the victims of famine to receive substantial humanitarian assistance. President Tandja had on many occasions publicly denied the existence of a food crisis in Niger. However, according to UN agencies, about 5 million people have benefited so far from food aid while some 220 000 severely malnourished children under the age of five are now said to be out of danger.

The presidential and legislative elections of 31 January were preceded by a peaceful referendum on a new constitution that was held in October 2010 and subsequent local government elections held on 8 January 2011, which served to help consolidate the transition process. The opposition Parti Nigerien pour la Democratie et le Socialisme (PNDS-Tarayya) of Mohamadou Issoufou received most of the votes in the local elections, closely followed by the former ruling party, the Mouvement National pour la Société du Développement (MNSD) and the newly formed Democratic Movement of Niger or Mouvement Démocratique Nigerien (MDN), under the leadership of Hama Amadou.

Niger’s transitional government further showed its commitment to restoring constitutional order on 13 February by approving a draft law committing political parties and the army to ensuring good governance and its equitable distribution. According to Marou Amadou, president of the 133 member National Advisory Council, the new law which is called the Republican Pact law will be sent to the ruling military junta for approval before a presidential run-off election scheduled for 12 March 2011.

Landlocked Niger is one of the poorest nations in the world, only ranking ahead of Zimbabwe and the Democratic Republic of Congo in the United Nations Development Program’s Human Development Index of 169 countries. According to data from the World Food Program, merely 15 percent of women are literate and as much as 82 percent of the population relies on farming and animal herding for their sources of livelihood. Niger is currently still recovering from the 2009-10 drought that placed some seven million people at risk of starvation.

Niger became independent from its colonial master, France, in 1960. Since then it has had a turbulent political history, characterised by three military interventions and five redraftings of the country’s constitution. Mamadou Tandja became the president of Niger after winning presidential elections organised by the incumbent military government in November 1999. He was subsequently re-elected to serve a second term in 2004. However, his last term in office as president was characterized by military unrest and an ongoing economic crisis due to a period of severe drought. In May 2009 Tandja dissolved the Parliament after the Constitutional Court ruled against holding a constitutional referendum. The referendum, initiated by Tandja, was to determine whether he could run for a third term. Tandja’s attempt to prolong his presidency against the wishes of the people of Niger triggered a constitutional crisis. Efforts by the Economic Community of West African States (ECOWAS) to mediate in Niger’s constitutional crisis failed to bear fruit, paving the way for a coup d’état on 18 February 2010, which ousted Tandja. The CSRD subsequently appointed a transitional Government in March 2010 and established a one year timetable for returning the country to democratic rule.

The conduct and outcome of the 12 March polls will determine the political stability of the country as well as its engagement with the international community. Although developments appear to be on the right track in Niger there will still be a difficult political road to travel after power is transferred to the elected president on 6 April 2011. It is also unclear at this stage whether enough mechanisms have been put in place to prevent Niger from succumbing to further coups and counter-coups. Although the first round of elections demonstrated maturity by the contesting parties and the transitional government in conducting such processes, no one can be sure about the national reaction to the forthcoming run-off results. If the election results are contested within the country, social unrest is likely to develop and this could provide further set-backs to the democratic process. The newly elected government will also be faced with a variety of practical governance problems, including the socio-economic challenges facing the country, the continuing Touareg insurgency and the activities of Al-Qaeda in the Islamic Maghreb (AQIM) which has extended its operations in Niger’s urban areas.

**Geo-Political Dynamics**

**Pan-African and RECs Dynamics**

The Economic Community of West African States (ECOWAS), which monitored the 31 January elections in Niger, expressed satisfaction with the conduct of the polls and stated that the process was free, fair and according to international standards. ECOWAS commended the country’s electoral commission, its citizens and other stakeholders for the peaceful and transparent manner in which the elections were conducted. The Head of the ECOWAS team of observers deployed to the six administrative regions of Niger and the capital, Niamey, Mr. Koffi Sama, also former Prime Minister of the Togolese Republic, said the elections were free, fair, transparent and credible. He said the Niger electoral commission had managed to organise the elections despite some technical problems faced during the polling process. He also said that the freedom of expression and movement of all candidates had been respected. ECOWAS further urged the presidential candidates to follow the required legal procedures in the event of any disputes or contentious issues arising. ECOWAS also commended General Salou Djibo,
Head of State and President of the CSRD, for his strict adherence to the transition timetable.

The African Union gave its approval by expressing its satisfaction with the overall election process. Mr. Khalifa Babacar Sall, head of the African Union’s observation team, said that there had been some polling weaknesses, including a few attempts at fraud in the Tillabery region of western Niger, but that such incidents were insufficient to taint the overall process or the election outcome.

ECOWAS has played a prominent role in monitoring the situation in Niger, since Tandja decided, in mid-2009, to adopt a new constitution against the advice of Niger’s Parliament as well as the country’s Constitutional Court. ECOWAS suspended Niger’s membership when Tandja’s constitutional term came to an end in late December 2009. The AU followed the example of ECOWAS by suspending Niger’s membership of the continental body, thereby effectively demonstrating its zero tolerance policy for unconstitutional changes of government in terms of its own constitution.

Both organisations called for a swift restoration of constitutional order. On 21 February 2010, Ambassador Ramtane Lamamra, the AU Commissioner for Peace and Security, and Mohammed Ibn Chambas, the then President of the ECOWAS Commission, travelled to Niger to meet the new junta leaders and reiterated the call for a timely restoration of constitutional order.

On 18 February, 2011, in a regional effort to fight the ever growing threat of terrorism in the region, Mali and Niger announced their intention to enter into a formal defence agreement aimed at improving military cooperation against the radical Islamist threat that has risen in recent years across the Sahara-Sahel regions of West Africa, with kidnappings of foreigners for ransom and attacks against government troops. Niger’s military rulers ratified the agreement after it was initially signed in Mali toward the end of 2010. The two governments agreed to share land, air and river bases, exchange intelligence and carry out joint patrols and exercises. Western powers, led by France, have since stepped up their counter-terrorism efforts in the region, but analysts have reported that collaboration has been hamstrung by regional rivalries and a lack of coordination between countries in the Sahel region. In May 2010, in a further effort to enhance regional collaboration against AQIM, four Saharan desert states, Algeria, Mali, Mauritania and Niger, announced their intention to open a joint command headquarters in Tamanrasset, Algeria. The partner-states expressed the view that their strategy would lead to effective joint operations against regional perpetrators of terrorism, kidnappings and trafficking. In the meantime, Islamist militants in the Sahara Desert are continuing to exploit differences between neighboring countries in order to continue to take advantage of the ungoverned regions; terrain that is geographically hostile, sparsely populated, and barely controlled by the region’s available security forces.

UN Dynamics

A joint United Nations-African Union mission was sent to Niger two weeks before the January elections to assess progress by the transitional authorities in organizing elections. UN Secretary General Ban Ki-moon’s Special Representative for West Africa, Said Djinnit, was accompanied by African Union (AU) Peace and Security Commissioner, Ramtane Lamamra, and the Vice-President of the ECOWAS Commission, Jean de Dieu Somba. The Special Representative met with national authorities, as well as presidential candidates and members of the international community, and called for a speedy and smooth transition of power to a democratically elected government. The UN has repeatedly requested stakeholders in Niger to ‘swiftly revert to constitutional order in the settlement of the political crisis that developed in that country’. A statement on 19 February 2010 reiterated the Secretary-General’s disapproval of unconstitutional changes of government as well as attempts to remain in power through unconstitutional means.

Wider International Community Dynamics

The trust and respect of France and the international community for the Supreme Council for the Restoration of Democracy (CSRD) and its head, General Salou Djibo, has been growing over time and the elections in Niger also raised the confidence of the international community in the transitional process. The EU election observation team stated that the election was generally transparent. Santiago Pisas Ayxela, the deputy head of the 40-member European Union observation mission, stated that there was a clear intention to restore the conditions for a return to normal constitutional order. The EU also declared that the election commission had managed to competently organise the elections despite some technical problems. It further acknowledged that the freedom of expression and movement of all candidates had been respected.

Niger has one of the world’s largest uranium deposits, drawing billions of dollars’ worth of investments, mainly from the French nuclear energy company, Areva. However, the recent increase of Al-Qaeda’s activities in the Islamic Maghreb, is affecting mining interests and activities in the region. The Al-Qaeda leader, Osama bin Laden, said on 21 January that French hostages kidnapped in September would not be released unless France was prepared to withdraw troops from Afghanistan. Al-Qaeda in the Islamic Maghreb is currently holding a group of seven foreigners, five of whom are French, taken last year from the Niger mining town of Arlit. Three Frenchmen have also been murdered during the past year since being kidnapped in the desert region. Following the deaths of two French nationals abducted in Niger, France called on its nationals to “exercise the utmost vigilance and more caution” in Mauritania, Mali and Niger.

Scenario Planning

There is growing optimism that Niger can be a fine example of an African country successfully undergoing a smooth transition from military rule to constitutional order. However, the situation could take a number of different courses dependent on the actions taken by the various parties to the transition process in the coming months. These are the possible scenarios:

>>>page 15
the army, and among political parties and their supporters, could result in tensions that could precipitate violent confrontation.

**Early Response Options:**

The CSRD has demonstrated its willingness to lead a genuine transition to a democratically elected civilian government and engage with the regional and international community. Given the above scenarios, the following options could be considered:

### Option 1:

The PSC, in collaboration with ECOWAS, could continue to monitor the second round of elections and the overall political situation and continue to engage with key role-players to ensure and facilitate a timely return to a legitimate constitutional order.

### Scenario 1:

The second round of elections could be as peaceful, transparent and free as the first round of elections and, in such an event, a democratically elected civilian administration would assume power, thereby bringing to an end a year-long period of diplomatic and economic isolation from the regional and international community and international organisations.

### Scenario 2:

Internal rifts and disagreements in
The 16th ordinary secession of the AU Assembly was held in the Ethiopian Capital, Addis Ababa, from 30-31 January 2011. The theme of the summit was ‘Towards greater unity and integration through shared values’. This underscores the realisation on the part of African states that the stronger and wider are the values that they commonly share, the closer they will become to achieving regional and continental integration. Indeed, the summit in its declaration, Assembly/AU/Decl.1(XVI), acknowledged that shared values play an important part in accelerating the integration agenda. According to this declaration, these shared values include those ideals embodied in the Constitutive Act of the AU, namely democratic governance, popular participation, rule of law, human and peoples’ rights and sustainable socio-economic rights. They are also built on Africa’s history of liberation struggles and the continued quest for sovereignty, freedom and self-determination of all African countries, as well as Africa’s rich tradition of solidarity, consensus, national reconciliation and communalism.

Of particular importance for peace and security is the summit declaration calling on the AU Commission ‘to ensure greater synergy between peace and security matters and governance and democracy, thereby ensuring that developments in the terrain of shared values feature prominently in the Peace and Security Council.’ This statement not only acknowledges the interdependence between peace and security on the one hand and governance and democracy on the other, but also calls for a systematic application of AU norms on human rights and democracy in the works of the PSC.

As has become the major feature of AU summits in recent times, summit discussions have been dominated by unfolding peace and security issues in Africa. In this regard, apart from a summit decision on the report of the PSC on its activities and the state of peace and security, the situations in Côte d’Ivoire, Sudan, Somalia, Kenya and Tunisia received a good part of the attention of the summit.

On the continuing crisis in Côte d’Ivoire, AU members decided to establish a high level panel mandated to find a solution to the post-election crisis in that country. The Panel, consisting of the presidents of Burkina Faso, Chad, South Africa, Mauritania and Tanzania, is expected to investigate and submit recommendations on how to resolve the deepening crisis. Among the members of the high level panel, South Africa is among the few African countries that rejected proposals for the removal of Gbagbo. As the reported sharp exchange of words between Nigeria’s President Goodluck Jonathan and his South African counterpart, Jacob Zuma, illustrated, South Africa’s position has placed it on a collision course with Nigeria and the regional body, ECOWAS. Such dynamics may complicate ongoing efforts to resolve the crisis and contribute to the erosion of the common position thus far adopted by the AU.

With respect to Sudan, the summit adopted a solemn declaration of the Assembly of the Union on Sudan, Assembly/AU/Decl.3(XVI). In the declaration, the summit not only welcomed the successful completion of the South Sudan Referendum but it also expressed its readiness to solemnly recognise the outcome once it is formally announced, while calling on all states to do the same and support South Sudan. More substantively, the summit called upon ‘Sudan’s creditors around the world to expeditiously and comprehensively relieve the country’s external debt’ and reiterated its call on the UN Security Council ‘to invoke Article 16 of the Rome Statute and suspend any actions against President Al Bashir by the International Criminal Court.’ The Assembly also called on the Sudanese parties to speedily resolve the remaining issues in the Comprehensive Peace Agreement. Given recent incidents of fighting in Darfur, the Assembly expressed its concern about the precarious security situation in Darfur and reiterated the need for an immediate cessation of hostilities and an end to all acts of violence. It also stressed the need for a speedy conclusion of the stalled Doha peace process and the commencement of the Darfur-based Political Process (DPP).

Somalia also featured on the agenda of this summit as in many previous summits. The discussion about Somalia centred on the appointment of an AU high Representative for Somalia, support for AMISOM and the state of the TFG. The summit welcomed the appointment, by the Chairperson of the Commission, of former President Jerry John
### Important Forthcoming Dates

3 March: Africa Environment Day  
7 April: The Commemoration of the Rwanda Genocide  
25 April: Africa Malaria Control Day

<table>
<thead>
<tr>
<th>Country</th>
<th>Election</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Niger</td>
<td>Presidential</td>
<td>Second round, 12 March 2011</td>
</tr>
<tr>
<td>Chad</td>
<td>Local elections</td>
<td>27 March 2011</td>
</tr>
<tr>
<td>Malawi</td>
<td>Local elections</td>
<td>April 2011</td>
</tr>
<tr>
<td>Madagascar</td>
<td>National Assembly, Presidential</td>
<td>13 April 2011, 4 May 2011</td>
</tr>
<tr>
<td>Benin</td>
<td>Presidential and National Assembly</td>
<td>13 March 2011, 17 April 2011</td>
</tr>
<tr>
<td>Djibouti</td>
<td>Regional Assemblies &amp; Local</td>
<td>March 2011</td>
</tr>
<tr>
<td>Benin</td>
<td>Presidential</td>
<td></td>
</tr>
<tr>
<td>Nigeria</td>
<td>National Assembly</td>
<td>2 April 2011</td>
</tr>
<tr>
<td></td>
<td>Presidential</td>
<td>9 April 2011</td>
</tr>
<tr>
<td></td>
<td>State Assemblies and Governors</td>
<td>16 April 2011</td>
</tr>
<tr>
<td>Burkino Faso</td>
<td>Local</td>
<td>April 2011</td>
</tr>
<tr>
<td>Seychelles</td>
<td>Presidential</td>
<td>May 2011</td>
</tr>
</tbody>
</table>
Contributors to this Volume:

ISS PSC Report Programme, Addis Ababa: Dr. Duke Kent-Brown, Dr. Solomon Ayele Dersso, Mr Hallelujah Lulie and Ms Eden Yohannes Yoseph.

ACPP, Nairobi: Ms Nyambura Githaiga.

Donors:

This Report is published through the support of the Ministry of Foreign Affairs of the Federal Republic of Germany and the Humanity United Foundation. In addition, the Institute for Security Studies receives core support from the Governments of the Netherlands, Norway, Sweden and Denmark.

As a leading African human security research institution, the Institute for Security Studies (ISS) works towards a stable and peaceful Africa characterised by sustainable development, human rights, the rule of law, democracy and collaborative security and gender mainstreaming.

© 2011, Institute for Security Studies

Copyright in the volume as a whole is vested in the Institute for Security Studies, and no part may be reproduced in whole or in part without the express permission, in writing, of the Institute. The opinions expressed do not necessarily reflect those of the Institute, its trustees, members of the Advisory Council or donors.

Contact

Programme Head
Peace and Security Council Report Programme
Institute for Security Studies
P.O. Box 2329
Addis Ababa, Ethiopia

Tel: +251-11-372-11-54
Fax: +251-11-372-59-54
Email: addisababa@issafrica.org

website: www.issafrica.org