

In this issue

■ Addis Insight

The PSC has decided to scale up its efforts to find a solution to the dispute over the **Western Sahara**. Zimbabwe's president Robert Mugabe, the new chairperson of the African Union (AU), has vowed to make it a priority this year.

■ On the Agenda

The PSC discussed the situation in **South Sudan** following the breakdown of talks mediated by the Intergovernmental Authority on Development (IGAD).

The fate of **women and children in armed conflict** was on the Agenda of the PSC on Monday 9 March, in line with the commemoration of international women's day.

■ Situation Analysis

The PSC is concerned about **renewed violence in the Abyei** region between Sudan and South Sudan. Recently, overt claims were made by Khartoum that Abyei belongs to Sudan.

■ PSC Interview

Namibian ambassador Anne Namakau Mutela, Chairperson of the PSC for March 2015, talks about the recent field mission by the PSC and the European Union Political and Security Committee to Mali.



Peace & Security Council Report

“ The Saharawi Republic enjoys great support in the corridors of the AU

Page 3

“ The IGAD-led peace talks came to naught after eight rounds of discussions

Page 5

“ We are learning from our mistakes and are trying to make the PSC more effective

Page 17



Addis Insight

PSC scaling up efforts to resolve the crisis in Western Sahara

Since 2014 the Western Sahara situation has risen high on the agenda of the African Union (AU) with the former president of Mozambique, Joaquim Chissano, appointed as the Special Envoy of the Chairperson for Western Sahara. The Peace and Security Council (PSC) has now decided to place the issue on its agenda at least twice a year.

The conflict over Western Sahara, the longest-running dispute in Africa, is the only remaining incomplete decolonisation process on the continent. The AU's efforts to resolve the issue have so far focused on ensuring that the right to self-determination of the inhabitants of the territory is implemented without interference. Morocco considers Western Sahara as 'recovered' territory and part of its kingdom. Thus far the role of the AU in the peace process has mostly been limited to endorsing United Nations (UN) initiatives and making regular calls for the proper implementation of UN decisions. The PSC's latest decision is aimed at scaling up the AU's role in the crisis.

The PSC meeting decided to consider Western Sahara at least twice a year

On 27 March 2015 the PSC discussed the situation in Western Sahara. The Council received the report of the AU Commission chairperson on the situation in Western Sahara and was briefed by Chissano in his role as special envoy. The Foreign Affairs Minister of the Saharawi Arab Democratic Republic, Salem Ould Salek, addressed the meeting, as did representatives of Nigeria, which is an African member of the UN Security Council and of the UN Secretariat. In a subsequent communiqué the Council relaunched the AU's multi-track effort to resolve the crisis and called for the restart of the UN-brokered peace effort.

The PSC meeting also decided to consider Western Sahara at least twice a year and regularly review the situation based on updates and recommendations by the AU Commission's chairperson.

Following the meeting, Ould Salek hailed the PSC's decision to relaunch the Western Sahara issue as 'historic and crucial'. Algeria also commended the move.

Special envoy welcomed by the Polisario Front

In June 2014 the AU had appointed Chissano as its special envoy for Western Sahara. Sahrawi President Mohamed Abdelaziz welcomed the appointment and noted that the envoy would ensure regular follow-up on the Western Sahara issue by the PSC and the AU Commission. Abdelaziz accused Morocco of hindering both the self-determination referendum in Western Sahara and negotiations over the status of the territory. He also accused the kingdom of illegal mining and fishing in Western Sahara and of denying independent observers access to the territory. In the

Current PSC Chair

H.E. Manuel Jose Goncalve

Ambassador of Mozambique to Ethiopia and permanent representative to the AU and UNECA

Current members of the PSC

Algeria, Burundi, Chad, Ethiopia, Equatorial Guinea, The Gambia, Guinea, Libya, Mozambique, Namibia, Niger, Nigeria, South Africa, Tanzania, Uganda

past he also accused Moroccan security forces of 'ethnic cleansing' and 'colonialist practices'. The Polisario Front and human rights groups claim that the Moroccan authorities commit atrocities like torture, forced detention and disappearances that target Sahrawi individuals, including women and young people.

Rabat's opposition

The appointment of Chissano to lead and coordinate the AU's efforts in the conflict could have been a step forward in enhancing the AU's role in the resolution of the crisis. However, the move was opposed by Rabat. In a statement dated 1 July 2014 the Moroccan foreign affairs and cooperation ministry rejected the AU's decision to appoint a special envoy for Western Sahara. According to the statement, Morocco does not accept the unilateral decision to name a special envoy without consultation and UN approval. The ministry further stated that the AU 'has no legal basis, no political fundament, nor moral legitimacy to intervene in that issue which is the exclusive domain of the United Nations'. Morocco further called on the UN and members of the UN Security Council to ignore the AU's decision and support the UN facilitation process.

The appointment of Chissano to lead and coordinate the AU's efforts in the conflict could have been a step forward

However, the AU is acting well within its authority by putting the situation on its agenda. Its predecessor, the Organisation of African Unity (OAU), had recognised it in 1984. Morocco had left the OAU due to this decision and has since remained the only African country that is not a member of the AU.

Other Moroccan voices also criticised the appointment, claiming that Chissano, who was in power in Mozambique from 1986–2005, was a well-known supporter of the Polisario Front.

Morocco still believes its proposed autonomy plan via the 'advanced regionalisation' programme promoted by King Mohammed VI is the best possible option for both parties. In a 2014 statement Moroccan Foreign Minister Salaheddine Mezouar said that Morocco's conflict was no longer with the Polisario Front but with Algeria. He said the methods Algeria used to erect obstacles to resolving the issue were pathetic and that the Polisario Front was irrelevant without the support of 'its puppet master Algeria'. The issue of Western Sahara is a sensitive and unifying political issue in Morocco.

The Saharawi Republic enjoys great support in the corridors of the AU, most notably from continental giants like Algeria, South Africa and Nigeria. Abdelaziz held talks with a number of African heads of state and government on the sidelines of the AU's 23rd Ordinary Summit in June 2014. He met presidents Goodluck Jonathan of Nigeria, Mohamed Ould Abdelaziz of Mauritania, Jacob Zuma of South Africa, Jakaya Kikwete of Tanzania, Hifikepunye Pohamba of Namibia, Yoweri Museveni of Uganda and Idriss Déby of Chad, as well as King Letsie III of Lesotho.

Efforts to initiate a new round of talks

Since January 2009, Morocco and the Polisario Front have held 10 UN-led informal rounds of negotiations. All of these have ended without any meaningful progress.

1984

THE OAU RECOGNISED
WESTERN SAHARA

MOROCCO LEFT THE OAU/AU

Ambassador Christopher Ross, the UN Secretary-General's Personal Envoy for Western Sahara, leads UN efforts to resolve the deadlock. Recently, Ross had consultations with Moroccan officials, the Polisario Front and the governments of Algeria and Mauritania on their contribution to the search for a settlement. In his 10 April 2014 report to the UN Security Council, the secretary-general raised numerous issues, including the exploitation of natural resources in Western Sahara and the restart of talks between the parties to bring about a lasting solution to the impasse. In April 2014 the UN Security Council decided to extend the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for another year.

The Saharawi Republic enjoys great support in the corridors of the AU

Growing international interest

The 2007 Autonomy Plan by Morocco was cautiously received by some and described as 'serious and credible' by some members of the UN Security Council. The European Union considers Western Sahara a non-self-governing territory and Morocco as the de facto administering power. In March a delegation headed by a member of the Polisario Front's Secretariat and by Mohamed Khaddad, the Polisario Front's coordinator with MINURSO, was received in Moscow by Deputy Foreign Minister Mikhail Bogdanov as well as by members of the Russian upper house. The move angered Morocco and manifested Russia's increasing interest in the Western Saharan issue. The same month also saw a show of support from members of different parties in Japan for the UN's efforts to organise a referendum on self-determination by the Sahrawi people.

A year of heightened mobilisation for Western Sahara at the AU

The Western Sahara issue resurfaced on the agenda of the January 2015 AU summit in Addis Ababa. In his first speech as the new AU chairperson, President Robert Mugabe of Zimbabwe stressed that 'Africa's failure to decolonise Western Sahara would be a negation [of the] African ideals and principles' of the founding fathers of the continental organisation. Mugabe, who was warmly applauded for this statement, further called for the implementation of all relevant UN resolutions requiring that a referendum on self-determination for the Saharawi people be held and emphasised that Africa would not be completely free 'as long as our brothers and sisters in Western Sahara remain under Moroccan occupation'.

The issue of Western Sahara also featured on the agenda of the meeting of the AU's Executive Council on 28 January 2015. The report of the African Commission on Human and Peoples' Rights adopted at the end of the 26th ordinary session of the Council included a section on human rights in the 'occupied territories of Western Sahara'. The report expressed its 'grave concern' over the continuous 'illegal occupation of the territories of Western Sahara' and recommended that the Executive Council organise some of its activities in the liberated territories of Western Sahara to show solidarity with the struggle for an independent Saharawi Republic. The chair of the Council, Zimbabwe Minister of Foreign Affairs Simbarashe Mumbengegwi, also announced that Western Sahara would be one of the top priorities of Zimbabwe's AU presidency in 2015.

Member states of the AU have been calling for a more active role by the AU in creating an environment in which the Sahrawi population determines its own destiny. Most notably in May 2004, former South African president Thabo Mbeki called on the AU to support self-determination for Western Sahara. Mbeki said that it was a matter of great shame and regret for the continent that the issue of Western Sahara remained unresolved. Similar calls have been made by numerous officials at different gatherings of the AU. However the legal and diplomatic complexities of the situation have thus far limited the AU's involvement, to the dissatisfaction of its members.

Mugabe stressed that Africa's failure to decolonise Western Sahara would be a negation of the African ideals and principles

Documentation

AU documents

Report of the Chairperson of the Commission on the situation in Western Sahara 27 March 2015 (<http://cpauc.au.int/en/content/report-chairperson-commission-evolution-peace-process-western-sahara-and-other-related-issues>)

Communiqué of the Peace and Security Council of the African Union (AU) on the situation in Western Sahara 27 March 2015 (<http://www.peaceau.org/uploads/psc-496-com-western-sahara-27-3-2015.pdf>)

UN documents

Report of the Secretary-General on the situation concerning Western Sahara (10 April 2014) (http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/258)

On the Agenda

PSC discusses South Sudan amid consultation about a new peace process



Following the failure of the South Sudanese peace negotiations led by the Inter-Governmental Authority on Development (IGAD), consultations have started to launch a new peace process. It is likely that the African Union (AU) will play a much greater role in the new process, together with the United Nations (UN), China and the Troika consisting of the United States (US), the United Kingdom (UK) and Norway.

On 27 March, the PSC reviewed the faltering peace process in South Sudan and received an update from IGAD. The IGAD-led peace talks came to naught after 14 months and over eight rounds of talks. After the two warring parties signed a partial agreement on 1 February 2015, they agreed to hold another round of talks to finalise substantive issues by 5 March 2015. Destined to be the last round, the main objective of the talks, convened at the end of February, was to finalise negotiations and sign a power-sharing deal that had eluded IGAD since mid-2014. Although the principals of the two warring parties, South Sudan's President Salva Kiir and Sudan People's Liberation Movement In Opposition (SPLM-IO) leader Riek Machar held face-to-face talks, they failed to reach agreement on the key issues that divide them. Even the extension of the talks beyond the 5 March deadline did not help.

It is likely that the African Union will play a much greater role in the new process

Parties still disagree over transitional power-sharing arrangements

Despite their agreement to form a Transitional Government of National Unity (TGNU), the parties continue to have major differences over the details. First, on the division of power within the TGNU, while the government accepted the IGAD proposal of a 60–30–10 division of ministerial portfolios among the government, the SPLM-IO and the former SPLM detainees, the SPLM-IO insists on a 50–50 division. In terms of the structure of the executive authority within the TGNU, despite general agreement on the return of the SPLM-IO leader to his earlier position of vice president, the government, in part to avoid triggering opposition from Equatoria, the home state of current Vice President James Wani Igga, insists that there be two vice presidents of equal authority. The SPLM-IO wants to be given preference for the position of first vice president.

Additionally, while the SPLM-IO has called for a federal system of government made up of 21 states instead of the current 10 and with more resources and authority, the government insists that this is a constitutional issue that has to be decided through a popular referendum. There is also continuing disagreement over transitional security arrangements. The government rejects the SPLM-IO's demand that it maintains its own army for the duration of the TGNU.

IGAD's disappointment and proposal for a reformed peace process

Following the failure of the warring parties to finalise negotiations by the 5 March deadline, IGAD suspended the peace process indefinitely. On 6 March, the current IGAD chairperson, Ethiopia's Prime Minister Haile-Mariam Dessalegn, in a message to the people of South Sudan expressed regret at the failure of the two leaders to heed the pleas of both the region and the international community to conclude the deal. 'This is unacceptable, both morally and politically,' he told the South Sudanese. Since the beginning of the war, close to 2 million South Sudanese have been forced out of their homes as internally displaced persons or refugees. Over 60 000 people have reportedly lost their lives. Dessalegn insisted that '[t]here can be no justification for the continuation of this conflict. The war must end now.'

While assuring the people of South Sudan that 'the promise of peace will be fulfilled in the near future', he acknowledged that it was necessary to reform the peace process. As he put it, 'our efforts cannot continue unaltered and expect a different outcome'. Accordingly, he emphasised that 'the peace process must be reinvigorated and reformed'.

Consultations for launching a new peace process have started in earnest. Termed 'IGAD-plus', the new peace process is likely to bring together the AU, the UN, China and the Troika. This restructured process is expected to

address the weaknesses of IGAD in order to overcome the divergent security and economic interests of its member states and apply unified pressure on the warring parties. Substantively speaking, under the expanded platform there is a greater chance both of addressing the difficult issues of accountability and comprehensive institutional reforms and of incorporating effective implementation monitoring mechanisms.

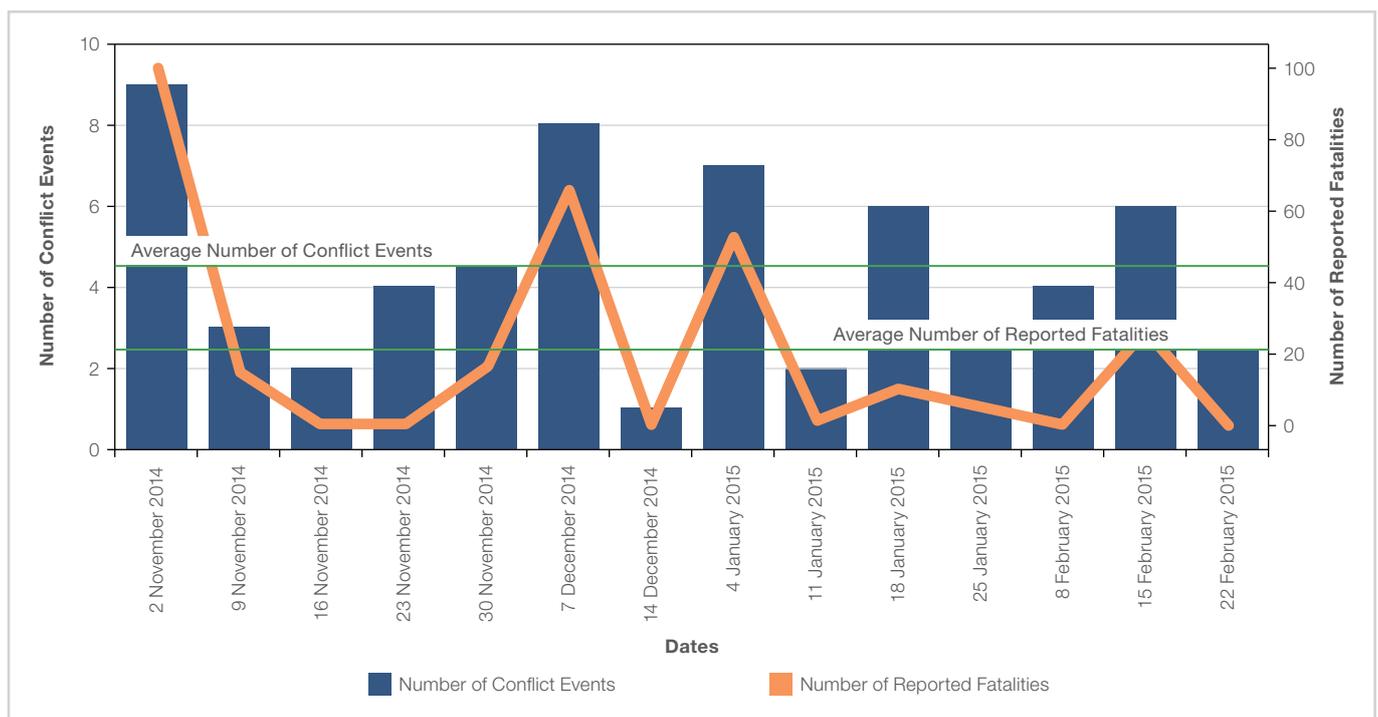
The two parties have welcomed the proposed new structure. Machar said that the newly expanded group may have a different view than IGAD. South Sudan's ambassador to Kenya, Mariano Deng Ngor, said the government would welcome any expanded group that would bring in fresh ideas, according to a report by Kenya's *The Nation*.

The new process is scheduled to start in April. In preparation, IGAD has continued consultations with the members of IGAD-plus. The IGAD mediation team has also been busy preparing a draft document, expected to serve as a basis for reaching a comprehensive peace deal under IGAD-plus.

AU to assume a more active role

IGAD chief mediator Ambassador Seyoum Mesfin stated that the restructured talks are meant to show the South Sudanese actors that they are now dealing with the whole continent. With a continent-wide engagement and the AU playing a more active role, the impact of the vested economic, security and

Battles between Government and Rebel Forces in South Sudan, from November 2014 – February 2015



Source: Armed Conflict Location & Event Data Project, *Conflict Trends*, No. 35, March 2015, p.9

political interests of the IGAD countries and the accompanying partisanship is expected to be minimal.

According to Mesfin, the warring parties took advantage of the various interests IGAD countries had in South Sudan and have mastered the art of playing one country off against the other, failing to take the agreements they had signed seriously. It is accordingly hoped that the new framework will no longer allow the parties to blame their failure on IGAD. 'The whole of Africa will be asking them what they want,' said Mesfin. 'Do they want supremacy of guns or constitutionalism? The choice is theirs, but Africa will not watch South Sudan go down the drain.'

It is hoped that the new framework will no longer allow the parties to blame their failure on IGAD

Until now, the AU's role in the mediation process has been limited. Despite the fact that the PSC took a decision in November 2014 to establish a high-level ad hoc committee composed of representatives of the five regions of Africa to support the peace process, this decision was only acted upon at its 27 March meeting. The heads of state and government of Algeria, Chad, Nigeria, Rwanda and South Africa will constitute the ad hoc committee, according to the statement released after the PSC's 494th meeting. "Council urged the ad hoc Committee...to meet as early as possible to elaborate its terms of reference and determine its work plan in support of IGAD. Council requested the [AU] Commission to extend all the necessary support to the ad hoc Committee, to enable the AU to fully play its role in the search for a lasting solution to the conflict in South Sudan," the PSC says in the statement.

UN Security Council sanctions

On 3 March, ahead of the collapse of the peace talks, the UN Security Council (UNSC) unanimously adopted Resolution 2206 to impose sanctions on any party that disrupts the peacemaking process in South Sudan. Although it did not impose the sanctions immediately, the resolution provides

for the establishment of a panel to identify people who are responsible for undermining the peace efforts, including by recruiting child soldiers and committing serious human rights abuses. It proposes a travel ban and an asset freeze on such individuals and envisages the possibility of imposing an arms embargo on South Sudan.

During the 9th consultative meeting of the PSC and the UNSC on 12 March, members of both councils expressed their utmost disappointment with the failure of the South Sudanese parties to reach an agreement by the deadline of 5 March. They also reiterated their determination to impose sanctions against all parties that threaten the peace process. Welcoming the call by the IGAD chairperson to revamp the peace process, they expressed their readiness to support it.

Courses of action available to the PSC

As the AU is expected to take a more active role in the peace process, the PSC could request the AU Commission chairperson to appoint a special envoy who will represent the AU in the IGAD-plus peace process.

In light of the number of entities constituting IGAD-plus and the need for them to act as a unified force both during the peace talks and if a deal is finally concluded, the PSC could request the AU Commission to consult with IGAD on the establishment of an International Contact Group on South Sudan.

The resolution provides for a panel to identify those responsible for undermining the peace efforts

Against the background of the repeated failures and lack of responsibility of the warring parties and as a step to safeguard against the AU's losing control of the narrative over the report of the AU Commission of Inquiry on South Sudan (ACISS), the PSC could consider the ACISS report and outline a course of action on the implementation of its recommendations. This is also an opportune moment to consider the report, as the recommendations can help in shaping the peace talks that will be held under the new the IGAD-plus framework.



On the Agenda

PSC looks at protecting women and children in the line of fire

To commemorate international women's day and in line with the growing concern over the fate of women and children in armed conflict, the PSC organised an open session on Monday 9 March. Over the years, the African Union (AU) has taken important steps towards the protection of women and children in conflicts and has developed various instruments to compel governments to protect women and children. However, their adoption and implementation remain a challenge. The changing nature of conflicts, the rise of non-state actors, as well as the increased threat of terrorism and organised crime pose new threats for the protection of women and children.

Violence against women and children on the increase

Women and children are the most vulnerable group when faced with armed conflicts and suffer most from the socio-economic consequences of violence. Their plight is aggravated due to a breakdown of social order and disrespect for the rule of law in conflicts across the continent.

Over the years, the African Union has taken important steps towards the protection of women and children in conflicts

There are multiple examples of the suffering of women and children in armed conflict. The eastern Democratic Republic of Congo (DRC), where conflict has raged for decades, has for example been labelled as 'the most dangerous place on earth to be a woman'. According to certain reports at the peak of the conflict 1 000 women had been raped daily. A 2010 research by the Journal of the American Medical Association found out that 39.7% of women in the eastern DRC including the North Kivu, South Kivu, and Province Orientale were victims of sexual violence during their lifetime, rape being the most frequent. Another study conducted in 2010 concluded that two in five women living in the eastern DRC were exposed to sexual violence. Rights groups accuse both the state and rebels of sexual crime and violence.

South Sudan is another example. It has been more than a year since the country entered a state of civil war. A February 2015 report by the United Nations (UN) states that 12 000 children were used as child soldiers across South Sudan in 2014. The report adds that thousands of these children were kidnapped and forced to become child soldiers. UNICEF reported 89 child abductions in South Sudan in the same month. Human Rights Watch also accuses the Juba government and the rebels of using child soldiers.

12 000

THE NUMBER OF CHILDREN WHO WERE USED AS CHILD SOLDIERS ACROSS SOUTH SUDAN IN 2014

Meanwhile, the notorious Nigerian Islamist group Boko Haram continues to hold more than 200 girls, kidnapped in Chibok in April 2014 as hostages. The kidnapping grabbed the headlines, but the atrocities committed by the group in the region, especially against women and children continue. Lately, the group has also started using teenage girls as suicide bombers.

The eastern Democratic Republic of Congo has been labelled as the most dangerous place on earth to be a woman

AU actions thus far

It is with consideration of this reality and commemoration of the International Women's Day that the PSC held an open session on 'Mitigating Vulnerabilities of Women, Children and other Vulnerable Groups in Armed Conflicts in Africa' on 9 March 2015.

The past five years saw an increased interest and commitment from the PSC to mainstream gender and child protection in conflict analysis and response. Various measures have been taken to promote the overall protection of vulnerable groups affected by conflict-related violence in Africa. The PSC has held six open sessions on this issue since 2010. The sessions served as a platform for the Council to engage with civil society organisations, advocacy groups for the rights of women and children and the media.

The past years saw progress led by the Women, Gender and Development Directorate of the AU, including the designation and deployment of gender focal points in the Departments of Peace and Security and Political Affairs, and the AU liaison offices. The appointment of Ms. Bineta Diop as the AU Special Envoy on Women, Peace and Security in early 2014 was also commended as a move in the right direction in the effort to mainstream the issue at the AU.

Training for AU peacekeepers

The PSC has identified the AU peace support operations as an important entry point for mainstreaming child protection into the African peace and security agenda. At the end of 2013, the AU Gender Training Manual for AU Peace Support Operations was adopted. The manual included the elaboration of a policy brief and a draft code of conduct. Subsequently numerous measures were taken for a meaningful inclusion and consideration of the protection of vulnerable groups, in particular women and children in conflict situations by African peace support missions. These include efforts by the African Mission in Somalia to include the protection of women and children as part of the

pre-deployment training, and the development of standard operating procedures for the release and integration of children from armed groups.

A comprehensive study on women and children in armed conflict 'Mitigating Vulnerabilities of Women and Children in Armed Conflicts' was also undertaken by the AU Panel of the Wise and its preliminary report was submitted to the PSC on 28 March 2011.

A plethora of legal frameworks

The AU has developed various sets of instruments and documents with an objective of preventing the negative impact of violent conflict on women and children before, during, and after conflict. These include the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the Solemn Declaration on Gender Equality in Africa (2005) and the African Charter on the Protection and Welfare of the Child (1999), as well as the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009). The AU also adopted the UN Security Council resolutions 1325 (2000) and 1820(2008) on Women, Peace and Security.

Grave violations of women's and children's rights in conflict areas remain a major threat to human security

To give impetus to the implementation of the AU's Gender Architecture, the 12th Ordinary Session of the Assembly of the Union, held in Addis Ababa from 1 to 3 February 2009 declared 2010-2020 the decade of African women. Subsequently, the AU created mechanisms and groups including the Committee of 30 for the African Women's Decade (AWD), the steering committee for the Fund for African Women, the meeting of AU experts and the ministerial committee of 10 to implement the objectives of the decade.

The African Charter on the Rights and Welfare of the Child (1990), the first African document to establish 18 as a minimum age for military recruitment and participation in hostilities is another one of these instruments. The African Committee of Experts on the Rights and Welfare of the Child was also established subsequent to the Charter, to review the progress made by close to 50 signatories in the implementation of the treaty.

Gaps and next steps

Despite the increased commitment and attention, as well as measures to institutionalise, legalise and mainstream efforts

towards the protection of women and children affected by armed conflict, grave violations of women and children's rights in conflict areas remain a major threat to human security in Africa. The signing, adoption, ratification and implementation of the relevant instruments and commitments remain a challenge across the continent. The changing nature of conflicts and the rise of non-state actors, as well as the increased threat of terrorism and organised crime pose new threats for the protection of women and children. The situations in the DRC, South Sudan, Central African Republic and Nigeria demonstrate the seriousness of the challenge.

Harmonising AU efforts

The AU acknowledges the need to examine and investigate cases of crimes committed against women and children, to launch preventive campaigns aiming at the armed forces and the police, and fight impunity by bringing perpetrators to justice.

The signing, adoption, ratification and implementation of the relevant instruments remain a challenge

The PSC open session on mitigating vulnerabilities of women, children and other vulnerable groups in armed conflicts in Africa discussed efforts to strengthen the mainstreaming of child protection within the AU activities, policies and operations. Increased involvement of the Panel of the Wise, and harmonisation of efforts between the PSC, the AU Commission and the African Committee of Experts on the Rights and Welfare of the Child was also expected to feature on the agenda of the session. The organisation of a high level meeting on children in armed conflict and improving cooperation with the UN also deserve the attention of the Council. The challenge with the ratification and implementation of instruments also needs to be addressed. Moreover, the Council needs to scale up its relations with and support to civil society and women's organisations, as well as advocacy campaigns raising awareness and urging for action on this matter.

Situation Analysis

Tensions are on the increase in Abyei in the run-up to Sudanese elections



The African Union (AU) and the United Nations (UN) have expressed concern over rising tensions in the disputed Abyei region, situated on the border between Sudan and South Sudan. The attention of leaders in South Sudan has temporarily shifted away from the issue due to the civil war in the country. Meanwhile, the upcoming elections in Sudan are leading to overt claims by Khartoum that Abyei belongs to it and there are signs more pro-Sudanese Misseriya nomads are moving into the area.

AU expressing deep concern

The Peace and Security Council (PSC) met on 24 March to discuss the situation in Abyei. This follows a press statement on 16 February 2015 by AU Commission chairperson Dr Nkosazana Dlamini-Zuma expressing 'deep concern' over the latest series of incidents in Abyei. This included killings, abductions and livestock raids, threatening the wellbeing of residents and the peace and political processes. The AU called on Khartoum and Juba to speed up the establishment of the Abyei police service and other administrative bodies, in accordance with the agreement the two parties had reached in June 2011. The agreement was aimed at preventing the occurrence of similar security incidents and responding to them in a timely manner. The statement further urged the early convening of the Abyei Joint Oversight Committee.

The AU called on Khartoum and Juba to speed up the establishment of the Abyei police service and other administrative bodies

Increasing incidents of violence and deepening tension

Demonstrating the deteriorating security situation in the area, on 2 March 2015 the UN reported that more than 100 armed men from the Misseriya community had killed four members of the Ngok Dinka, wounded three and abducted eight children in Marialachak, a village in southern Abyei. The attack displaced hundreds of residents from the village and surrounding areas. The UN Interim Security Force for Abyei (UNISFA) repulsed and chased the raiders, killing three and capturing four of them. The past two months have witnessed three similar incidents between the two major groups in the Abyei area – the nomadic Arab herders of the Misseriya and the Ngok Dinka.

During a press conference following the attack, the spokesperson for South Sudan's ministry of foreign affairs, Mawien Makol, condemned the attack and said that the Misseriya were taking advantage of the presence of the Sudanese army in the area to 'loot and kill'. The 30 January report of the UN secretary general on the situation

in Abyei stated that Khartoum continued to maintain between 120 and 150 oil police personnel in northern Abyei, violating the June 2011 agreement and multiple UN Security Council (UNSC) resolutions.

Tension between the two groups also rose in mid-March 2015 following reports of the ongoing recruitment of the Misseriya militia on the Sudanese side of the border. Members of the Ngok Dinka community say that they are living in fear and insecurity, anticipating imminent attacks.

The talks are in deadlock. The lack of meaningful political dialogue coupled with the security incidents has increased inter-communal tensions. As the security situation deteriorates and the war of words continues between political and tribal leaders on both sides, the people of Abyei continue to suffer due to the lack of an effective administration providing basic services and state protection.

Members of the Ngok Dinka community say that they are living in fear and insecurity, anticipating imminent attacks

Inflammatory statements ahead of Sudanese elections

Strong inflammatory statements from both sides dominate discussions and media reports on the situation in Abyei. The increasing tension and mistrust between the two dominant groups claiming competing rights over the area, and the civil war in South Sudan further complicate the situation. The recent escalation in fighting between the Sudanese Armed Forces and the Sudan People's Liberation Movement North (SPLM-North) has also hampered peace efforts.

In March 2015 political and tribal leaders of the Misseriya called for the use of force to take over Abyei, citing an administrative vacuum in the area and the ongoing conflict in South Sudan. The leaders, who are becoming increasingly vocal in Khartoum ahead of the Sudanese elections scheduled for next month, have urged the Sudanese army to take control of the disputed region to bring order and stability.

The inflammatory call was followed by a speech made by President Omar al-Bashir near the region as part of his election campaign representing the National Congress Party. In one of his campaign speeches in Fula, 100 km from Abyei, al-Bashir said Abyei was Sudanese territory and Khartoum would not abandon its claim to it.

Southward migration of Misseriya nomads

According to the UN report, the southwards migration by the Arab Misseriya nomads to Abyei is one of the causes of the rising tension. The UN noted that November and December 2014 saw an increase in the unjustified acceleration of the southwards migration despite considerable water and pasture being available in other parts of northern Abyei.

Last month, the South Sudanese ambassador to the UN protested against a Sudanese statement to the effect that Abyei is Sudanese territory until a referendum to decide its future is held. Meanwhile, announcing its plan to re-divide South Sudan's 10 states into 21, the SPLM In-Opposition, led by Riek Machar, recently asserted that Abyei is a South Sudanese state.

99%

THE PERCENTAGE OF VOTERS IN THE NOVEMBER 2013 ABYEI REFERENDUM WHO WANTED TO JOIN SOUTH SUDAN

According to the 2005 Comprehensive Peace Agreement, Abyei was supposed to conduct a referendum alongside South Sudan's 2011 secession vote. The delay in the vote and political and security instability in the region resulted in a unilateral referendum in Abyei organised by the Ngok Dinka in November 2013, which saw 99.9% of voters wanting to join South Sudan. The vote was boycotted and the results rejected by the Misseriya community. Neither the Sudanese nor the South Sudanese government recognised its outcome.

According to the UN, the southwards migration by the Misseriya nomads to Abyei is one of the causes of the rising tension

Call for a peace and reconciliation conference

The biggest group in the region, the Ngok Dinka, continues to favour joining South Sudan. However, Sudan says that the Khartoum-allied Misseriya community, who move around Abyei to find pasture for their cattle and spend up to half the year in the region, should be eligible to vote.

In mid-March a paramount chief of the Ngok Dinka, Bulabek Deng Kuol, announced that preparations were underway to organise a peace and reconciliation conference between the Misseriya and Ngok Dinka. This followed a call from a Ngok Dinka leader in Khartoum, Zachariah Atem, for such a conference between the two tribes. In February, Sudan's First Vice President Bakri Hassan Saleh also announced Khartoum's plan to support development projects and peace efforts in Abyei.

The vacuum in public administration and rule of law requires a solution. The peace talks would need to start soon to ease tensions on the ground and bring hope of a political and legal solution to the Abyei question. The provision of basic services, including policing and justice, should be given priority.

Civil war in South Sudan attracting attention away from Abyei

AU efforts to resolve the Abyei issue are channelled through the AU High Level Implementation Panel (AUHIP) on Sudan and South Sudan. The panel is mandated with initiating and facilitating talks on issues surrounding South Sudan's independence and disputes over the contested border, oil, security, citizenship and assets. In September 2014 the panel had an informal interactive dialogue with members of the UNSC. AUHIP chair Thabo Mbeki noted the need for a strategy

on Abyei and highlighted that the civil war in South Sudan was distracting Juba from focusing on the Abyei issue. He also noted Juba's concern about the placement of the centre line of the Safe Demilitarised Border Zone between Sudan and South Sudan.

UNISFA, which is mandated with protecting civilians, monitoring the flashpoint border area and facilitating the delivery of humanitarian aid, is an all-Ethiopian force. Ethiopia still commands the trust and respect of Juba and Khartoum.

On 29 May 2013, the UNSC increased UNISFA's military strength and tasked it with supporting the operational activities of the Joint Border Verification and Monitoring Mechanism, established by the Sudan-South Sudan Cooperation Agreement.

UN concern of the fragile situation in Abyei

At the beginning of 2015 UNISFA's military component stood at 4 036 (96 military observers, 95 staff officers and 3 845 troops) of an authorised strength of 5 326. In January 2015 UN Secretary-General Ban Ki-moon appointed Haile Tilahun Gebremariam, an Ethiopian general, as the head of UNISFA. A month later the UNSC extended UNISFA's mandate to 15 July 2015.

UNISFA is implementing a multifaceted conflict prevention and mitigation strategy to prevent and resolve clashes during the migration season and beyond. The strategy includes the establishment of a disengagement area between the Ngok Dinka and the Misseriya, the deployment of troops in potential flashpoint areas, deterrence patrols, aerial monitoring and frequent engagement with local communities and authorities in Sudan and South Sudan.

Following its latest meeting on Abyei, the UNSC expressed its concern about the fragility of the security situation in the region and the stalled efforts to demilitarise the border zone. The UNSC urged Sudan and South Sudan to resolve immediately the deadlock over Abyei and establish a joint administration and police force. The council discouraged any unilateral action by either country and urged both to continue working towards a political solution.

The provision of basic services, including policing and justice, should be given priority

Major issues for the PSC

A major issue for the PSC is how to de-escalate the increasing violence and mounting tension in Abyei. In this regard, one

issue for the AU is finding ways in which it can support and facilitate the call by community leaders for a peace and reconciliation conference between the Ngok Dinka and the Misseriya.

Another issue is how to achieve the effective and full implementation of the agreements that the two countries have signed over Abyei, including on the withdrawal of security forces and establishment of the Abyei administration.

A major issue for the PSC is how to de-escalate the increasing violence and tension in Abyei

Options for the PSC

The PSC could request the AU Commission to initiate, through the AUHIP, a process that supports and facilitates the launching of a dialogue on peace and reconciliation between the two communities.

The council could call on Sudan and South Sudan to provide full support for and cooperate with UNISFA in the implementation of its mandate to ensure stability and peace in Abyei.

It could also call on the two countries to refrain from actions and statements that exacerbate tension in Abyei and to respect the terms of the agreement, including the establishment of the various elements of the Abyei administration.

The PSC could continue calling for the permanent withdrawal of all unauthorised Sudanese and South Sudanese forces from the area and the reactivation of the Joint Military Observer Committee and Joint Military Observer Teams.

Assessing the security situation in Abyei, the PSC could call for an adjustment to UNISFA's mandate to enable the police component of the mission to engage in community protection committees.

Documentation

AU documents

Press release (16 February 2015), The African Union concerned by the recent incidents in the Abyei area (<http://www.peaceau.org/en/article/the-african-union-concerned-by-the-recent-incident-in-the-abyei-area-the-au-calls-for-restraint-and-for-the-early-convening-of-the-abyei-joint-oversight-committee>)

UN documents

Resolution 2205 (2015) (26 February 2015), Extension of the mandate of UNISFA until 15 July 2015 (<http://www.un.org/press/en/2015/sc11800.doc.htm>)

Report of the Secretary General on the situation in Abyei (30 January 2014) (http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/77)

PSC Interview

Mali visit a chance for the PSC to view crisis first-hand



HE Anne Namakau Mutelo, Ambassador of Namibia to Ethiopia and Permanent Representative to the African Union (AU) and the United Nations Economic Commission for Africa (UNECA), speaks about her role as rotating Peace and Security Council (PSC) chairperson for March 2015 and about the recent field visit by the PSC to Mali.

You headed the PSC field mission to Mali together with the European Union Political and Security Committee (EUPSC) on 11–13 February this year. Do you think such field visits advance the role of the PSC? How?

The joint mission to Mali was very successful. I had the privilege of heading it. It was the first of its kind and it was very important for the visibility of the AU PSC to be seen in conflict areas. We usually sit comfortably in Addis conference rooms but we don't really understand what we are talking about. Our visit was not limited to the capital Bamako. We went to the north, to Gao. The major purpose of the field mission was to see what was happening in the north. Though we stayed in the military barracks we were still able to meet with different stakeholders, including the governor of Gao, the mayor of Gao, and representatives of women and youth organisations and religious organisations. In Bamako we also met the various role players. We had a meeting with the prime minister [Modibo Keita], parliamentarians and opposition leaders, as well as with representatives of civil society organisations.

The trip coincided with talks in Algeria and some of the opposition members complained they were not invited to these talks. We were clear in communicating that the AU will not tolerate spoilers [to the current peace process] and that we need to continue talking. The PSC has faith in the Algiers process.

We usually sit comfortably in Addis conference rooms but we don't really understand what we are talking about

What did you observe about the challenges facing Mali? And what more can the AU do to help Mali address those challenges?

Whatever challenges they have, and there are many, the conflict is not of their own making. As you know these problems emanate from what happened to former leader Muammar Gaddafi and Libya. The military elements that formed part of the Gaddafi army were chased out of Libya and returned to their countries. When they returned, they had only weapons with them and the only training they had was military. That is why there is a lot of instability, not only in Mali but also in the bigger Sahel region. One should not overlook the involvement of external forces in the conflict. We must look at all these dimensions to understand the crisis.

One of the challenges raised by the stakeholders during the field mission was the issue of coordination. In Mali we have the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), we have the African-led International Support Mission to Mali, which is more political, and we also have the French forces and two EU missions. We received complaints about the lack of coordination between these various missions. I reported this and other observations and concerns we gathered from our engagements to the chairperson of the AU Commission.

One of the things we learnt from the discussions we had with the youth groups is that young people are joining the terrorist groups because of the high level of youth unemployment. There is a need for projects that create job opportunities.

One of the things we learnt is that young people join terrorist groups because of the high level of unemployment. There is a need for projects that create job opportunities

What is the importance of the joint field mission for the AU–EU relationship?

It is very important because it shows that we are working together. It is important we continue partnering in the area of peace and security. However, I was telling my African delegation that the AU should not always wait for joint missions and start initiating and undertaking its own missions. We should not come from behind. We should initiate. I continue to urge for the institutionalisation of such field missions in the work of the PSC.

How are agendas of the PSC set? Why are some situations such as the tense electoral contest in Nigeria not on the agenda?

The agenda of the PSC is decided by the chairperson of the month. The AU Commission and other members of the PSC also contribute to the formulation of the monthly agenda of the PSC.

My position on the role of the PSC in preventative action has been not to fight the fire after it has started. This tendency to act after crises have erupted has limited the focus on conflict prevention and early action. We need to enhance the existing early warning mechanisms at the AU. We have the Panel of the Wise and the PSC, we have the commissioners and the Union; all of these need to pay greater attention to prevention work.

Recently we succeeded in convincing Burundi to brief the PSC on the political situation in the country. The briefing offered an opportunity for the PSC to hear the government's perspective on the situation, as much of the information thus far has been from the media and the civil society reports. We adopted a communiqué to help Burundi go to elections well prepared and in a stable political environment.

After learning about a planned trip by the head of Political Affairs we also proposed that future trips must be comprehensive and include members of the PSC, Political Affairs and the Panel of the Wise, as we all are working for the same cause. Coordination and consultation are very important.

Nigeria is a very important country. If something happens to Nigeria it will trickle down to the whole of Africa. I approached Nigeria requesting a Burundi-type briefing, but we were unable to hold it.

What about the planned PSC field mission to South Sudan?

The PSC field mission to South Sudan was on our agenda the whole of 2014, but it has never materialised. The challenge we are facing with the proposed PSC field mission to South Sudan is the fact that IGAD [the Intergovernmental Authority on Development], which is leading the peace process, didn't want the PSC. Now they found out they cannot do it by themselves and that the PSC could help; South Sudan is back on the agenda of the PSC. This may facilitate the field visit.

The PSC is not as visible as it should be. People in the refugee camps who are suffering from instability and conflict don't even know there is a PSC. The PSC ambassadors are the ones who interact with ministers and heads of state on peace and security issues. If we are not informed about the situation on the ground we can't help in the making of informed decisions.

What is your impression of the effectiveness of the PSC? What more needs to be done to enhance the PSC's effectiveness?

The PSC celebrated its 10th anniversary just last year. We are learning from the mistakes of the past and are trying to make the Council more effective. Now we have started good coordination with the United Nations Security Council [UNSC], following the Libyan crisis of 2011. During the crisis, African members of the UNSC voted for Resolution 1973 that declared a no-fly zone over Libya.

We are examining why Africa can't solve its own problems. Since there are always three African non-permanent members of the UNSC, the A3, we have come up with a mechanism wherein whatever we do here in Addis Ababa is conveyed to them in New York, to help them own the process and mobilise support for the position taken by the PSC. It is a process of consultation. Whatever we discuss at the PSC we discuss with the A3 and other African members of the UN, as well as with partners.

We have come up with a mechanism whereby whatever we do here in Addis Ababa is conveyed to them in New York, to help them own the process and mobilise support

What needs to improve in the relationship between the PSC and the AU Commission?

At the moment it is working well. The PSC is independent. It makes its own agenda for the month and meets regularly to respond timely. It is acting as an autonomous policy organ. The Permanent Representatives Committee does not have a secretariat like the PSC. The PSC is better in that respect. It is very important that the Political Affairs Department and the Peace and Security Department work together. We get briefings from Political Affairs. However, the coordination and working relation between the two organs needs to be enhanced. You cannot separate the two departments. This is an area that requires improvement.

How do you see the role of the chair of the PSC affecting the functioning of the Council?

The chairmanship is very powerful. The chair decides on the agenda. All the issues during Namibia's chairmanship were issues that are close to our heart. The issue of Western Sahara, an issue that was considered as a UN issue, is on the agenda and was discussed. We also consult members of the Council about urgent issues. Matters from the previous month that deserve follow-up also feature on the agenda. We also consult with the commissioner of with peace and security and the chairperson of the Commission to get their views.

Peacekeeping missions are male oriented. The specific needs of women peacekeepers are not taken into account in the planning and procurement processes

On 9 March 2015 you convened a PSC open session on women and children in armed conflict. What are the challenges in protecting women in armed conflict?

There are many. The first is the fact that peacekeepers are mostly men. Peacekeeping missions are male oriented. They are just learning now how to involve women. I visited AMISOM [the African Mission for Somalia] and I was amazed by the problems raised by the women peacekeepers, because the specific needs of women peacekeepers are not taken into account in the planning and procurement processes. Procurement and facilities should consider women. We also need women's leadership in post-conflict and reconstruction processes. We need more women in the peacekeeping business.

Subscribe to the ISS for the latest analysis, insight and news

We're improving human security in Africa with authoritative research, training and expert policy analysis

Step 1: **Go to www.issafrica.org**

Step 2: **Under 'Subscribe to the ISS,' click on 'Email subscriptions'**

Step 3: **Select the type of notices you would like to receive:**

Latest from the ISS

- ISS press releases
- ISS Weekly newsletter
- ISS Today
- ISS Spotlight

ISS event invitations

- Seminars, ISS Addis Ababa
- Seminars, ISS Dakar
- Seminars, ISS Nairobi
- Seminars, ISS Pretoria
- Training courses

ISS thematic reports

- Peace and Security Council Report
- Regional Report: Central Africa
- Regional Report: East Africa
- Regional Report: ECOWAS
- Regional Report: Southern Africa

Or, subscribe by topic of interest (to receive press releases, spotlights, event invitations, and reports that deal with your chosen topic):

- African Futures
- Arms control and disarmament
- Conflict prevention and analysis
- Corruption and governance
- Counter-terrorism
- Crime and criminal justice
- International criminal justice
- Organised crime
- Peacekeeping and conflict management



About the ISS

The Institute for Security Studies is an African organisation that aims to enhance human security on the continent. It does independent and authoritative research, provides expert policy analysis and advice, and delivers practical training and technical assistance.

Contributors to this issue

Solomon A Dersso, ISS Addis Ababa
Hallelujah Lulie, ISS Addis Ababa
Liesl Louw-Vaudran, Consultant to the PSC Report

Contact

Solomon A Dersso
PSC Report Project Leader
ISS Addis Ababa
E-mail: sayeledersso@issafrica.org

Acknowledgements



The publication of the PSC Report is made possible with support from the Government of the Swiss Federation and the Hanns Seidel Stiftung. The ISS is also grateful for the support of the following members of the ISS Partnership Forum: the governments of Australia, Canada, Denmark, Finland, Japan, Netherlands, Norway, Sweden and the USA.

ISS Pretoria

Block C, Brooklyn Court
361 Veale Street
New Muckleneuk
Pretoria, South Africa
Tel: +27 12 346 9500
Fax: +27 12 460 0998

ISS Addis Ababa

5th Floor, Get House
Building, Africa Avenue
Addis Ababa, Ethiopia
Tel: +251 11 515 6320
Fax: +251 11 515 6449

ISS Dakar

4th Floor, Immeuble Atryum
Route de Ouakam
Dakar, Senegal
Tel: +221 33 860 3304/42
Fax: +221 33 860 3343

ISS Nairobi

Braeside Gardens
off Muthangari Road
Lavington, Nairobi, Kenya
Tel: +254 72 860 7642
Fax: +254 73 565 0300