Security Council

Letter dated 8 December 2014 from the Permanent Representative of Chad to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the concept note for the open debate of the Security Council on "Cooperation between the United Nations and regional and subregional organizations: peace operations — the United Nations-African Union partnership and its evolution", which will take place on 16 December 2014 (see annex).

I should be grateful if you would circulate this letter and its annex as a document of the Security Council.

(*Signed*) Mahamat Zene **Cherif**
Ambassador
Permanent Representative

Annex to the letter dated 8 December 2014 from the Permanent Representative of Chad to the United Nations addressed to the Secretary-General

[Original: English]

Concept note for the Security Council open debate on the theme "Peace operations: the partnership between the United Nations and the African Union and its evolution", 16 December 2014

Introduction

On 16 December 2014, the Republic of Chad, as President of the Security Council, will hold a debate on the theme "Peace operations: the partnership between the United Nations and the African Union and its evolution". It is expected to generate a constructive exchange of views on a pressing area of United Nations activities. The record number of peacekeepers currently deployed across Africa reflects not only the proliferation of crises in several regions but also the deepening of the partnership for peace between the United Nations and the African Union. It is therefore crucial that this partnership function smoothly and effectively. Yet despite considerable progress, the relationship continues to face a variety of challenges and areas of tension.

The present concept note provides a brief overview of the partnership and efforts of the United Nations and the African Union to deliver effective peace operations. It addresses four important ongoing challenges: the financing of peace operations of the African Union; planning for and managing mission transitions; enhancing the capacity for rapid deployment; and improving institutional collaboration between the Security Council of the United Nations and the Peace and Security Council of the African Union.

We wish to recommend the following points for consideration by the Security Council:

- With regard to financing peace operations of the African Union, we want to reaffirm the necessity of implementing the recommendations of the African Union-United Nations panel on modalities for support to African Union operations, published in 2008, while simultaneously generating more African sources of funding.

- On the issue of rapid deployment, we encourage the Security Council and bilateral initiatives, notably the African Peacekeeping Rapid Response Partnership of the United States of America, to consider how they might support the African Capacity for Immediate Response to Crises.

- In terms of institutional collaboration between the Security Council of the United Nations and the Peace and Security Council of the African Union, we encourage the two Councils to build on the new joint framework for an enhanced partnership in peace and security between the United Nations Office to the African Union and the Peace and Security Department of the African Union Commission. This framework should be refined and extended across the rest of the African Union Commission, the wider United Nations family and the African regional economic communities.

Background: the partnership between the United Nations and the African Union

The relationship between the United Nations and the African Union is multidimensional and multilayered and addresses a wide range of issues through a variety of mechanisms. Debate continues over how the United Nations and African regional arrangements can best pool their resources and allocate responsibilities in order to deploy effective peace operations. The main elements of the partnership between the United Nations and the African Union with respect to peace operations include consultative meetings, joint mechanisms and common field deployments.

In 2006, the United Nations Framework for the Ten-Year Capacity-Building Programme for the African Union was established to enhance the capacity of the African Union Commission and African subregional organizations to act as effective partners of the United Nations in addressing Africa's challenges. As this programme nears its end (in November 2016), attention has turned to how to operationalize a more enduring compact of some form between the United Nations and the African Union.[1]

Since 2007, members of the Security Council of the United Nations and members of the Peace and Security Council of the African Union have held annual consultative meetings, alternating between New York and Addis Ababa. These meetings have helped to build mutual understanding by addressing specific crises and operations, as well as broader thematic issues, including combating terrorism and institutional collaboration. The most recent meeting, in mid-2014, was convened under a new, more structured format designed by the Russian Federation.

In 2009, the African Union established a permanent observer office to the United Nations, and in 2010 the United Nations and the African Union created a Joint Task Force on peace and security issues. Meeting twice a year at the senior level, the Joint Task Force has helped to review immediate and long-term strategic issues. It has recently adopted recommendations to strengthen the exchange of information between the United Nations and the African Union and to promote joint analyses of conflicts in order to build a common understanding of the causes and drivers of organized violence in Africa. It is worth considering how mechanisms such as the Joint Task Force could support regional African initiatives, such as the Nouakchott Process launched in March 2013 to strengthen regional cooperation across the Sahelo-Saharan region for combating terrorism and operationalizing the African Peace and Security Architecture.

In 2011, a major step forward was taken with the creation of the United Nations Office to the African Union, in Addis Ababa. The Office has played an important operational role in supporting joint planning exercises and helping to prepare the annual consultations between the two Councils by producing briefing papers and background notes. In May 2013, the Secretary-General raised the importance of the Office by appointing its new head, who is also his Special Representative to the African Union, for the first time at the level of Under-Secretary-General. In 2014, the Office and the Peace and Security Department of the African Union Commission signed a joint framework for an enhanced partnership in peace and security, which will frame and guide their joint work.

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[1] See African Union, United Nations Ten-Year Capacity-Building Programme for the African Union: Second Triennial Review 2010-2012, document ECA/RCM/15/2.

With regard to field deployments, several models of operational partnerships between the United Nations and the African Union have been developed. Since 2004, planned transitions of peace operations from the African Union to the United Nations have taken place in Burundi, the Central African Republic and Mali. In Darfur, the African Union Mission in the Sudan (AMIS) was transitioned into the African Union-United Nations Hybrid Operation in Darfur (UNAMID) at the start of 2008. The United Nations has also provided support packages to African Union missions, including those in Darfur, Mali and Somalia. The United Nations Support Office for the African Union Mission in Somalia (UNSOA), which was established in 2009, was particularly notable for its use of the United Nations peacekeeping budget to fund the logistical support package provided to the African Union Mission in Somalia (AMISOM). The United Nations and the African Union have also conducted several joint assessment missions in the Central African Republic, Mali and Somalia.

Despite these significant collaborative mechanisms and initiatives, the relationship between the United Nations and the African Union continues to face several challenges.

1. Financing peace operations of the African Union

Two related financial challenges persist: how to finance peace operations of the African Union and how the United Nations should support peace operations of the African Union that have been authorized by the Security Council.

Article 21 of the Protocol relating to the Establishment of the Peace and Security Council of the African Union, adopted in 2002, provides for a funding system for peace operations of the African Union, whereby States members of the African Union that contribute contingents bear the cost of their participation during the first three months, while the African Union commits to reimbursing those States within a maximum period of six months and then proceeds to finance the operation.[2] However, this system has never worked effectively in practice, leaving each African Union operation to develop its own ad hoc financing mechanisms. This situation led the panel on modalities for support to African Union operations to conclude in its report of 2008 (A/63/666-S/2008/813, para. 59) that:

> Reliance on unpredictable sources of funding means that there is no guarantee that essential capabilities will be available which, in turn, may invalidate planning assumptions. This acts as a disincentive to potential troop contributors who are understandably reluctant to commit to missions that they see as underresourced, especially when this is accompanied by a lack of any guarantee of sustained reimbursement.

It is therefore widely acknowledged that the status quo on financing is unacceptable and the goal of the African Union should be to develop adequate, flexible and sustainable sources of funding for its peace operations. However, the search for solutions has made little progress.

In place of the broken status quo, the panel on modalities for support to African Union operations recommended two options. First, States Members of the United Nations should establish a multi-donor trust fund to support the

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[2] The Protocol is available at http://www.au.int/en/sites/default/files/Protocol_peace_and_security.pdf.

peacekeeping capacity of the African Union. The problem with this recommendation is that such trust funds are not a reliable way to sustain operations, especially those that engage in enforcement; nor is the United Nations the best entity to manage such funds, compared to the bilateral donors concerned. The panel's second option was that funds from the United Nations peacekeeping budget should be used to support peace operations of the African Union that are authorized by the United Nations for a period of no longer than six months, with each decision taken on a case-by-case basis, with approval from the Security Council and the General Assembly, and with the mission of the African Union transitioning to United Nations management within six months. While the UNSOA mechanism established in 2009 did provide important support to AMISOM through the United Nations peacekeeping budget, other missions of the African Union, in the Central African Republic and Mali, did not receive similar support packages. Moreover, the Security Council has so far rejected calls for the Secretary-General to set up a road map for implementing the recommendations of the panel. We believe that this is a mistake and reiterate the urgent need to implement those recommendations in this area.

More recently, in 2012, the African Union adopted the African Solidarity Initiative, which aims to mobilize human and financial resources to strengthen local capacities for national reconstruction and development in various African countries. However, African initiatives to generate more indigenous funds for peace operations have not borne fruit.[3] This has led the African Union to search, once again, for additional external sources of funding. As part of the new African Union-China strategic dialogue for peace and security in Africa, launched in November 2014, the African Union has invited China to consider establishing an African peace facility similar to that run by the European Union.

Despite such efforts, financing challenges persist for both peace operations of the African Union and operations of the African Union authorized by the Security Council. This situation is unacceptable. We recommend a two-pronged approach whereby the recommendations of the panel on modalities for support to African Union operations are implemented, while a renewed push is made simultaneously to generate indigenous and additional exogenous sources of financing for peace operations of the African Union. An organization that persistently fails to pay for its operations will struggle to exercise ownership over them, waste time and effort establishing ad hoc financial mechanisms that may prove ineffective, remain susceptible to shifts in donor priorities and will lose credibility in the eyes of its donors over time.

2. Managing the transition of missions

Most peace operations of the African Union have been conceived as interim measures before transitioning to missions of the United Nations.[4] In Burundi, in 2004, a relatively smooth transition occurred from the African Mission in Burundi to the United Nations Operation in Burundi. This was in spite of the fact that the transition took place before the Peace and Security Council of the African Union

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[3] The most widely discussed proposals have revolved around taxing tourism and air travel on the continent. See African Union, Modalities of Implementation of the Two Options retained by the Assembly of Heads of State and Government of the African Union on Alternative Sources of Financing the African Union, document EA10423.

[4] The only exceptions have been the missions of the African Union in the Comoros.

was established. In Darfur, the transition from AMIS to UNAMID was effected in 2008 by retaining a majority of African personnel while utilizing United Nations structures to manage the mission. The attempt to have two organizations running the same mission generated problems. In Somalia, the initial vision of the African Union of transitioning AMISOM to a peacekeeping operation of the United Nations has not taken place. Instead, AMISOM has worked alongside the United Nations Political Office for Somalia and, later, the United Nations Assistance Mission in Somalia, and received the UNSOA logistical support package, as well as considerable funds for personnel allowances from the European Union. It is thanks to the UNSOA and European Union support that AMISOM has been able to sustain its operations. In Mali, the transition in 2013 from the African-led International Support Mission in Mali to the United Nations Multidimensional Integrated Stabilization Mission in Mali generated a series of tensions between the United Nations and the African Union and was further complicated by the political involvement of some regional States.[5] In comparison, the transition from the African Union to the United Nations in the Central African Republic earlier in 2014 went relatively smoothly.

In recognition of the importance of this issue, Rwanda organized an open debate in the Security Council that led to the adoption of Security Council resolution 2167 (2014), in which, among other things, the Security Council requested the Secretary-General:

> To initiate in full and close cooperation with the African Union a lessons learned exercise on the transitions from the African Union peace operations to United Nations peacekeeping operations in Mali and the Central African Republic and to produce specific recommendations that could be used for possible future transitional arrangements not later than 31 December 2014.

We look forward to the results of this exercise but would point out several areas for consideration. Most fundamental is the need to generate consensus about the mission mandates. Divergent views on this issue across the African Union and the United Nations will complicate any transition process. Second, timetables for planning, procurement, the hiring of personnel and rotations should be synchronized in advance to avoid unnecessary challenges. Third, due consideration must be given in advance to how the mission transition should affect the regional input with regard to peacemaking and mediation efforts. Failure to generate a consensus on this issue caused considerable tensions in the case of Mali.

3. Facilitating rapid deployment

Once authorized, peace operations must be able to deploy rapidly. We note in this context that both the Under-Secretary-General for Peacekeeping Operations and the Under-Secretary-General for Field Support have stated that ensuring rapid deployment should be a priority for the High-level Independent Panel on Peace Operations.[6] This is also a priority for the African Union.

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[5] See Security Council resolution 2100 (2013) and the communiqué issued at the 371st meeting of the Peace and Security Council of the African Union (PSC/PR/COMM (CCCLXXI), para. 10).

[6] Statements to the Fourth Committee during its consideration of the item entitled "Comprehensive review of peacekeeping in all its aspects" on 28 October 2014 (see A/C.4/69/SR.15).

It is clear from the slow international response to the crisis in Mali that the African Standby Force, with its rapid deployment capability, has yet to operate as initially envisaged. This will hopefully change when the Force reaches full operational capacity, which is scheduled for the end of 2015. However, since progress must be made in the interim, in early 2013, the African Union unveiled the African Capacity for Immediate Response to Crises.[7] This is intended to facilitate the deployment of tactical battle groups of approximately 1,500 military personnel, deployed by a lead nation or a group of States members of the African Union, which would be sustainable for 30 days. Its purpose is to conduct stabilization and enforcement missions, neutralize terrorist groups and provide emergency assistance to States members of the African Union. The African Capacity for Immediate Response to Crises has gained significant support from some African Governments. We urge States members of the African Union and the African Union Commission to investigate how the Capacity might best be supported by the Security Council and the United Nations global field support strategy, as well as recent bilateral initiatives, such as the African Peacekeeping Rapid Response Partnership of the United States.

4. **Enhancing institutional collaboration between the two Councils**

While the relationship between the United Nations and the African Union is multidimensional and multilayered, institutional collaboration between the two Councils is pivotal for deploying effective peace operations. The annual consultative meetings have helped deepen the mutual understanding between the two Councils and develop shared analyses of specific crises and peace operations. Nevertheless, some challenges and areas of divergence remain apparent.

First, greater clarity would be useful on how the Security Council should best consult with the Peace and Security Council of the African Union on major decisions related to peace operations. This should be a crucial part of the mandate formulation and of defining the division of labour between the African Union and the United Nations. The more political involvement there is from African countries, the more likely they are to invest in security initiatives such as the Intervention Brigade of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. Greater involvement in the early stages of the political process would help to ensure that the views of the African Union are received at the appropriate time during the Security Council's deliberations and are, therefore, duly considered.[8] To this end, it would be useful to agree upon working procedures for submitting requests from the African Union for financial or diplomatic support. Such procedures would also need to take into account the related question of how the views of Africa's regional economic communities should be fed to the Security Council.

Second, differences in the working methods and organizational cultures of the two Councils have sometimes generated problems, even in the absence of political differences. Where appropriate, greater levels of coordination should be sought

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[7] African Union, Report of the Chairperson of the Commission on the Operationalization of the Rapid Deployment Capability of the African Standby Force and the Establishment of an "African Capacity for Immediate Response to Crises", document RPT/Exp/VI/STCDSS/(i-a)2013.

[8] African Union, Report of the Chairperson of the Commission on the Partnership between the African Union and the United Nations on Peace and Security: Towards Greater Strategic and Political Coherence, document PSC/PR/2.(CCCVII).

between the monthly agendas of the two Councils, especially in relation to African countries, African regional issues and related thematic discussions, including the protection of civilians; women and peace and security; and children and armed conflict. It might be useful for the respective presidents of the two Councils to engage in more frequent communication, including through videoconferencing.

Third, these issues would be easier to address if the representation of the Peace and Security Council of the African Union in New York could facilitate timely communication between the two Councils and help to disseminate the positions of the Peace and Security Council of the African Union throughout the New York-based Group of African States and a newly created African caucus. It might also be useful to develop a mechanism through which elected African members on the Security Council of the United Nations that do not hold seats on the Peace and Security Council of the African Union could obtain some kind of special observer or participant status in the Peace and Security Council.

Moving forward, it would be useful to examine how the new joint framework for an enhanced partnership in peace and security between the United Nations Office to the African Union and the Peace and Security Department of the African Union Commission could be refined and extended across the rest of the African Union Commission, the wider United Nations family and Africa's regional economic communities.

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