

*Africa
Partnership
Forum*

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The following paper on peace and security has been discussed with the AU Commission. The AU Commission and the NEPAD Secretariat may have additional comments at the meeting.

Peace and Security in Africa

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A. Peace and Security: Key Political Messages and Action Points

More action is needed, by both Africa and the wider international community. Building peace and security is essential, both for economic development and for poverty reduction. Leadership is being taken by Africa itself. The number of conflicts has fallen. But even so, one-fifth of the population of Africa still live in conflict zones. More action is needed both to strengthen and support Africa's own efforts to bring peace to the continent, and to tackle the wider global drivers of conflict, including the illicit trade in small arms and light weapons, and the trade in conflict resources.

1. **Sufficient predictable funding** remains the largest constraint on peacekeeping by the African Union and regional organisations. The scale of the challenge means that significant external resources will be needed for some time. **We call for** the establishment of a new complementary Peace Facility, in order to provide more secure, predictable, flexible and better coordinated **funding**, both for the African Union and for sub-regional organisations, and for consideration also to be given to funding from the UN budget, as requested by the AU Summit in January 2007.

2. Improved funding arrangements need to be accompanied by intensified efforts on **capacity-building** - including civilian and military resources on the ground, and management resources at institutional headquarters. **We call for** the accelerated implementation of **capacity-building** programmes in both the African Union and regional organisations, and for increased support from the wider international community for African initiatives in this area.

3. Africa's efforts to build peace operate within the framework of the wider international security system, and under the authority of the UN. We welcome the statement of the President of the Security Council in March, underlining the importance of strengthened co-operation between the African Union and the UN, and note that the Secretary General is providing a report on this issue. **We call for** early agreement on ways to improve co-operation and co-ordination between the AU and the UN, as well as for more systematic and regular **co-ordination** arrangements between the AU and sub-regional organisations, and development partners, in line with Paris Declaration principles.

4. Conflict in Africa does not take place in a vacuum. Many states are still confronted with the uncontrolled spread of **small arms and light weapons**, and lack the legislation, control mechanisms and capacity to respond to this. We welcome Africa's efforts to establish a continental regulatory framework. **We call on** all governments to implement fully their **existing commitments** under both UN and the relevant African instruments, and to take forward work on the development of an **Arms Trade Treaty**. **We also call for** the acceleration of **capacity-building** efforts at national and regional level, and for increased support in this area from the international community.

5. Natural resources are one of Africa's greatest assets. But the **trade in conflict resources** has also contributed to instability and conflict in the continent, fuelling some of the most brutal conflicts of recent years. **We call for** agreement in the UN on a definition of '**conflict resources**', in order to enable the international community to respond more quickly in such situations, for strengthened action to tackle **impunity** including, where appropriate, the referral of cases to the International Criminal Court, for an accelerated process within Africa to establish minimum standards for **national resource governance**, and for strengthened arrangements to promote **corporate social responsibility**.

6. There have been extensive commitments from both Africa and the international community in many of the areas above over recent years, including at the UN, in the AU, and in successive G8 Summit declarations. We believe it is time to take stock. **We call for** a systematic and comprehensive **review** of what has been promised, what has been delivered, and what has been achieved, and for this review to be undertaken jointly by African governments and their continental and regional institutions, and the wider international community.

B. Peace and Security in Africa

Introduction

1. Consolidating peace and security is essential to achieving faster economic growth and development and progress towards the Millennium Development Goals (MDGs) in Africa. Violent conflict has killed and displaced more people in Africa than in any other continent over recent decades. It has caused immense human suffering, and set back growth and development, and progress towards the MDGs, as well as leading to huge financial costs for peace-keeping missions and reconstruction. After increasing steadily through to the early 1990s, the number of conflicts has decreased significantly since 2002. But it still remains high compared to other regions. Moreover, experience shows that there is inevitably a risk of renewed conflict in post-conflict societies. Sustainable peace requires a comprehensive strategy tackling all phases of the conflict cycle – from the origins of conflict, to peace support operations, peace-building and post-conflict reconstruction.

2. **Leadership in the effort to bring peace to Africa is being taken by Africa itself.** The African Peace and Security Architecture (APSA) was launched by the AU in 2002. Sub-regional organizations, which are an integral part of the APSA, are increasingly collaborating with the AU and building their capacity in conflict prevention, mediation and resolution. These developments have led to several recent peace support operations by the AU and regional organizations, including the African Missions in both Burundi and Sudan, and ECOWAS peace-keeping forces in both Liberia and Cote d'Ivoire. A number of other key commitments have been entered into including the Bamako Declaration on Small Arms and Light Weapons (2000), and the Protocol on the Rights of Women (2003) – Article 11 of which refers to the protection of women in armed conflicts.

3. **The international community has a key role to play in supporting these African-led efforts.** The G8 Africa Action Plan adopted in Kananaskis in 2002 sets out comprehensive G8 commitments in this area. More specific commitments, with a focus on peace support operations, were made at successive G8 Summits, and at subsequent consultation meetings with the AU and other African institutions, broadened to include other development partners as well as the G8. Resources have been provided through a number of different mechanisms, including the Africa Peace Facility set up by the EU in 2004 at the request of the African Union, for which new funds have now been committed for 2008–10, as well as other contributions both in cash and in kind.

4. **The UN** has undertaken a number of major peacekeeping missions including in Sierra Leone, Liberia and the Democratic Republic of Congo; it has established a Peacebuilding Commission and launched a fund to provide quick-disbursing and non-earmarked resources – from which Burundi and Sierra Leone have been the first countries to benefit; and the Secretary General also announced in 2005 a ten-year capacity-building programme with the AU. The AU Summit of January 2007 requested that the UN should consider funding the peace support operations undertaken by the AU or under its authority and with the consent of the UN Security Council. The UN Security Council has requested the Secretary General to provide a report, in consultation with the relevant regional organizations, to include specific proposals on how the United Nations can better support arrangements for further co-operation and co-ordination with regional organizations on Chapter VIII arrangements.

5. **The purpose of this paper is to focus on how Africa and the international community can now strengthen their efforts to bring peace to Africa, both through the African Peace and Security Architecture (APSA) and by tackling the wider global context within which conflict occurs.** It focuses on 3 specific issues. Section I looks specifically both at the African Peace and Security Architecture and at the role of regional organizations, the building blocks of the APSA, within the framework of existing international commitments. Section II looks at the illicit trade in small arms and light weapons, and at how this can be addressed by both Africa and the international community. Section III looks at the management of natural resources, and specifically at the trade in conflict resources. Finally, Section IV then looks at the need for a review and evaluation of lessons learned so far. **The main**

points in each of these areas are summarised in the rest of this introduction. The key action points are contained in a one-sided matrix of recommendations directly following this introduction.

6. **The African Peace and Security Architecture** includes mechanisms such as the Peace and Security Council of the AU, a Continental Early Warning System, a Panel of the Wise as an enhanced mediation capacity, an African Stand-by Force and a Post-Conflict Reconstruction and Development Framework. This continental architecture is complemented by the mandates and activities of the sub-regional organizations. This paper focuses on funding, capacity and institutional issues – specifically in relation to peace support operations, and on the wider issue of co-ordination across the international system. Each of these areas requires a response from both Africa and the wider international community. Within *Africa*, governments need to mobilise funding for the peace support operations; African institutions need to accelerate implementation of existing capacity-building programs and to identify immediate priorities within these programmes; the detailed recommendations which have been made on building a civilian dimension into peace support operations need to be taken forward; and the Memorandum of Understanding (MoU) between the AU and sub-regional organisations needs to be signed soon. Although the lead needs to be taken by Africa, the scale of the challenge means that significant external support will be needed for some time. *Development partners* therefore have a key role to play. Sufficient predictable funding remains the largest constraint on peacekeeping by the African Union and sub-regional organisations. Development partners should provide more secure, predictable, flexible and better coordinated funding both for the AU and for sub-regional organizations, including through a complementary Peace Facility: they should support initiatives to develop capacity, and also to build a civilian dimension into peace support operations, and they should support efforts to improve co-ordination between the UN, the AU, and sub-regional organizations, including a review of the option of UN funding for peace support operations undertaken by the AU or under its authority and with the consent of the UN Security Council, as requested by the African Union.

7. **Small arms and light weapons.** Despite action taken both in Africa and internationally, many States are still confronted with the uncontrolled spread of small arms and light weapons, and lack the national legislation, control mechanisms and capacity to respond to this. The problem exists at a number of different levels: the illicit transport of weapons to Africa from outside the continent; cross-border trade within Africa; and the seepage at national level of small arms and light weapons to armed groups promoting conflicts. There are links not just to conflict, but also to terrorism, organized crime and domestic violence. *African governments* need to: fully implement commitments under both UN and the relevant African instruments, strengthen national and regional capacity to deal with these issues, and agree a new continental regulatory framework. The wider *international community* should also fully implement commitments under existing UN instruments including those on illicit small arms brokering, provide increased assistance to Africa for capacity-building and take forward work on the development of an Arms Trade Treaty.

8. **Management of natural resources and trade in conflict resources.** There is a greater need to strengthen the framework for the equitable exploitation of Africa's natural resources, in order to accelerate its growth and development, and progress towards the MDGs. There are a number of ways in which the management of natural resource wealth needs to be strengthened, including the development of investment codes, banking sector reform, and increased transparency, which are addressed in the Investment paper. This paper focuses specifically on the trade in '**conflict resources**' – natural resources which can provide a source of financing that makes conflict possible. *African governments/institutions* need to accelerate the process of setting minimum standards for natural resource governance more generally, and develop and implement further regional protocols against the illegal exploitation of natural resources. The *international community* should agree on a definition of conflict resources at the UN; strengthen institutions to fight impunity including, where appropriate, the referral of cases where appropriate to the International Criminal Court as part of their efforts to consolidate peace and promote reconciliation, and strengthen arrangements for corporate responsibility, including through potential changes to the OECD Guidelines on Multinational Enterprises.

9. **Review and evaluation of lessons learned.** There are, as summarized in the paper, already extensive commitments from both African governments and the international community in many of these

areas, including in successive G8 Summit declarations over recent years. Whilst not recommending that there should be a pause in new commitments where they are needed – as in the areas above – the paper does recommend that there should now be a more systematic and comprehensive review of what has been promised, and what has been done. This review should be undertaken jointly by *African governments* and their continental and regional institutions, and the *wider international community*.

Matrix of Key Policy Areas and Action Points on Peace and Security in Africa

KEY POLICY AREAS	KEY ACTION POINTS	
	African Governments/Institutions	International Community
African Peace and Security Architecture: Funding, Capacity and Institutional Issues	<p>Mobilise funding for the AU Peace Fund, and for peace support operations undertaken by sub-regional organisations;</p> <p>Accelerate the implementation of capacity-building programs; identify immediate priorities at both operational and institutional levels;</p> <p>Implement recommendations for the integration of civilian dimension into peace support operations;</p> <p>Speed up the signature of the MoU between the AU and RECs.</p>	<p>More secure, predictable, flexible and coordinated funding arrangements, for both the AU and RECs, including through a complementary Peace Facility. Consider case for UN funding of AU-led peace support operations;</p> <p>Support for African initiatives to improve operational and institutional capacity;</p> <p>Support for African initiatives on civilian dimension</p> <p>Support for strengthened co-operation and co-ordination between the AU and the UN.</p>
Small Arms and Light Weapons	<p>Fully implement commitments under UN and African instruments;</p> <p>Strengthen capacity at national, regional and continental levels, and include action in this area in broader national planning processes;</p> <p>Complete current work to develop legally binding continental regulatory framework</p>	<p>Fully implement commitments under UN and where relevant other (eg EU) instruments, including strengthened co-operation to tackle illicit small arms brokering;</p> <p>Increase assistance on capacity-building;</p> <p>Maintain momentum on current efforts to develop Arms Trade Treaty;</p>
Management of Natural Resources and Trade in Conflict Resources	<p>Accelerate the continental process of generating minimum standards for natural resource governance;</p> <p>Develop and implement further regional protocols against the illegal exploitation of natural resources</p>	<p>Agreement in UN on definition of conflict resources;</p> <p>Referral of cases to the ICC to investigate and punish trade in conflict resources;</p> <p>Strengthen arrangements for corporate social responsibility and promote code of conduct for investment, including potentially through changes to OECD guidelines</p>
Review and Evaluation	<p align="center">Joint review and evaluation of commitments made, and actions taken</p>	

I. The African Peace and Security Architecture, Regional Organisations, and International Commitments

a) Background

(i) *The Peace and Security Architecture of the African Union*

10. The AU Assembly signed in Durban (2002) the Protocol relating to the establishment of the **Peace and Security Council (PSC)** of the African Union. The objectives of the PSC include the promotion of peace, security and stability in Africa, the anticipation and prevention of conflicts, and the promotion of peace-building and post-conflict reconstruction. The Protocol entered into force in December 2003. It foresees a number of organs and instruments through which the PSC can achieve its objectives, including:

- A **Panel of the Wise**, which is intended to enhance the AU's mediation capacity by engaging in preventive diplomacy before a potential conflict reaches crisis proportions. Members were appointed at the AU Summit in January 2007, and steps have been taken to finalise the modalities for the functioning of the Panel, which shall be endorsed by the PSC. Significant resources will be required to ensure that the panel discharges its mandate effectively;
- A **Continental Early Warning System (CEWS)**, aimed at harmonising and coordinating regional early warning systems. The AU recently drafted a 'Framework for the Operationalisation of the CEWS' which was approved by the AU Summit in Addis Ababa during January 2007;
- An **African Stand-by Force (ASF)**. The ASF is regionally based and consists of 5 stand-by brigades, military observers and civilian police. This will provide the AU with a combined stand-by capacity of 15,000 to 20,000 peacekeepers. A Military Staff Committee advises and assists the Council in peacekeeping and other matters. Progress at regional basis is solid if uneven. At the level of the AU Commission the current phase in the development of the Force is aimed at building capacity to manage complex peace support operations, including all of their military and civilian components;
- A funding mechanism in the form of the **Peace Fund** inherited from the OAU to provide the necessary financial resources for peace support missions and other operational activities related to peace and security; and
- A **Post-Conflict Reconstruction and Development Policy (PCRD)**, endorsed at the AU Summit in Banjul in July 2006. According to its objectives, the AU should provide strategic leadership and oversight of PCRD processes in the continent.

(ii) *Sub-regional organisations*

11. The **sub-regional organisations** are the building blocks of the AU. The AU has recognized 8: ECCAS (Economic Community of Central African States), ECOWAS (Economic Community of West African States), IGAD (Inter-Governmental Authority for Development), SADC (Southern Africa Development Community), CEN-SAD (Community of Sahel-Saharan States), AMU (Arab Maghreb Union), COMESA (Common Market for Eastern and Southern Africa) and the EAC (East African Community). These have been building up capacities in the field of conflict prevention and resolution.

The sub-regional organisations are closely collaborating with the AU and their activities will be harmonized and coordinated by the AU Commission. Article 16 of the Protocol relating to the establishment of the PSC clearly defines the role of the RECs and foresees the signature of a Memorandum of Understanding that will regulate the relationship between them and the AU on the basis of the principle of subsidiarity.

(iii) Recent peace support operations

12. Several **peace support operations** have been undertaken by the **AU** or **sub-regional organisations**. In Burundi, the African Mission in Burundi (AMIB) was the first peacekeeping operation mandated and led by the AU. In Liberia and Côte d'Ivoire, ECOWAS put in place peacekeeping forces, respectively ECOMIL and ECOMICI, in full conformity with the decisions of the AU. A number of missions are currently operational:

- FOMUC “the *Force Multinationale* of the CEMAC (*Communauté économique et monétaire de l’Afrique centrale*), is the Peace Support Operation deployed in Central African Republic (CAR) from 2002;
- The African Mission in Sudan (AMIS), the AU’s peace support operation in Darfur. This is the largest peace support operation ever deployed by the AU. Steps are under way to strengthen the mission within the framework of the 3-phased approach that would culminate in the deployment of a hybrid AU-UN operation, to be funded through UN assessed contributions.
- The African Mission in Somalia (AMISOM) is in the process of being deployed. So far 1,700 Ugandan troops are on the ground. However, serious financial and logistical difficulties have contributed to the delays in the deployment of additional troops, to reach the authorized strength of 8,000.
- AU Observers are deployed in Burundi as part of the Joint Verification and Monitoring Mechanism provided for by the Comprehensive Ceasefire Agreement of September 2006 between the government of Burundi and the Palipehutu-FNL. In addition, 760 troops from South Africa have been deployed in Burundi as the nucleus of the AU Special Task Force for the protection of leaders and combatants of the Palipehutu-FNL, also in accordance with the Comprehensive Ceasefire Agreement, and following the mandate given by the PSC;
- AU observers are currently deployed along the border between DRC and Rwanda, together with observers from the UN and the two parties, as part of the joint verification mechanism agreed upon between the two countries in September 2004;
- AU observers are in the process of being deployed to Southern Sudan to assist in the implementation of the Ceasefire Agreement between the Lord’s Resistance Army (LRA) and the Ugandan government;
- AU Liaison Officers, based in Asmara and Addis Ababa, contribute to the monitoring of the Temporary Security Zone between the two countries;
- Planning is underway to deploy a Securitization Force to provide security during the forthcoming elections in the autonomous islands in the Union of the Comoros. A number of observer missions have previously been deployed to the Comoros, including AMISEC (African Union Mission for

Support to Elections in Comoros) in 2006, which provided security during presidential elections which took place in the archipelago in March/April 2006.

13. It should also be noted that, in January 2005, the Peace and Security Council took a decision on the forceful disarmament and neutralization of the ex-FAR/Interahamwe and other armed groups in eastern DRC. A reconnaissance mission was sent to the region as a follow-up to this decision. Subsequently the PSC had an exchange of views on the outcome of the reconnaissance mission and agreed to continue consultations on its recommendations, after which it would convene a meeting at the appropriate level to finalize its deliberations.

14. There have in addition been several major **UN-led** peacekeeping missions in Africa, including Sierra Leone (at a total cost of US\$2.8 billion), Liberia (US\$745 million this year) and Democratic Republic of Congo (US\$1.3 billion this year).

15. AU-led peace support operations are intended, like those led by the UN, to include a significant civilian component, in order to assist not just in the restoration of peace and security, but also in peace-building, including the disarmament, demobilization and reintegration of ex-combatants, and post-conflict reconstruction and development. This is provided for in the Peace and Security Council (PSC) Protocol, and elaborated in the framework document subsequently adopted in 2003 on the establishment of the African Stand-by Force. A draft policy framework for the civilian dimension of the African Stand-by Force was considered at an expert workshop in September 2006, and contains a number of detailed recommendations to the AU Commission. It defines not only substantive civilian functions as part of peace support operations, but also a significant police element. The AU is currently engaged in a process to implement and flesh out the recommendations.

(iv) Support from the International Community

16. In support of the African Peace and Security Architecture, the G8 have focused in particular on supporting Africa's efforts to develop its capacity to undertake peace support operations and peacebuilding activities. At the **Kananaskis** Summit in 2002, the G8 adopted an Africa Action Plan containing a detailed list of commitments including to '*provide technical and financial assistance so that, by 2010, African countries and regional and sub-regional organizations are able to engage more effectively to prevent and resolve violent conflict on the continent, and undertake peace support operations in accordance with the United Nations Charter*'. Other elements of the Action Plan covered small arms and light weapons, anti-personnel mines, and the linkage between conflict and the exploitation of natural resources.

17. At the Evian (2003), Sea Island (2004) and Gleneagles (2005) Summits, the G8 reiterated and developed this commitment. The **Evian** Summit adopted a more specific "Joint Africa/G8 Action Plan" aimed at enhancing African capabilities to undertake peace support operations so that by 2010 Africa will be able to engage more effectively in the prevention and resolution of conflicts. The Joint Plan provides for the establishment, equipment and training of coherent, multinational, multi-disciplinary stand-by capabilities at the AU and regional level. The **Sea Island** Summit adopted an Action Plan on 'Expanding Global Capability for Peace Support Operations' with a particular focus on Africa, and consisting of several elements, including training and equipping 75,000 troops worldwide by 2010, developing transportation and logistic support arrangements, increasing efforts to train carabinieri/gendarme-like forces, and establishing G8 expert level meetings to exchange information and to coordinate efforts. The **Gleneagles** Summit called for action in the UN to boost peace building action, improve the effectiveness of sanctions regimes, improve international controls on arms transfers, and combat the role of 'conflict resources'. It also committed the G8 to focus more attention on humanitarian emergencies and financing for post-conflict countries.

18. Following Sea Island, a system of 6-monthly consultative meetings between the AU, African Peace and Security Institutions, G8 member countries, and other partners was established. The first two meetings were held between April and October 2005, but none took place during 2006, and a further meeting is now scheduled for May 2007. These meetings clearly do need to be held on a regular basis, as an important mechanism for ensuring the necessary co-ordination between the AU, sub-regional organisations and development partners as a whole (both G8 and non-G8), and for tracking the implementation of commitments.

(v) Resources

19. Sufficient, predictable funding remains the largest constraint on peacekeeping by the African Union. The Protocol establishing the Peace and Security Council reinvigorated the Peace Fund to finance the AU's activities in this area, to which Member States are expected to contribute regularly, and for which other contributions are also sought.

20. In practice, the financial costs of AU-led peace support operations have largely been funded by the international community while Africa has provided troops and substantial political leadership in the management and resolution of conflict. Support from the international community has occurred through a number of different mechanisms. These include:

- The EU Africa Peace Facility of €250 million that was approved in December 2003. New funds have been committed for a replenishment of €300 million to the facility for the period 2008 – 2010. This Facility is able to cover many of the costs associated with peace support operations, though some costs are non-eligible;
- Cash contributions to the AU Peace Fund;
- Cash contributions provided on an ad-hoc basis, in response to specific requests;
- Contributions in kind (for instance equipment, logistic support, and technical support).

21. There have, however, also been a number of problems. One has been an overall shortfall in resources required, compared to need. A second has been the ad-hoc nature of some of the funding, which has led to a lack of predictability and difficulties in planning ahead. A third has been the multiplicity of different funding channels, which has meant that the AU Commission has had to spend considerable time dealing with donors and their different administrative requirements.

22. The African Mission in Sudan (AMIS) provides an example of the difficulties arising from a lack of predictable funds over the medium-term. Neither of the two pledging conferences organised in mid-2005 and mid-2006 succeeded in mobilising the financial resources needed to run the operation smoothly. In the event, contributions were mobilised on a largely piecemeal basis. The budget for the Mission during the current 6-month period (Jan – June 2007) is US\$ 297.6 million. Of this only US\$137.9 million had been pledged by the end of April, excluding contributions in kind. Mobilising, managing and coordinating the resources required for the Mission in Somalia will present further challenges as the total for the African Mission in Somalia is US\$394 million. It is against this background that the AU Commission has requested development partners to establish a complementary Peace Facility that could potentially also cover the non-eligible costs under the EU's Peace Facility.

(vi) Co-operation between the AU and the UN

23. The Protocol establishing the Peace and Security Council (PSC) makes it clear that the PSC is expected to operate within the international security system under the authority of the UN Security Council, which has primary responsibility for dealing with issues of international peace and security. Although little-used thus far, Chapter VIII of the UN Charter provides the legal basis for regional organisations to undertake peacekeeping operations.

24. Recent years have seen improved collaboration between the UN and the AU although much more can be done. There are a number of possible options, including: a stronger AU presence in New York; permanent liaison officers in New York and Addis Ababa representing the secretariats of the AU PSC and the UNSC, respectively; closer contacts between AU PSC Ambassadors in and the UNSC member states in New York as well as in Addis Ababa, respectively; annual or semiannual consultations in Addis Ababa and New York, and exchange schemes for the staff of the respective secretariats.

25. The UN Peacebuilding Commission established in 2005 needs to be included in the framework for strengthened collaboration between the AU and the UN. In this context, the Peacebuilding Fund was launched in 2006 to enable un-earmarked resources to be readily available for quick disbursement. Burundi and Sierra Leone are the first countries to benefit, each having being allocated \$25 million by January 2007. However, of the \$250 million per annum target set by the Fund, only \$140 million has been made available

b) Next steps

(i) African Governments/Institutions

1. Full establishment of the APSA and its constituent parts

26. The African governments, through the AU and the RECs, should intensify their efforts towards the full establishment of the APSA. This includes:

- the ratification, by those countries that have not yet done so, of the PSC Protocol;
- the operationalisation of the CEWS, based on the framework agreed upon in Johannesburg in December 2006;
- the operationalisation of the ASF and the enhanced effectiveness of the Military Staff Committee (MSC);
- the accelerated implementation of the civilian component of peace support operations in the roll-out of the ASF. The civilian component of peace support operations is essential if these operations are to succeed not just with immediate peace and security issues, but also in managing the transition from a state of conflict to sustainable peace; and
- the finalization of the Memorandum of Understanding (MOU) between the AU and the RECs, to clearly define the respective responsibilities of each. This MOU should be finalized and implemented as a matter of priority, and donors should ensure that any programmes of support both reflect and reinforce the agreed division of responsibilities and co-ordination mechanisms, rather than undermine them.

2. Increased funding from Member States

27. Certain countries, notably Nigeria and South Africa, have made tremendous contributions to the funding of peacekeeping operations on the continent. However, overall, the contribution from Africa to the peacekeeping operations undertaken by the AU and the RECs is limited. While the support of Partners is clearly required for their continued sustainment, it is important for African states to increase their contributions.

3. Building Capacity

28. The leadership in capacity development can only be taken by the management of the institutions concerned, with the support of the membership. They are already a number of capacity-building programmes. The key next steps are to accelerate the implementation of these, and to identify immediate priorities at both operational and institutional levels, given that the full implementation of the programme will inevitably take time. Civilian and military resources provided on the ground need to be adequate, and properly trained and equipped. At the institution level, an important priority is to address capacity constraint in the area of financial management, in order to secure increased financial resources from both African and external sources. Another important priority is to develop capacity for information sharing, lessons learnt and best practices.

(ii) Development Partners:

1. More – and more predictable - funding

29. Substantial external resources will be needed from the international community for some considerable time ahead. The next step should therefore be to move towards more secure, predictable, flexible and coordinated funding arrangements, both for the AU and RECs, in particular insofar as peacekeeping operations are concerned. This should be done within the framework of a complementary peace facility, to be established along lines similar to the African Peace Facility put in place by the EU.

30. The issue of funding regional peacekeeping operations as part of the assessed scale of UN peacekeeping contributions in the case of Chapter VIII missions needs to be revisited. A decision to this effect was taken by the AU Summit which met in January 2007. Subsequently, the UN Security Council, under the presidency of South Africa, discussed this matter and issued a Presidential Statement in which it stressed the importance of supporting and improving in a sustained way the resource base and capacity of the African Union. It asked the UN Secretary General to provide a report, in consultation with the relevant regional organizations, on specific proposals on how the UN can better support arrangements for further co-operation and co-ordination with regional organizations on Chapter VIII arrangements.

31. The UN Peace Building Fund provides another important channel of finance, as illustrated through the allocations to Burundi and Sierra Leone. Additional funds should be provided to meet the \$250 million per annum target set for the Fund.

2. Support for capacity development and support to the establishment of the APSA

32. Although the leadership on capacity development can only be taken by the management and membership of institutions, there is also an essential role for external partners in ensuring that appropriate funding, and where necessary technical support, is available. In some cases, such support might be provided in effect through flexible un-earmarked funding. But those development partners for whom this is not possible should provide financial support specifically earmarked for capacity development.

3. Improved co-ordination and harmonisation

33. Recent years have seen improved collaboration between the UN and the AU although much more can be done in this area. Although systems for consultations with and co-ordination between external partners have also developed, these are not yet on the systematic and regular basis which is required, and need further attention.

II. Small Arms and Light Weapons

a) Background

34. The illicit spread of small arms and light weapons has a major impact on conflict in Africa, and indeed globally. More than 600 million small arms are estimated to be in circulation, stock-piles and private collections, and several million more are produced each year in more than 90 countries. These weapons are easily and cheaply available in zones of conflict, and are also closely linked with terrorism, organised crime and domestic violence across the world. Tackling the problem requires action at global, regional and national levels.

(i) UN Instruments

35. In May 2001 the General Assembly adopted the UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Parts and Components and Ammunition. This entered into force in July 2005, and 60 states are currently party to the Protocol. In July 2001 more than 140 states adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA) which promotes measures such as stock-pile management, controls on exports and arms brokering activities, weapons collection and disposal, and disarmament, demobilisation and re-integration of ex-combatants. The Programme is, however, not legally binding, and did not include measures or restrictions in areas such as transfers to non-state actors and the possession and use of small arms by civilians. In June/July 2006 the first review conference brought states together to review progress made in implementing the Programme. However, this Review Conference was unable to reach agreement on a final outcome document, or on future UNPoA review conferences.

36. The UN Instrument on Tracing Illicit Small Arms adopted by the General Assembly in December 2005 builds on the minimum standards on marking, record-keeping and co-operation in the tracing of small arms that are contained in the UN Firearms Protocol and the Programme of Action. It encourages states to mark all legally produced small arms with a code containing a unique serial number and information that identifies the country of manufacture and the manufacturer. In addition, states are encouraged to keep adequate records on small arms production and transfers, and to cooperate in the tracing of small arms recovered outside their country of production. The Instrument is again not legally binding and does not include ammunition.

37. A number of further resolutions were adopted by the General Assembly in December 2006: a resolution emphasising the importance of implementing the Programme of Action; a resolution on assistance to states for curbing the illicit traffic in small arms and collecting these weapons; and a resolution calling on the Secretary General to seek the views of member states and to establish a group of governmental experts to report in 2008 on 'the feasibility, scope, and draft parameters for a comprehensive and legally binding instrument' on the trade on conventional arms.

38. The Geneva Declaration on Armed Violence and Development commits countries to promote sustainable security and a culture of peace by taking action to reduce armed violence and its negative impact on socio-economic and human development. Countries will strengthen their efforts to integrate

armed violence reduction and conflict prevention programmes into national, regional and multilateral development frameworks, institutions and strategies, as well as into humanitarian assistance, emergency and crisis management initiatives. The Declaration sets 2015 as the deadline to achieving measurable reductions in the global burden of armed violence and tangible improvements in human security worldwide.

(ii) African Instruments

39. African states adopted in December 2000 the Bamako Declaration on a Common African Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons which drew together the following regional initiatives:

- the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons adopted by West African states in 1998, which prohibited the import, export and manufacture of small arms and light weapons.
- The Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa signed on March 2000.
- The Southern African Regional Action Program on Light Arms and Illicit Trafficking agreed upon in May 1998.

40. The Bamako Declaration, which was adopted in preparation for the UNPoA process, made a significant contribution to the UNPoA itself, influencing both its form (its sections included action to be taken at national and regional level, which was later replicated and expanded in the UNPoA) and its content (in particular the emphasis placed on developing institutional capacity at national and regional level). However, the continental SALW process suffered one major lacuna, insofar as it lacked institutional mechanisms at the AU level to monitor progress by member states in meeting small arms commitments.

41. Some of these regional initiatives have gone further, developing legally binding documents such as:

- The Southern Africa Development Community (SADC) Protocol on the Control of Firearms, Ammunition and Other Related Materials signed in August 2001, which entered into force as a legally binding document in 2004;
- The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons signed by states in East Africa, the Great Lakes Region and the Horn of Africa in 2004. This commits signatory states to establishing controls across a range of areas including civilian possession, transfer controls, manufacturing, marking and tracing, brokering and enforcement of arms embargoes. It entered into force as a legally binding document in May 2006;
- A new Convention on Small Arms and Light Weapons signed by ECOWAS Heads of State in June 2006, which replaces the previous ECOWAS Moratorium (see above). This Convention enables ECOWAS to impose sanctions on member states if they fail to comply with its restrictions on the manufacturing, import and export of SALW. It prohibits all international transfers of SALW except when authorised by the ECOWAS Secretariat in order to meet legitimate defence or security needs, or for peacekeeping missions, and specifically bans transfers of weapons to non-state actors.

42. In December 2005, in preparation for the 2006 UNPoA Review Conference, AU Member States, meeting in Windhoek, Namibia, adopted the Windhoek ‘African Common Position’ on progress made in Africa in implementing the UN Programme of Action. This reaffirmed support for the PoA, and highlighted a number of areas for action by African states. Member States recognized the need for much clearer follow-up mechanisms, in order to ensure sustained engagement by the AU in the area of small arms. The Commission has been tasked to convene biennial high-level governmental meetings to review progress in the implementation of the UNPoA. The Commission has also been tasked with taking the necessary steps toward the development of an African legally-binding instrument that would prevent, combat and eradicate the illicit trade in SALW. The AU Commission is currently engaged in this process, and is also exploring ways in which to include other producer/trader states into this process. The Peace and Security Council, which has a specific mandate to promote and encourage the implementation of international agreements on arms control and disarmament, is also called upon to remain seized with this issue.

(iii) Implementation

43. The implementation of the Programme of Action has been patchy: countries have attached uneven importance to the Programme, and some have lacked the capacity to implement the various measures. Although many have established contact points and co-ordination mechanisms, and submitted reports on implementation, it appears that less progress has been made in reviewing, and where appropriate, amending national regulations. A significant number of states still do not have laws or procedures controlling the production and export of small arms, or establishing standards for the management and security of small arms stock-piles. The implementation of the UN Instrument on Tracing Small Arms has been similarly uneven. In 2006, less than a third of UN members have required that all small arms be marked as an integral part of their production process, and very few have provided contact points on the national marking procedures specified under the Instrument.

44. Within Africa, although there have been some positive developments at national and regional level, much nonetheless remains to be done to implement fully the regional agreements described above. The signature of the Nairobi Protocol was followed in June 2005 by a detailed set of Best Practice Guidelines. These set high common standards, and contained detailed and comprehensive provisions setting out how responsibilities under the Protocol should be translated into practice. The Nairobi Secretariat has been transformed into a Regional Centre on Small Arms mandated to coordinate implementation, national focal points have been established by all countries in the sub-region, and three of the twelve signatory countries have developed and are now implementing national action plans. In West Africa, the establishment of national focal points and the adoption of national strategies is similarly encouraging. In Southern Africa the Southern African Police Chiefs Co-operation Organisation (SARPPCO) is mandated to act as the implementing agency for the SADC Firearms Protocol.

b) Next steps

African Governments and Institutions

(i) Implementing national commitments under UN and sub-regional instruments:

45. Those governments who have not yet done so should review their national legislation and control mechanisms, and their implementation, in light of their commitments under both UN and sub-regional instruments. Where this is necessary, they should draw up national strategies and detailed plans for translating their commitments into practice, ideally on a harmonised basis;

(ii) Resources and capacity - at national, sub-regional and regional level:

46. Increased financial resources and human capacity at each of these levels will be essential in order to take forward implementation of commitments. The lead on this clearly rests with governments, and with the management of sub-regional and regional institutions, who should review whether current resource allocations fully reflect the importance of this issue, and undertake an assessment of needs;

(iii) Continental regulatory framework:

47. The role of the African Union is also clearly critical, given the mandate of its Peace and Security Council. Although the politically binding Bamako Declaration of 2000 sets out an African common position on these issues, there have been significant developments both within the UN system and at sub-regional level since then. The development of a legally binding AU Convention to prevent, combat and eradicate the illicit trade in small arms and light weapons would help to bring action on these issues within a comprehensive and coordinated continental framework.

International Community and Development Partners

(i) Implementing existing UN Programmes and Instruments on Small Arms:

48. The comprehensive implementation of existing UN Programmes and Instruments on Small Arms should be a priority not just for Africa but also for the wider international community. Governments that have not yet done so should review their national controls and their implementation of these in light of their commitments under the Programme of Action and the Instrument for Tracing Illicit Small Arms, and take steps to ensure their compliance and to remedy any weaknesses in national control systems. In particular, few states have established national controls on small arms brokering as promoted by the Programme of Action. There is also scope for strengthening international co-operation in this area, for instance between police and customs authorities.

(ii) Arms Trade Treaty

49. The decision by the UN General Assembly to request the Secretary-General to seek the views of Members States on the feasibility and to draft parameters of a legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, as well as to establish a Group of Governmental Experts (GGE) on the issue to commence work in 2008, creates important opportunities for progress on this issue. Taking this work forward would be a major contribution to peace and security in Africa.

(iii) Assistance in capacity-building

50. Although the lead on building capacity needs to be taken by national governments and by the membership and management of sub-regional and regional institutions, development partners have a key role to play in helping to provide additional resources for this. They should attach higher priority to helping to meet both the financial and technical requirements of both governments and institutions in order to meet their UN commitments, and to take forward sub-regional initiatives.

III. Management of Natural Resources, and Trade in Conflict Resources

a) Background

(i) The issue

51. Natural resources are one of Africa's greatest assets. They provide the best opportunity poor but resource-rich countries have to accelerate growth and development, create wealth, and reduce poverty. Instead however, the management/exploitation of natural resources, more often than not, has contributed to instability and conflict in the continent, leading to a situation in which Africa has failed to benefit from its natural resource wealth.

52. There is a wider need to strengthen the framework for the equitable exploitation of Africa's natural resources in order to achieve these objectives. There are a number of ways in which this can be done, including through the promotion of governance, accountability and social justice, the development of investment codes, banking sector reform, increased transparency, and greater corporate social responsibility on the part of both multi-national and domestic companies. A number of these broader issues are dealt with in the paper on Investment – and clearly bear on the peace and security agenda.

53. There is also an important link between the management of natural resources, climate change and conflict. Environmental degradation, exacerbated by climate change, increases the pressure on scarce resources in marginal areas of Africa, particularly when coupled with rapid population growth. This increases the potential for conflict, both internally and across borders. This is clearly the case in Darfur, and there are many other examples both within Africa and globally, of conflict related to heightened pressure on scarce land and water resources. Increased climate variability (whether intense rain or prolonged dry periods) can also create economic disruption, and the risk of conflict. This underlines the need both to tackle the issues of climate change identified in the separate paper for this meeting, and the importance of developing regional co-operation in order to reduce the risk of future conflict, for instance over water resources.

54. This paper focuses more specifically on the issue of trade in 'conflict resources'. This has played an increasingly important role in providing the finance needed to maintain and to prolong armed conflicts. Four of Africa's worst wars of recent years took place in Angola, Sierra Leone, Liberia and the Democratic Republic of Congo (DRC), resulting in around 5 million deaths and the almost complete destruction of infrastructure. In each case, the conflicts were financed by the exploitation of natural resources – diamonds and timber in Sierra Leone and Liberia, and a wide range of mineral resources in DRC. A wide range of actors ranging from governments to multi-national companies to groups linked with organised crime, exported billions of dollars worth of natural resources across the world, directly funding the armed factions engaged in the conflict. Their ability to do this depended on access to international markets. The cost, apart from immense human suffering, was four of the most expensive UN peacekeeping operations of all time: the costs in Sierra Leone totalled US\$ 2.8 billion; the costs this year in Liberia will be US\$ 745 million; the budget for UN peacekeeping operations in DRC in 2005/6 came to US\$ 1.13 billion.

(ii) The Response

55. The international community has a number of instruments available to tackle the trade in conflict resources, including certification schemes, targeted sanctions against persons, products or regimes, plus voluntary guidelines to multinational enterprises:

- The Kimberley Process Certification Scheme (KPCS) is a targeted approach, set up to prevent the trade in conflict diamonds. The Scheme requires governments to certify the origin of shipments of rough diamonds to ensure that they are not from conflict zones. Countries that participate must pass legislation to enforce the Kimberley Process, and set up control systems for the import and export of rough diamonds. To take a current example, Liberia has just opened its first diamond certification office, following the lifting of a UN embargo imposed in 2001 at the height of the civil war. A review of the Scheme in 2006 found that although the Scheme was working, there were still a number of issues to be resolved to ensure that it is fully effective – including the introduction of strong internal controls to ensure traceability of diamonds from mine to export, and of systems to check industry compliance, plus the development of a suspension mechanism for participants who are not complying with this Scheme. Given the challenges faced in particular by countries emerging from conflict, international support will be required for building the capacity to implement the scheme. Furthermore, not all resources are amenable to such certification schemes, as tracing of origin is not always possible.
- The case of Liberia demonstrates both some of the challenges involved in the use of sanctions against products, but also their potential impact. The UN imposed sanctions on diamond exports from Liberia in 2001. However, the then-Liberian regime shifted its focus to timber, and it took a further two years before sanctions on timber were then imposed by the Security Council. These turned out to be highly effective: they led to the cutting off of funding sources, and an end to the conflict.
- There are, in addition, OECD Guidelines for Multinational Enterprises, which provide companies with a set of recommendations on good corporate behaviour. The National Contact Points established under these Guidelines provide an avenue for referral for findings from UN expert panels. The OECD has now also produced a *‘Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones’* in order to raise awareness of the risks in operating in weak governance zones and to offer companies some guidelines. This OECD initiative was given backing by the G8 in its 2005 Summit, and the OECD Council has also recommended the widest possible dissemination and use of this tool.

56. The AU Peace and Security Architecture (APSA) calls for the generation of minimum standards for the exploitation and management of natural resources in areas affected by conflict. This issue was prioritized in recognition of the role that the continent’s resources have played in fuelling and prolonging conflicts, as well as their potential contribution to reconstruction and sustainable development. It has been recognized that rather than generating standards that would apply only to conflict areas, there is also a case for developing a common position or minimum standards for the entire continent, to ensure a level playing field, improve the leverage of individual countries negotiating with large multi-national corporations or trading partners, and ensure that conflict from one country is not displaced to its neighbours.

57. The International Conference on the Great Lakes Region (ICGLR) – which brings together eleven countries in the Great Lakes region in recognition of that fact that regional conflict requires regional solutions -- has sought to address the role of natural resources in conflict through development of a regional Protocol against the illegal exploitation of natural resources, which will be the first of its kind in Africa.

b) Next steps

African Governments/the AU

- Accelerate the continental process of generating minimum standards for natural resource governance. This should build upon processes already under way in some member states and sub-regions, and should seek to incorporate existing government standards and monitoring/review mechanisms such as the APRM;
- Develop further regional protocols on the illegal exploitation of natural resources, following the ICGLR precedent above;
- Develop the necessary monitoring and enforcement capacity of the relevant institutions (including police, border control and customs) in order to implement such Protocols. Review national legislation to ensure it is aligned to international and regional commitments.

International Community

(i) Agreement in the UN on a definition of ‘conflict resources’

58. Although the Kimberley Process was established very quickly, it nonetheless took two years and several UN resolutions – and it would be a major challenge to try to create the equivalent of this for every category of resources which might be used to fund conflict. A more effective solution would be for the UN to agree a definition of conflict resources which would remove the need for separate schemes on individual commodities, and help the international community to differentiate between natural resources being traded legitimately, and natural resources being traded in order to fund conflict. International measures to stop the trade in ‘conflict resources’ could then be put in place – as soon as there was convincing evidence that the revenues were being diverted towards funding conflict. The definition could be incorporated into either a UN Security Council or a General Assembly resolution.

(ii) Tackling Impunity

59. Alongside any strengthened mechanisms to stop the trade in conflict resources, it is clearly also important to strengthen mechanisms to tackle the impunity of those engaged in such trade. Part of the response needs to be strengthening systems of accountability, control and justice at national level. But given that these resources are traded internationally, there needs to be an international response too. The role of the UN Security Council is central. Alongside its authority to impose sanctions, it also has the authority to refer cases to the International Criminal Court (ICC) – which in turn has jurisdiction over the most serious crimes of concern to the international community as whole: genocide, crimes against humanity and war crimes. In situations where this is appropriate, the Security Council should refer cases involving the trade in conflict resources to the ICC;

(iii) Strengthened mechanisms for corporate social responsibility

60. A third possibility would be to take action to ensure that the recently-endorsed OECD guidance for companies operating in weak governance zones (see paragraph 55 above) is effectively implemented, including the establishment of advocacy and monitoring arrangements. Combined with a UN definition of conflict resources, this would help to provide much clearer guidance to companies trading, or considering trading in a conflict zone. The scope for incorporating these principles in the OECD Guidelines on Multinational Enterprises could also be explored. Although the guidelines are voluntary, it would also be

important for governments to demonstrate the importance they attach to companies adhering to these, by drawing up practical measures to ensure their implementation.

IV. Review and Evaluation

61. There is a strong case for a systematic, comprehensive and joint review of commitments made, action taken, progress achieved and lessons learned in the area of Peace and Security. In this context, it is worth noting that there have been many developments both in Africa and internationally since, for instance, the Kananaskis Action Plan adopted by the G8 in 2002, which is itself of course only one part of a much larger picture. One issue to be considered during such a review could be whether it would be useful to have a more up-to-date and more broadly shared Action Plan. Another issue could be whether it would be useful to have more systematic arrangements for coordinating action, monitoring progress and sharing lessons learned. None of this should, of course, imply a pause either on implementation of existing commitments, or the agreement of new commitments where these are appropriate.