STATEMENT BY THE AU COMMISSIONER FOR PEACE AND SECURITY, H. E. AMBASSADOR SMAIL CHERGUI, TO THE AU PEACE AND SECURITY COUNCIL (PSC) ON THE ESTABLISHMENT AND OPERATIONALIZATION OF THE AFRICAN UNION MEDIATION SUPPORT UNIT (AU MSU)
29 SEPTEMBER 2016 – ADDIS ABABA, ETHIOPIA

Mr. Chairman

Distinguished members of the PSC

Distinguished participants

Distinguished Invited Guests

Ladies and Gentlemen

I would like to thank you for this opportunity of addressing the PSC on this important subject of the operationalization of the African Union Mediation Support Unit (AU-MSU). I wish to provide an update on progress and challenges in the operationalization of the AU MSU, and more critically, to make concrete recommendations on the practical steps required to establish a fully functional MSU thereby enhancing AU-led mediation efforts.

From the onset, I would like to recall the decisions of the 360th meeting of this Council held on 22 March 2013, which “requests the Commission to submit to the relevant AU structures proposals on the establishment of a mediation support unit to enhance the work of the Peace and Security and the Political Affairs Departments of the Commission.”

It is against this background that the African Union Commission (AUC) convened a meeting on the operationalization of the recently established AU MSU in the Crisis Management and Post-Conflict Reconstruction and Development Division in the Peace and Security Department in Addis Ababa, from 6th-8th September 2016. The meeting assembled AU Commission staff both from the Headquarters and the AU Liaison Offices, AU Special Envoys, Regional Economic Communities (RECs), including IGAD, ECOWAS, ECCAS and SADC, the United Nations, the European Union, academics and civil society organizations to discuss and exchange experiences
and ideas on how best to structure and operationalize the AU MSU. Participants reviewed existing AU mediation structures, practices, protocols, Standard Operating Procedures (SOPs), and challenges. They then proposed ways to make the mediation efforts of the AU more effective in responding to contemporary demands of the AU mediation landscape.

Mr. Chairman
Ladies and gentlemen

As you are aware, the African Union, building upon the efforts of its predecessor, the Organization of African Unity, plays a critical role in mediating conflicts across the continent. These efforts have been to mediate to either prevent the outbreak, the escalation or the halt of armed conflicts arising mainly from socio-political uprising; constitutional disputes; unconstitutional change of government; electoral crises; secessionist demands; self-determination; and border disputes.

For many years, the AU’s approach to mediation has been done mainly through the appointment of eminent individuals or groups with the credibility, stature and expertise that enable them bring together a range of parties in a conflict to arrive at implementable agreements that are based on the principles and values of the AU.

There is currently a number of Special Envoys and High-Representatives mediating in the field in conflict and post-conflict countries. In many cases they are supported by Liaison Offices on the ground or dedicated teams based at the AU Headquarters. Appointed by the Chairperson of the Commission, with the endorsement of the Peace and Security Council or the Assembly of Heads of State and Government, these mediators work towards preventing the aggravation of potential conflicts or to bring an end to ongoing ones. They include active involvement in mediation efforts in Madagascar; mediation and transition in Guinea; the Somali peace and reconciliation process; the AU High-Level Panel on Sudan; the peace process in the Central African Republic; and conflict management efforts in Libya. One could also mention AU support for the IGAD mediation on South Sudan; as well as involvement in the East African Community (EAC) /Uganda-led dialogue on the situation in Burundi.

These efforts were, however, characterized by the absence of sustained professional support to mediators, lack of a mediation support unit to coordinate, the absence of mediation roster; the absence of a systematic coordination between the RECs, Member States and the AU, as well as the lack of coordinating capacity at the AU Headquarters.

Mr. Chairman
Ladies and gentlemen

Permit me to therefore to say that contemporary AU efforts in mediation are characterized by critical strategic challenges that need to be addressed through the following measures:
i. A stronger coordination among external actors, and meaningful learning from past AU mediation experiences.

ii. A stronger partnership and coordination with RECs and other strategic partners in the spirit of the principles of complementarity, subsidiarity and comparative advantage among international stakeholders;

iii. Stronger transnational collaboration for common objectives and creative ways to solicit the support of external actors, especially diaspora communities, to resolve these conflicts;

iv. Flexibility in terms of the setting of timelines and the search for consensus without resort to coercive measures in the course of mediation;

v. Considerations for youth and gender in the appointment and participation in mediation;

vi. The screening of mediators who may be perceived as impartial given their political affiliation or overt political ambition and network;

vii. Ensuring that appeals to sovereignty do not obstruct or frustrate AU and international action; and

I should also add that challenges to effective mediation have been made more complex by emerging threats to peace and security such as the proliferation of illicit arms, especially small arms and light weapons; human and drug trafficking; and money laundering, as well as natural resources exploitation and climate change. What complicates matters further is the fact that players in a conflict are no longer always identifiable with political factions and armed groups with a political agenda, but have exceeded those to rogue elements to which violent conflict represents both the means and ends, such as terrorists and warlords. These new realities have necessitated the intensification of mediation efforts before, during and after armed conflict, and the AU is rising to the challenge of addressing them.

The question often asked, in this regard, is: What needs to be improved in order to facilitate the work of groups and individuals mandated by the AU to undertake mediation efforts to assist parties in conflict to arrive at an implementable agreement?

The response lies in strengthening the mediation efforts of the AU by setting up an African Union Mediation Support Unit (AU-MSU). The main objectives of the AU MSU is to ensure a systematic approach whereby the experiences and lessons learned in AU mediation efforts serve as a basis for formulating guidance and principles to strengthen the work of current mediators and facilitators as well as contribute to the elaboration of a template to support future and potential mediators and facilitators; to build internal capacity for mediation and to collaborate with members states, the RECs, the United Nations, the European Union, the International Community as well as Civil society and research institutes.

The AU is equally convinced that in order to have an effective mobilization and harnessing of the requisite capacity for internal mediation expertise for its continental coordination, leadership and ownership, it will need to strengthen international collaboration and partnership. This is because such partnership should strengthen the role of the AU in
undertaking and overseeing the training and capacity building needs of its staff, RECs and member states, in order to support the work of mediators in the field.

In light of the above, the AU Commission wishes to propose the following structure for the AU MSU:

i) AU MSU Co-ordinator (preferably a professional staff at P5) to manage the unit;
ii) Mediation expert (preferably at P4 level) to handle issues including process and mediation design;
iii) Negotiation/Political Analyst (preferably at P3 level) to provide technical and analytical support to mediation teams;
iv) Knowledge management expert (preferably at P2 level) to coordinate the documentation of AU mediation activities, conduct lessons learned studies and to disseminate AU mediation activities;
v) Administrative and Financial Officer (preferably at P2 level) to provide administrative, financial, and logistics support to mediation teams.

The proposed in-house expertise should be complemented by 10 thematic experts who can provide backstopping support to AU Mediators/Facilitators. They will be screened and processed through the AU systems and are deployed on a need basis to provide specified technical support to mediation teams. Moreover, the Commission plans to establish an Advisory Group, composed of distinguished former envoys/special representative, highly rated negotiation/mediation experts in Universities and Research Institutes around the world, to act as sounding board for the AU MSU team.

Mr. Chairman
Ladies and gentlemen

I would to conclude by making the following key recommendations, which I believe will enhance the ability of the Commission to effectively undertake successful mediation efforts and contribute to our collective objective of Silencing the Guns by 2020:

1) The AU Commission needs to ensure that there is adequate internal capacity in terms of staff numbers and expertise within the AU in order for the AU MSU to effectively perform the required functions including developing mediation strategies and design, and identification of entry and exit strategies, among others. To do this, the AU MSU with its full staff complement should be established expeditiously;

2) The AU Commission should ensure the mainstreaming of gender and youth in the composition of staff, mediators and mediation teams. In this respect, the PSC and other relevant AU decision making structures should issue a strategic directive on the implementation of the AU’s gender quota in the composition of mediation teams, staff and mediators and on mainstreaming gender into all mediation processes;
3) The AU Commission should ensure that there is strong and predictable collaboration between AU, RECs, UN, and EUs and other organizations as well as states interested in mediation;

4) The AU Commission should ensure that adequate financial and logistical resources are provided to mediation efforts. In this respect, AU Member States are encouraged to expedite efforts to operationalize the Peace Fund and other funding instruments as the decisions of the Assembly during the Summit in Kigali in July 2016.

5) The AU Commission should ensure that merit is used as a cardinal criterion in the appointment of mediators and special envoys and special representatives and back stoppers; as well members of a Reference Group that should offer support on strategy and provide advice in urgent situations.

I thank you