



POLICY BRIEF

Repositioning the AU's role in counter-terrorism operations

Dr Jide Okeke

One of the ways that the African Union (AU) addresses threats to Africa's security is by authorising or deploying counter-terrorism operations. Such operations are related to, but distinct from peace support operations, which are an AU statutory tool for preventing, managing and resolving crises. This policy brief explains why and how the AU should reposition its role in supporting counter-terrorism operations.

Key findings

- ▶ In the past decade, mandates for peace enforcement operations in Africa from the African Union (AU) and/or United Nations have tended to include the 'reduction of threats posed by specific terrorist groups'.
 - ▶ The time is right for the AU to assess the impact of terrorism on recent and current peace support operations, with a view to reposition the AU's role to better support its member states in their security approaches to counter-terrorism.
 - ▶ The unpredictability, evolution and persistence of the terrorism threat make it difficult to draw-down AU mandated or authorised counter-terrorism operations.
- As of January 2019, the combined total number of years since the deployment of the AU Mission in Somalia, the Regional Coordination Initiative for the Elimination of the Lord's Resistance Army, the Multinational Joint Task Force and the G5 Sahel Joint Force is 22 years.
- ▶ The environment in which AU counter-terrorism operations are deployed is extremely risky, and the cost of human life is high.
 - ▶ AU counter-terrorism operations are expensive, estimated at an average of US\$1 billion annually.

Recommendations

Drawing from the AU's role in Somalia, and in support of the Regional Coordination Initiative for the Elimination of the Lord's Resistance Army, Multinational Joint Task Force and G5 Sahel Joint Force, this policy brief provides the following recommendations:

- ▶ At a political level the AU, working in partnership with the United Nations Security Council, should authorise and coordinate, rather than mandate and lead, counter-terrorism operations. Such authorisation allows the AU to continue to provide political legitimacy and voluntary technical and limited financial support to member states combating terrorism.
 - ▶ The AU should provide better technical support to national contingents for state security institutions in counter-terrorism operations. Strengthening information sharing mechanisms (such as the Djibouti and Nouakchott processes) and providing policy support and training are some examples of technical help the AU could give its member states.
- ▶ Through establishing a continental roster and just-in-time contractual agreements with private contractors on strategic air lift and other specialised capabilities, the AU should support member states in providing capabilities from within and outside the continent while complying fully with the relevant international human rights and humanitarian laws.
 - ▶ An AU support concept for counter-terrorism operations should be developed that clearly delineates its political, operational and technical roles and responsibilities of future deployments to support states in reducing terror threats.
 - ▶ Finally, the AU Peace Fund shouldn't be used for counter-terrorism operations. In some exceptional situations, however, the fund could provide minimal aid on a case-by-case basis to counter-terrorism operations.

Introduction

This policy brief considers the role of the African Union (AU) in counter-terrorism operations¹ given its recent experiences in mandating, authorising, managing or supporting these efforts to reduce insecurity. This study is motivated by increased policy attention on high-intensity peace support operations in Africa, especially in improving the predictability, sustainability and flexibility of financing these missions.²

The Second Extraordinary Meeting of the Specialised Technical Committee on Defence, Safety and Security of the AU noted that ‘the operationalisation of the African Standby Force [was] taking place in the context of new and various emerging threats including terrorism facing the continent’. It also directed the AU Commission to ‘undertake an assessment of these contemporary security threats’.³

This decision offers a unique opportunity for the AU to undertake a diagnostic exercise based on recent and current peace support operations, relating to the impact of terrorism on peace support operations, with a view to reposition the AU’s role to better support its member states in their security approaches to counter-terrorism.

Terrorism is a politically contested concept, and its definition defies universal consensus. This policy brief defines terrorism as the threat of, or actual physical violence by, a non-state actor mostly against non-combatants to achieve a political objective.⁴

The AU has mandated and has been responsible, at least conceptually, for managing an operation against al-Shabaab and armed opposition groups in Somalia for more than a decade. It has also authorised and supported the establishment of three ad hoc security initiatives against terrorist groups deployed on the basis of security cooperation primarily between affected states.

These three operations are the G5 Sahel Joint Force, the Multinational Joint Task Force (MNJTF) against Boko Haram and the Regional Coordination Initiative for the Elimination of the Lord’s Resistance Army (RCI-LRA).

The overall success of these operations particularly in regaining territorial control from the terrorist groups has been relative. The risk of high fatalities, indeterminate timeline of deployment, financial burden, and political

and operational challenges have reduced the possibility of direct international interventions. The leadership of the AU and other regional actors in mandating, deploying and managing these operations is crucial and has been internationally recognised.

The AU should not be on the front line in the deployment of counter-terrorism operations

However, this paper argues that the AU should not be on the front line in the deployment of counter-terrorism operations. Rather it should reconsider its role in the security value chain of such operations. Such repositioning would retain the AU’s legitimacy, comparative advantage and effectiveness in the promotion of regional stability, peace and security.

The focus on security responses in this policy brief doesn’t discount the need for sustainable development approaches in addressing the root causes of violent extremism and terrorism.⁵ Rather the growing emphasis on the AU’s role in peace enforcement and counter-terrorism by the United Nations (UN) and the wider international community imposes a need for clarity on what the continental body can and cannot or should not do.

AU peace support operations, counter-terrorism and counter-insurgency

A peace support operation is different from counter-terrorism and counter-insurgency operations. In practice, the AU and regional actors have used these concepts in an analogous manner, without clear differentiation between them. A reason for this conflation of peace support operations, counter-terrorism and counter-insurgency is the absence of a multilateral definition of terrorism.

Despite extensive discussions, the UN has not been able to agree on a definition. The AU is guided by the 1999 Organisation of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, which provides a definition of ‘terrorist acts’. However, this convention is focused on preserving state security because it assumes that terrorism is limited to violations of criminal laws as defined by a state party.

The manner in which the AU has characterised and deployed counter-terrorism operations at the strategic and operational levels illustrates the confusion between peace support operations, counter-terrorism and counter-insurgency.

At a strategic level, the AU and regional actors have mandated or authorised operations such as the African Union Mission in Somalia (AMISOM), MNJTF and G5 Sahel Joint Force as peace operations in accordance with Article 13 of the 2002 Protocol Relating to the Establishment of the Peace and Security Council of the AU.⁶ The international community has also identified the AU's role in peace enforcement and counter-terrorism operations.

At an operational level, often the tactics the AU has deployed to degrade the capacity of terrorist groups is synonymous with counter-insurgency. The United States military for example has developed the FM 3-24 doctrine for counter-insurgency, which is based on a three-pronged approach of 'Clear, Hold, Build'.⁷

The doctrine involves regaining territorial control from insurgent groups, maintaining control of recovered territories and supporting governments to build durable national institutions. The operational tactics adopted by the AU and regional actors, as reflected in the Concept of Operations developed for operations such as AMISOM, the MNJTF and the G5 Sahel Joint Force, are similar to the FM 3-24 doctrine.

AU and counter-terrorism operations: why it matters

On 20 November 2018, UN Secretary-General António Guterres said, 'UN peacekeeping has limits. We face more and more situations where we need peace enforcement and counter-terrorism operations that can only be carried out by our partners – namely, the African Union and various sub-regional configurations.'⁸

This acknowledgement has also been widely recognised and reiterated by various international partners, and in formal and informal statements, resolutions and communiqués of the AU and UN.⁹ Such recognition however exaggerates the role of what the AU is able to do, and what it cannot or should not do in counter-terrorism operations.

The AU commenced its practice of peace support operations through deploying missions similar to traditional UN peacekeeping. From its first deployment to Burundi from 2003 to 2010, all missions deployed by the AU (with the exception of AMISOM) were modelled after traditional peacekeeping missions.

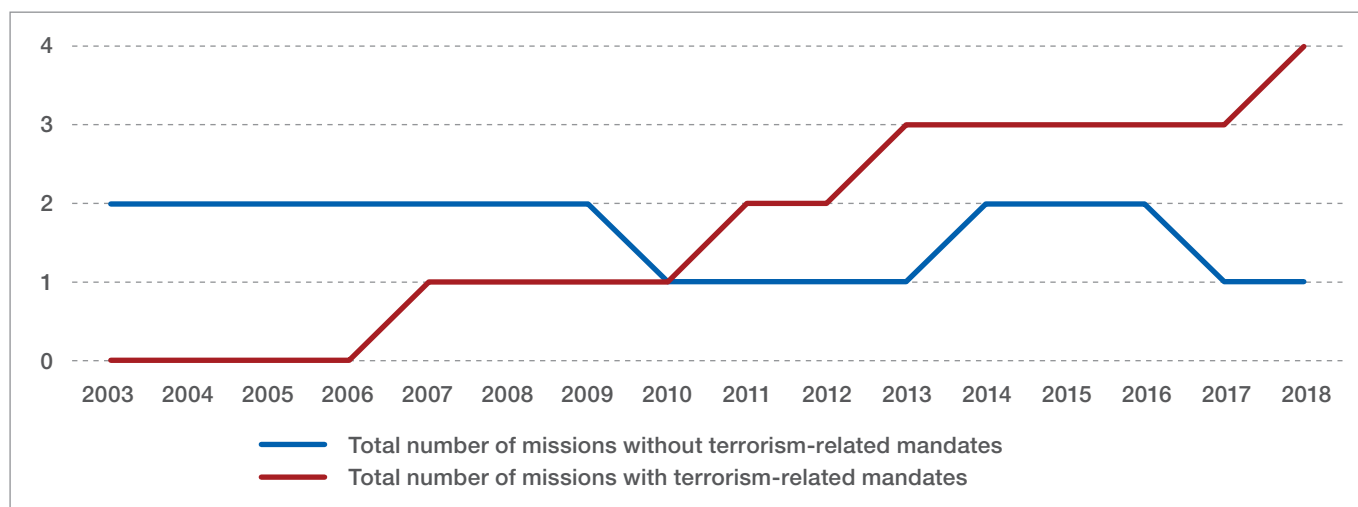
The AU increasingly began authorising counter-terrorism operations from 2011, and by 2015 it was authorising more counter-terrorism operations than traditional peacekeeping missions. This data explains why the AU and regional actors are globally recognised for their complex high-intensity responses to new security threats, especially those related to terrorism.¹⁰

BY

2015

THE AU WAS
AUTHORISING MORE
COUNTER-TERRORISM
OPERATIONS THAN
PEACEKEEPING MISSIONS

Figure 1: Peace support operations with or without terrorism-related mandates, 2003-2018



Source: Data derived from list of peace support operations compiled by the author

The political mandates of peace support operations have evolved with the nature of security threats in Africa. Early deployment of AU peace support operations, specifically from 2003 to 2008, did not include explicit mandates to address threats of terrorism.

This was partially due to the preoccupation with various forms of political violence with no links to terrorism that were suited for the deployment of traditional peacekeeping missions. The only exception during this time frame was AMISOM from 2007 (see Figure 1 above).

AMISOM's first mandate was a product of the general policy framing associated with robust peacekeeping under Chapter VII of the UN Charter. AMISOM was initially mandated to conduct peace support operations in Somalia to stabilise the situation in the country in order to create conditions for the conduct of humanitarian activities and an immediate UN takeover.¹¹

This has evolved over time from a passive to an active recognition of the nature of terrorism-related threats as part of AMISOM's mandate. For example, the two recent renewals of AMISOM's mandates contained in UN Security Council resolutions 2372 (2017)¹² and 2431 (2018)¹³ both authorise the mission to 'reduce the threats posed by Al Shabaab and other armed opposition groups, including through mitigating the threat posed by improvised explosive devices'.¹⁴

From 2008 to 2018, 'reduction of threats posed by specific terrorist groups' has progressively been

included in political mandates by the AU or UN when authorised in Africa's peace support operations.

Counter-terrorism operations have come at substantial human cost. Even though there are no official fatality records of these operations, estimates suggest more deaths involving deliberate targeting of security personnel than total numbers recorded in all 70 years of UN peacekeeping missions.

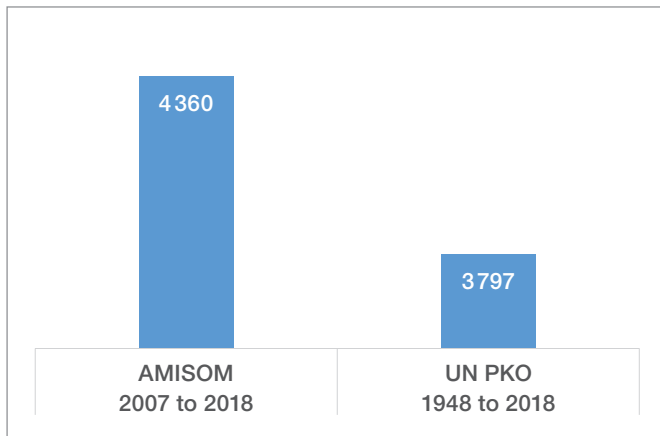
Since 1948, the total number of fatalities (defined as accidents, illness, malicious acts and other incidents) recorded by UN peacekeeping missions is 3 797.¹⁵ Of this number, almost 1 000 deaths (about 26%) were recorded in current UN peacekeeping missions in Africa.

AU counter-terrorism operations have come at a substantial human cost

In AMISOM alone, the reported estimate provided by the dataset by the Armed Conflict Location and Event Data Project (ACLED) suggests over 4 000 deaths since the mission was deployed over 12 years ago.¹⁶

This figure continues to be a source of debate but helps to illustrate the scale of the threats associated with this and similar operations. In high-risk security environments, where other terrorism-related operations are deployed, fatalities are many.

Figure 2: Comparison of fatalities from AMISOM vs UN Peacekeeping Operations (UN PKO)



Source: Data derived from both <https://peacekeeping.un.org/en/fatalities> and the Armed Conflict Location and Event Data Project (ACLED)

Counter-terrorism operations are also very expensive. AMISOM's average annual budget since 2014 is estimated at US\$1 billion.¹⁷ The current MNJTF-Boko Haram had a provisional budget of US\$700 million but is substantially more now. In 2017 Nigeria alone committed US\$1bn to fighting terrorism.¹⁸ Other affected countries such as Chad, Cameroon and Niger have had to stretch their national budgets due to terror threats.

Yet the most affected countries and the AU continue to depend on unreliable voluntary support from international bilateral partners, and in exceptional cases support from UN-assessed contributions, in conducting these operations. The AU's Peace Fund wasn't intended to cover the financial requirements for protracted counter-terrorism operations in Africa. This is further elaborated below.

The unpredictability, evolution and persistence of the threat of terrorism means that an exit or draw-down is difficult. As of January 2019, the combined total number of years since the deployment of AMISOM, the RCI-LRA, MNJTF and G5 Sahel is 22 years.

AMISOM continues to face the threat of al-Shabaab 12 years after its deployment. Its exit, transition or transformation from Somalia has less to do with the reduction of the threat of terrorism than other factors. The growing frustration of donors, and mission creep, contribute to counter-productive attention on AMISOM's exit.

Similarly, there is an ongoing drawn-down of the RCI-LRA merely because of resource constraints, as opposed to

the achievement of its objective of capturing or killing LRA leader Joseph Kony. More recent counter-terrorism operations like the MNJTF and G5 Sahel Joint Force will probably experience a protracted deployment timeline.

The open-ended nature of counter-terrorism operations appears incompatible with the 'first-responder' vision, resources and relative assumption of an exit timeline that should underpin the role of a multilateral or regional organisation like the AU.

Should the AU lead counter-terrorism operations?

The AU should not lead but can support counter-terrorism operations. The current human and financial costs associated with such operations in Africa are unprecedented, dire and unsustainable in terms of the AU's role. However the progress achieved in regional counter-terrorism operations has gained global recognition and much has been learnt from them.

The role of the AU in relation to other regional actors and the international community in counter-terrorism could be repositioned in five main areas.

First, the AU Peace and Security Council (PSC) should work with the UN Security Council (UNSC) to consistently *authorise* rather than *mandate* counter-terrorism operations or missions when required.

Political consensus is possible if both the AU PSC and UNSC authorised counter-terrorism operations

There is no political precondition for either the AU or the UN to mandate or authorise counter-terrorism operations when they are driven by national security institutions within their borders, or through bilateral partnerships or formalised coalitions. However requests by national actors for multilateral support, as well as the growing regional coalitions in the fight against terrorism, make political authorisation by appropriate regional and international policy organs essential.

At a conceptual level, the mandating authority is primarily responsible for generating technical and support requirements, as well as providing political legitimacy and oversight in the operation's functioning and management.

Authorising an operation gives it political legitimacy and could facilitate or coordinate the generation of more enablers and force multipliers in the value chain of the mission. Yet the authorising organ isn't fully responsible for the command, control or resources of the mission.

The mandating process has exposed a degree of policy dissonance between the AU PSC and the UNSC. On one level, the AU has consistently authorised counter-terrorism operations as multidimensional, comprising military, police and civilian-related tasks. In contrast, the UNSC tends to view these missions almost exclusively as security (specifically military) operations.

AMISOM illustrates the incoherence between the AU PSC and the UNSC. On the one hand, the AU PSC has mandated AMISOM to support political processes, reconciliation, recovery and even the facilitation of humanitarian aid. These mandated tasks complement targeted operations against al-Shabaab and other armed opposition groups.¹⁹

On the other hand, the UNSC mandate for AMISOM mainly focuses on reducing 'the threat posed by Al Shabaab and other armed opposition groups, including through mitigating the threat posed by improvised explosive devices'.²⁰

The UNSC has also refrained from mandating or authorising counter-terrorism operations, even when authorised by the AU PSC. AMISOM remains the only current AU-led operation with counter-terrorism tasks explicitly mandated by the UNSC.

Other ongoing missions such as the RCI-LRA, MNJTF and G5 Sahel have merely been recognised by the UNSC through Presidential Statements, or resolutions that highlight efforts being made by the affected states in collaboration with bilateral partners to reduce the threats of terrorism in their respective regions.

A political consensus is possible. Both the AU PSC and UNSC could authorise counter-terrorism operations. This is in fact consistent with the growing trend by the AU PSC. With the exception of AMISOM, the AU has often authorised rather than mandated counter-terrorism operations.

Such agreement wouldn't preclude AU and UN policy organs from having a more robust role in the rare event of affected states being unable or unwilling to assume primary responsibility in addressing terrorism. Authorisations mean that the AU is able to provide political and voluntary technical support for deployment of counter-terrorism operations, if needed.

Second, the AU should continue to provide support to states rather than attempting to exercise full command and control responsibility in operations against terrorist groups. The role of the AU should be to complement rather than be a substitute for the host state's national security institutions.

As Table 1 below illustrates, with the exception of AMISOM, national contingents constitute the main actors conducting counter-terrorism operations in Africa. The absence of viable, cohesive and capable Somali national security forces anchored in an inclusive political process has led to counter-terrorism operations by AMISOM and other bilateral partners.

22 YEARS

TOTAL COMBINED YEARS
THAT AMISOM, RCI-LRA,
MNJTF AND G5 SAHEL
HAVE BEEN DEPLOYED

As a result, AMISOM's transition or exit from Somalia is in a state of flux. Even though other counter-terrorism operations receive bilateral support, national contingents are mainly responsible for conducting operations. The protracted nature of efforts to reduce terror threats makes this national contingent model a more sustainable security response.

In cases where national contingents don't have enough capacity to address the threats, security cooperation and agreements with neighbouring or regional states could be a starting point.

Table 1: Police- or troop-contributing countries in ongoing peace enforcement and counter-terrorism operations

Missions	Troop-contributing countries	Police-contributing countries	Authorised strength of the mission
AMISOM	Burundi, Djibouti, Ethiopia, Kenya and Uganda	Uganda and Nigeria	22 126 uniformed personnel
MNJTF	Benin, Cameroon, Chad, Niger and Nigeria	Not yet deployed	7 500 personnel
Force conjointe du G5 Sahel or FC-G5S	Burkina Faso, Chad, Mali, Mauritania and Niger	None	5 000 personnel
RCI-LRA	Uganda, South Sudan, Democratic Republic of the Congo and Central African Republic	None	5 000 personnel

Source: Developed by the author

Third, the AU could be a critical actor for authorised operations through the generation of capabilities for counter-terrorism operations, from within or outside the continent.

There is currently a mismatch between equipment and other capabilities deployed for counter-terrorism operations and the actual threat of terrorism. The latter requires more agile capabilities such as intelligence, a quick reaction force, combat helicopters, and secure and effective real-time communication.

These capabilities are difficult to negotiate, and even when bilateral support is possible, they come with preconditions (such as appropriate pre-deployment training, including in the area of human rights) that national contingents may not be immediately qualified to access.

The AU could provide significant support in the negotiation, deployment, training and monitoring of the use of these assets. The precedent set by the generation of air lift capabilities for AMISOM as well as during the AMANI II Field Training Exercise²¹ on ascertaining the operational readiness of the African Standby Force are examples of how the AU facilitates this process.

The AU could establish a regional roster based on pre-contractual agreements with states or even private companies that can provide some of these counter-terrorism capabilities.

Fourth, the AU should develop a doctrine for supporting nationally led counter-terrorism operations. AU peace support operations have always relied on the

US\$400m

AU'S PROJECTED BUDGET FOR FULLY OPERATIONAL PEACE FUND

UN peacekeeping doctrine on impartiality, consent of the main parties, non-use of force except in self-defence and in defence of the mandate.

In practice, adherence to these principles in counter-terrorism operations wasn't workable. Counter-terrorism operations are consistently being deployed to where there is no peace to keep, the primary means of promoting initial stability is through the use of force, taking sides (usually with a legitimate government) has become customary, and it is conceptually possible (justified under Article 4(h) of the African Union Constitutive Act) to deploy without the host state's consent.

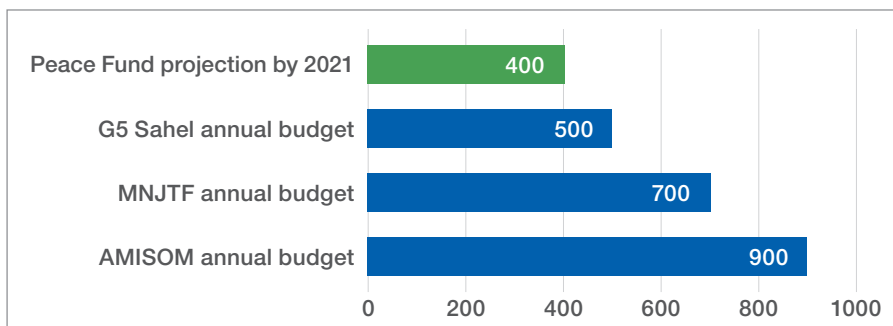
There is now enough evidence to inspire new thinking and develop appropriate guidelines and policies on how the AU would like to define its roles and responsibilities to support a host state or a coalition of states against an imminent or actual threat of terrorism.

Finally, the recently launched Peace Fund shouldn't be used for counter-terrorism operations, except on a limited and exceptional basis. The AU's projected budget for a fully operational Peace Fund is US\$400m by 2021.²²

As of February 2019, the AU member states had made an unprecedented contribution of US\$89m,²³ which represents 22% of the projected budget. With such progress, attaining the Peace Fund aspirational endowment of US\$400m is likely. Yet the AU would still be unable to independently fund the establishment and sustainment of the value chain of counter-terrorism operations.

As Chart 3 illustrates, estimated budgets for ongoing counter-terrorism operations range from 25% to 225% more than the Peace Fund's projected budget. By authorising future counter-terrorism operations, the AU would not primarily be expected to fund them. Rather, the affected states would be required to pay for these operations, with complementary financial support from the AU, based on need and availability of funds as determined by the Peace Fund's governance structures.

Figure 3: Budget estimates for current AU peace support operations compared to the AU Peace Fund (in USD million)



Source: Developed by the author

Besides, the scope of the Peace Fund is beyond hard security. It is also expected to 'fully finance mediation and preventive diplomacy activities, institutional readiness and capacity, [and] maintain a crisis reserve facility'.²⁴

25% - 225%

EXTENT TO WHICH ONGOING COUNTER-TERRORISM OPERATIONS' BUDGETS EXCEED PROJECTED PEACE FUND

Due to differing contexts, there could be inherent difficulties in making pre-determined commitments, with certainty, on the scope or duration of the AU's financing for future counter-terrorism operations.

The AU is unlikely to be able to self-finance counter-terrorism operations

Irrespective of how it partners with other regional and international entities, the AU could reasonably maintain a policy position based on conducting limited operations in a short period and based on need and available resources.

Conclusion

The AU could support counter-terrorism operations. However the deployment of peace support operations is not an appropriate tool for achieving such a strategic goal. A repositioning of the AU's role through providing political, policy, technical and limited financial support is possible, and should be what the continental body aspires to.

Rethinking the AU's role is important due to the rapidly changing international climate on support for counter-terrorism operations. The 2018 United States policy on Africa will probably lead to a significant reduction in bilateral support from the US in security responses.²⁵

Other bilateral partners like the European Union have started reallocating their support for peace support operations²⁶ to other forms of development aid. The AU's financial autonomy won't make it self-reliant in the deployment of counter-terrorism operations.

Africa is at a crossroads in sustaining its security approach, which it has used as a vital tool for international cooperation for almost two decades. Counter-terrorism operations are unlikely to end soon, but unless regional actors – especially the AU – don't reposition their policies, the effectiveness of current or future operations will be undermined.

In particular, the growing roles of diverse, not necessarily mutually reinforcing, bilateral external actors that support states affected by terrorism could erode the AU's influence. Addressing the perennial political, operational and adaptive challenges that have characterised AU mandated or authorised counter-terrorism operations is necessary to sustain Africa's leadership in regional security.

Notes

The author wishes to thank Annette Leijenaar, Cedric de Coning, Linda Darkwa and Paul Williams for comments and feedback provided to earlier drafts. The author takes sole responsibility for the content of this brief.

- 1 This policy brief acknowledges the conceptual distinction between AU peace support operations and counter-terrorism as well as counter-insurgency. In practice, this distinction has not been properly delineated in high-intensity operations either mandated or authorised by the AU. It is as a result of this lack of clear differentiation that the policy brief adopts the concept of 'counter-terrorism operations', for analytical purposes, to describe the AU-mandated operation in Somalia as well as authorised operations, notably the RCI-LRA, MNJTF and the G5 Sahel Joint Force.
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- 4 This definition is not without its limitations, but provides a basis for reflecting on the role of the AU in counter-terrorism operations based on recent practices. For more information on the evolution, contestation and unresolved conceptualisation of terrorism, see B Hoffman, *Defining Terrorism*, in *Inside Terrorism*, New York: Columbia University Press, Third Edition, 2017.
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