Security Council

Letter dated 16 January 2020 from the Chair of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for 2019, as endorsed by the members of the Working Group.

I would be grateful if the present letter and the attached report could be circulated as a document of the Security Council.

(*Signed*) Jerry Matthews **Matjila**
Chair
Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Report on the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa for 2019

I. Introduction

1.   The present report is submitted to inform the Security Council of the activities of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa in 2019.

2.   The Ad Hoc Working Group on Conflict Prevention and Resolution in Africa is a subsidiary organ of the Security Council, established pursuant to the statement by the President of the Security Council of 31 January 2002 (S/PRST/2002/2), in which the Council recognized the need for adequate measures to prevent and resolve conflicts in Africa and indicated its intention to consider the establishment of an ad hoc working group to monitor the recommendations contained in the presidential statement and to enhance coordination with the Economic and Social Council.

3.   The Permanent Representative of South Africa to the United Nations, Jerry Matthews Matjila, served as Chair of the Working Group from 1 January to 31 December 2019. The representative of Côte d'Ivoire served as Vice-Chair throughout the reporting period.

4.   During the period under review, the Working Group held six meetings to discuss issues pertinent to its mandate.

II. Summary of the activities of the Working Group in 2019

5.   On 1 May 2019, the Working Group met to consider the draft programme of work for 2019, as proposed by the Chair. Following a discussion, the members of the Working Group adopted the proposed programme of work.

6.   On 29 May 2019, the Working Group held a meeting on the illicit exploitation of and trade in African natural resources as key drivers of conflicts on the continent. The Working Group heard briefings by Bience Gawanas, Under-Secretary-General and Special Adviser on Africa; Bintou Keita, Assistant Secretary-General for Africa; Léonce Ndikumana, Professor and Director of the African Development Policy Program at the University of Massachusetts Amherst; and Vital Kamerhe, President of the Union for the Congolese Nation (Democratic Republic of the Congo).

7.   In the concept note framing the discussion, it was noted that the illicit exploitation of and trade in African natural resources had financed some of the most devastating present and past conflicts in Angola, the Central African Republic, the Democratic Republic of the Congo, Liberia, Libya, Sierra Leone, Somalia, South Sudan and the Sudan and had further undermined development on the continent.

8.   During the discussion, some speakers noted that proceeds from the illicit exploitation of natural resources had been used for the acquisition and proliferation of weapons in conflict situations. The Secretary-General, in a statement to the Security Council on 16 October 2018, had highlighted that 75 per cent of civil wars in Africa since 1990 had been partially funded by revenues from natural resources. Although the expectation was that natural resources would act as drivers for economic and social development, regrettably, they had further fuelled crises and jeopardized peace and stability on the continent. State and non-State actors, such as armed groups, national security forces, military leaders and commercial enterprises, had served as the main drivers and enablers of the illicit exploitation of the natural resources of Africa.

9.   In the case of the Democratic Republic of the Congo, one speaker noted that the country had an estimated $24 trillion in untapped mineral deposits. It was no

coincidence that the conflict had persisted in the eastern part of the country, as it was endowed with cobalt, copper, diamonds, tantalum, tin, lithium and gold. The militias that had been operating following the genocide in Rwanda had continued to plunder the country's natural resources despite several Security Council resolutions and agreements signed in Lusaka, Addis Ababa and Geneva and Brussels. The illegal armed activities had not only had an impact on individuals and communities in the conflict areas, but had also become a conduit for natural resources to be exported to multinational corporations.

10. It was argued that the "resource curse" of the Democratic Republic of the Congo was primarily a result of the absence of State authority, functioning governance structures and a strong security force to maintain law and order. In that regard, speakers said that it was essential to: build State capacity to ensure ownership over natural resources and strengthen the rule of law; boost regional cooperation to identify areas of mutual interest; ensure appropriate transfer of technology to prevent illegal exports of natural resources; allocate sufficient resources to combating armed groups and provide appropriate training to law and enforcement agencies; and conduct awareness-raising campaigns to build trust between the State and affected communities.

11. Some speakers noted that further focus on justice and the application of appropriate sanctions against perpetrators was paramount to ensure the safe return of the 2 million internally displaced persons to their homes, end sexual violence and promote national reconciliation. On that point, they urged the Security Council to act more decisively, especially in North Kivu, and to re-examine the effectiveness of the arms embargo in the eastern part of the country.

12. Some speakers highlighted four factors that had led to the resource-conflict nexus. First was the unequal distribution of proceeds from natural resources within a country, which created grievances on the part of the resource-endowed regions. Second was the weakness of the State, especially the lack of accountability to and credibility in the eyes of the population and other stakeholders. Third was the unequal distribution of power between African States and the multinational corporations that had monopolized the extractive industries in Africa. It was noted that many African countries did not have the capacity to negotiate fair trading contracts with multinational corporations. Similarly, there was a lack of political will to ensure mutual accountability: to date, not a single multinational business involved in the illicit exploitation of natural resources had been sanctioned. Fourth was the lack of incentives for key players benefiting from war economies to abandon their illicit activities and ensure an end to the conflict on the continent.

13. Other speakers remarked that, since the problems associated with the resource-conflict nexus were well articulated, the Working Group should focus on recommendations that could contribute to addressing those issues. On that note, some speakers recommended strengthening existing international efforts and initiatives aimed at enhancing transparency in the use of natural resources, combating the illegal exploitation of such resources, supporting fair trading practices and promoting inclusive development.

14. Among the initiatives cited were:

(a) The Kimberley Process Certification Scheme for Rough Diamonds, which some speakers proposed could be expanded to cover natural resources other than diamonds;

(b) The Mano River Basin Initiative, which was aimed at identifying the chain of natural resource trafficking and cutting the "lifelines" that armed groups used to finance their activities. It was noted that the Initiative could be strengthened;

(c)   The Africa Mining Vision, adopted by the African Union Assembly in 2009, which integrated the peace and security dimension of natural resources into the African Union Commission's existing conflict prevention and early warning process, as well as into conflict management, peacemaking and peace support policies and programmes;

(d)   The Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, signed in 2013 by 11 countries, aimed at cutting support to armed groups and advancing economic growth and development through a comprehensive approach to the region's problems;

(e)   The Extractive Industries Transparency Initiative, which fostered transparency over the extractive value chain and encouraged fair economic distribution of benefits;

(f)   The Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, and the Organization for Economic Cooperation and Development Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas;

(g)   The Action Plan for Accelerated Industrial Development of Africa, aimed at transiting towards resource-based growth and industrialization to help drive structural transformation of the African economies and end the ongoing reliance on a narrow base of primary commodities exports.

15.   Some speakers underlined the need to strengthen the capacities of the Governments concerned to negotiate fair trading contracts with multinational and large-scale mining companies, take ownership of their natural resources and build investigative capacities with regard to the extractive resources industry and the movement of natural resources from conflict zones.

16.   Other speakers encouraged enhanced partnerships with the private sector in the exchange and integration of relevant technologies such as the Geographic Information System, satellite imagery and open databases on commodity markets that could help overcome challenges in analysing local mechanisms of illicit exploitation of natural resources, identifying risks and providing solutions.

17.   Some speakers underscored the need to scale up investment in knowledge generation – especially by scholars from Africa – on the natural resource industry, through detailed studies of the mechanisms, actors, enablers and facilitators of illicit natural resource exploitation and its effects on African economies, as well as on emerging best practices for preventing that phenomenon.

18.   Some participants stressed the importance of ensuring that multinational corporations engaged in the exploitation of natural resources in Africa paid their fair share of rents and taxes on profits, essential for building State capacity and financing of public infrastructure and social services. Furthermore, Member States should systematically engage with the private sector and businesses to integrate corporate social responsibility and accountability, in keeping with both the Guiding Principles on Business and Human Rights and the United Nations Global Compact.

19.   Some speakers suggested naming and shaming corporations involved in illicit trade to compel them to apply due diligence in their commercial operations and ensure that they were not dealing in resources from conflict areas. It was argued that not fulfilling due diligence or supporting a conflict with the goal of making a profit should be enough reason for multinational businesses to be subject to sanctions.

20.   Some members suggested that the Security Council could enforce stronger sanctions regimes, including as part of peacekeeping mandates, to help countries in conflict and post-conflict situations prevent the illegal exploitation of and trade in

natural resources. That could be done when specific designation criteria on illegal exploitation were being drawn up. Similarly, speakers recommended strengthened cooperation between the Council and other United Nations bodies, such as the Peacebuilding Commission, in order to develop and implement an integrated development and reconstruction strategy to help countries affected by the resource-conflict nexus.

21. Some speakers underscored that enhancing cooperation between the Security Council and the Peace and Security Council of the African Union and other regional and subregional organizations could bolster conflict prevention and resolution in Africa. In addition, support to African development objectives, as encapsulated in Agenda 2063 of the African Union, through financial assistance, capacity-building, technology transfer and improved market access, was vital.

22. Lastly, some speakers acknowledged that natural resources were important for national development as well as for peace and stability and reiterated that every State had a sovereign right to control and exploit its resources in accordance with the principles of international law and good governance. Some speakers noted that combating the illicit exploitation of natural resources was the prerogative and primary responsibility of the countries concerned.

23. On 21 June 2019, the Working Group held a meeting on how security sector reform contributed to conflict prevention. Briefings were provided by Michael Kingsley-Nyinah, Director of the Central and Southern Africa Division of the Department of Political and Peacebuilding Affairs and the Department of Peace Operations of the Secretariat, Vasu Gounden, Executive Director of the African Centre for the Constructive Resolution of Disputes, Léonie Banga-Bothy, former Minister of Foreign Affairs of the Central African Republic, Muna Ndulo, Professor of Law at Cornell Law School and Director of the Institute for African Development, and Merekaje Lorna Nanjia, Secretary-General of the South Sudan Democratic Engagement Monitoring and Observation Programme.

24. In the concept note for the meeting, security sector reform was described as a prerequisite for stability and peacebuilding, particularly in post-conflict situations. Similarly, in its resolution 2151 (2014), the Security Council had reaffirmed that an effective, professional and accountable security sector without discrimination and with full respect for human rights and the rule of law was the cornerstone of peace and sustainable development and was important for conflict prevention.

25. During the discussion, speakers underscored that the State had sole responsibility to identify priorities and define an inclusive national vision on security sector reform, informed by the needs of its population. For example, in Liberia, the five-year national plan had addressed security service delivery through the reform of oversight and supervision, as well as changes to infrastructure and capacity. In Somalia, training of the judiciary and police formation had already been prioritized, and security sector reform would be crucial to securing a successful transition from the African Union Mission in Somalia to Somali leadership. Similarly, in South Sudan, security sector reform was at the heart of the revitalized peace agreement and the objectives for the pre-transition period.

26. To enhance trust and confidence in the accountability of transitional security measures, speakers underscored that access to grievance mechanisms was critical. For example, the Agreement on Peace and Reconciliation in Mali of 2015 had provided for the establishment of local consultative security committees that would offer a platform for dialogue among the population, security institutions and non-State armed groups. That mechanism was considered a feature worthy of implementing to enhance the participation of communities in the provision of security and national security sector reform processes.

27. In addition, some participants recommended adapting security sector reform to local contexts and taking into consideration the expectations of local actors and ownership of the process. Inclusive dialogue with local populations, particularly those segments of society that had been traditionally excluded from centrally led security sector reform processes, such as women and youth, was essential.

28. Some speakers underscored the imperative of ensuring that people had basic information on how peace agreements and national security sector reform processes might affect their security and livelihoods. For example, in the Central African Republic, it was important to ensure that the population understood that the Government had committed, in the peace agreement of February 2019, to pursuing an equitable, inclusive and transparent security sector reform process guaranteeing that all sectors of society were represented. Further, the communities of the Central African Republic that might host the joint security units had to know that the parties to the peace agreement had committed to deploying transitional security measures comprising armed groups and national defence and internal security forces to contribute to the protection and security of the civilian population, strengthen public order and secure seasonal migration corridors.

29. Similarly, some speakers noted that, in South Sudan, the sustainability of the 2018 peace agreement might in some measure depend on the parties' ability to implement the agreed transitional security arrangements.

30. In that regard, several options were proposed on how to involve local actors in issues of community policing and armed violence reduction, including holding public hearings and debates, encouraging written submissions on security issues, conducting consultative workshops and surveys to identify local security sector challenges and encouraging input on sensitive causes of grievances and issues that ignited violence and those that promoted reconciliation.

31. Some speakers underscored that peace processes should prioritize the strengthening of justice and law enforcement institutions in line with national and international legal norms, particularly in areas such as civilian protection that had continued to receive comparably less attention. It was also underscored that strengthening civil society mechanisms could help to fortify civilian oversight of security services.

32. Some participants underscored that there was no "one-size-fits-all" approach to security sector reform. Provisions on such reform mandated by the Security Council had to be tailored to each individual case. In that regard, the Security Council needed to ensure that successful examples served as a guiding principle for reforms in other areas. It was noted that the Central African Republic needed support in managing the protection of the civilian aspect of the reforms and the operationalization of the joint mixed security units expected to be deployed. The structure of the mixed units needed the buy-in of armed groups who would be disarmed and demobilized before joining the mixed units. It was recommended that the Security Council ensure that national forces in Mali were inclusive and represented the entire nation.

33. One member noted that a major challenge for the Working Group was to ensure that action on security sector reform in United Nations mandates supported conflict prevention and established democratic accountability for the use of force. It was only by doing so that the Security Council could support countries in creating conditions for peace in the long term. For security sector reform processes to succeed, they should reaffirm the imperative for inclusive national ownership that involved various local actors, including civil society, in order to gain some degree of trust from citizens.

34. Acknowledging that implementing security sector reform was a complicated undertaking, some speakers underscored the imperative of enhancing coordination

between various stakeholders supporting security sector reform initiatives. In many situations, the reforms had taken longer and had sometimes stalled because of high financial costs and a lack of cooperation and coordination among the many partners supporting the process. In that context, the United Nations had an essential role to play in coordinating and facilitating international support while also providing substantive technical support to the host countries, which was an expectation expressed for the Central African Republic. Speakers stressed that external support should be focused on building local capacity for the State to take ownership of the reforms and responsibility for their success. Therefore, consent from the recipient State and respect for national sovereignty and political independence were fundamental.

35.   Other speakers underscored partnership as key in the implementation of security sector reform, particularly between the United Nations, the African Union and other subregional mechanisms, the country concerned and the donors. Such partnerships were particularly important bearing in mind the financial and technical assistance required from the international community to address resource challenges, build national capacity and strengthen national ownership in implementing security sector reform.

36.   At the operational level, some speakers recommended investing more resources in the monitoring and evaluation of security sector reform programmes. Oversight by the legislature and the judiciary was vital to ensure that there was no abuse and manipulation. Civilian participation in the formulation of policies was also essential to ensure that reform of the security sector reflected the context, hopes and aspirations and, most importantly, fears of citizens.

37.   It was noted by some participants that, ultimately, the success of security sector reform was dependent on the cooperation of the parties implementing the reforms, the readiness of Member States to provide financial, technical and material resources to the country concerned and the willingness of the State to address human rights violations and other forms of social exclusion.

38.   On 9 August 2019, the Working Group held a meeting on preparations for the 4th informal joint seminar and the 13th joint consultative meeting between the members of the Security Council and the African Union Peace and Security Council. The members exchanged preliminary views on the agenda items proposed by the African Union Peace and Security Council, as well as on a possible field visit to South Sudan to underscore the need to implement the peace agreement. The proposed topics for the two joint sessions were: "Silencing the guns in Africa by 2020"; "Modalities for conducting joint field missions in Africa"; "Financing of African Union-led peace support operations"; and "The situation in the Central African Republic, Libya, South Sudan and the Sahel region".

39.   On 2 and 4 October 2019, the Working Group held joint working sessions with the African Union Peace and Security Council committee of experts and continued the discussion on the preparations for the 4th informal joint seminar and the 13th joint consultative meeting, which were subsequently held on 21 and 22 October in Addis Ababa. The African Union Peace and Security Council experts informed the members of the Working Group that the Council had withdrawn the agenda item entitled "Financing of African Union-led peace support operations". The Chair of the Working Group strongly encouraged the discussion on that issue to continue, given that it had already been under consideration in the Security Council for several years. In response, the African Union Peace and Security Council experts reiterated the decision to postpone any discussion on that matter until a new African common position on the financing of African Union peace support operations was adopted by the African Union summit.

40. The Working Group meetings on 2 and 4 October were convened in the context of the third workshop undertaken with the African Union Peace and Security Council committee of experts, which was centred on cooperation between the two organizations in the area of peace and security. Particular focus was placed on the topic "Silencing the guns in Africa by 2020" and on conflict prevention and mediation, peacebuilding and sustaining peace, counter-terrorism, climate change and support to African Union peace operations.

41. In addition to the African Union Peace and Security Council experts, the workshop was attended by representatives of the incoming African members of the Security Council (Niger and Tunisia) and other interested Security Council members, as well as representatives from the African Union Peace and Security Council secretariat and the United Nations Office to the African Union. During the workshop, representatives of various departments and offices of the United Nations Secretariat provided briefings on the partnership between the United Nations and the African Union in their respective areas of competence. The workshop served as a useful opportunity to familiarize the African Union Peace and Security Council experts with the working methods of the Security Council, as well as with the Secretariat's initiatives in support of the African Union.

III. Conclusions

42. During the reporting period, the Chair focused on generating practical recommendations to promote conflict prevention and resolution in Africa. It is the Chair's assessment that the meetings held in 2019 allowed for rich and constructive discussions, particularly on thematic issues critical to peace, stability and development in Africa.

43. The Working Group's thematic meetings held on 29 May and 21 June were open to Member States that were not members of the Security Council. Those meetings were attended by representatives from many States in Africa and other regions, whose participation greatly enriched the discussion and the concrete recommendations that emerged.

44. The Working Group continues to play an essential role in facilitating preparations and exchanges on the joint consultative meetings and other joint activities of the members of the Security Council and the Peace and Security Council of the African Union. In that regard, the Chair recommends that the Working Group should continue to exercise that mandate.

45. The Chair notes that the discussion held with the members of the African Union Peace and Security Council committee of experts in 2019 was a valuable contribution to strengthening the cooperation between the two Councils on peace and security issues in Africa and, specifically, helped prepare for the 4th informal joint seminar and the 13th joint consultative meeting, which were held on 21 and 22 October 2019. The Chair recommends that opportunities to hold such exchanges continue to be utilized in 2020.

46. To conclude, the Chair extends his appreciation to all Working Group members for their commitment and constructive participation throughout 2019, and for their efforts in promoting peace and stability in Africa.

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