



The Price of Peace: Securing UN Financing for AU Peace Operations

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Table of Contents

Executive Summary.....	i
I. Introduction	1
II. Halting Progress	4
III. Deadlock and Division.....	6
A. The December 2018 Impasse.....	6
B. The Impasse Deepens	9
IV. Barriers to Using Assessed Contributions.....	11
A. Burden Sharing.....	11
1. The case for UN funding	11
2. The 25:75 financial split	12
3. The controversial 0.2 per cent levy	14
B. Human Rights Compliance and Financial Governance	14
C. Command, Control and Primacy	16
V. Next Steps.....	18
A. Questions for Reflection	18
B. A Possible Compromise Solution.....	20
C. Reaching Agreement on a New Resolution	21
1. Finding a new tone	21
2. Working- and high-level consultations.....	22
VI. Conclusion	23
APPENDICES	
A. UN and AU Peace Operations in Africa	24
B. Key Reports, Resolutions and Statements	25
C. Acronyms	27
D. About the International Crisis Group	28
E. Crisis Group Reports and Briefings on Africa since 2017	29
F. Crisis Group Board of Trustees	31

Principal Findings

What's new? Attempts to reach agreement upon a UN Security Council resolution on using UN assessed contributions to co-finance African Union (AU) peace support operations have ended acrimoniously, damaging relations between the Council and the AU Peace and Security Council. Discussions are now on hold, offering the parties an opportunity to clarify positions.

Why does it matter? Access to UN financing offers the hope of predictable and sustainable funding for vital AU peace operations, whose offensive mandates are often better suited to current conflict dynamics in Africa. An AU summit in February 2020 could determine if and how the proposal is pursued.

What should be done? The UN and AU should pursue a compromise. It could involve agreeing to treat AU troop contributions as in-kind payment, creating a joint mechanism for monitoring human rights compliance, and stipulating that a commander reporting to both institutions will lead co-financed missions.

Executive Summary

A proposal to use UN assessed contributions as a means of providing sustainable and predictable financing for African Union (AU) peace support operations is perhaps the most contentious issue facing the two institutions. The Security Council's attempts to agree on a resolution that would see a 25:75 funding split between the AU and UN for Council-authorized AU-led missions ended acrimoniously, threatening to taint relations with its AU counterpart, the Peace and Security Council (PSC). Central to the dispute are doubts about the AU's ability to pay its share. Discussions are on hold until African leaders meet in February 2020 to decide if and how the AU will meet its obligation. The timeout presents a much needed opportunity for the AU to clarify key positions. UN member states need to do the same. They should then come back together and make the necessary compromises to get the proposal off the ground – an outcome that would serve both institutions and their common goals of conflict prevention, mitigation and resolution in Africa.

Since its founding in 2002, the AU has assumed greater responsibility for maintaining peace and security in Africa, including through peace support operations. Its ability and willingness to mount counter-terrorism and peace enforcement missions to help stabilise African countries confronting grave violence have become increasingly important in the face of rapidly changing conflict dynamics, especially given that such operations fall outside the scope of traditional UN peacekeeping. Resources, however, have been a challenge for Addis Ababa, which has generally needed to seek them on an ad hoc basis from non-UN donors or quickly shift missions wholesale to the UN, as it did in the cases of Mali (2013) and the Central African Republic (2014). Against this backdrop, the AU has repeatedly called on the UN to share the financial burden of its operations in support of peace and security on the continent.

The AU first sought the use of UN assessed contributions in 2007 for its mission in Sudan, which was on the verge of collapse due to a funding shortage. The idea eventually gained traction in 2015, after an internal AU decision cleared the way for negotiations over a proposal under which the AU would pay 25 per cent of the costs of Security Council-authorized missions and the UN would cover the rest through assessed contributions.

Those negotiations have since foundered, however, on three main issues. First, the parties have been unable to reach a clear understanding of how the 25:75 split will work in practice, especially regarding the AU's ability to meet its financial obligations. Secondly, Security Council members continue to question whether AU missions financed through UN assessed contributions would comply with both international human rights law and the UN's financial transparency and accountability standards. Finally, there are disputes about which institution should have overall force command. These issues are particularly important to the U.S. and the UK, which have indicated that they are unlikely to support the proposal until these problems have been resolved to their satisfaction.

The AU has made progress on a number of fronts. It has taken significant steps to ensure that the long dormant Peace Fund (the mechanism through which it plans to finance its 25 per cent) will soon be operational by requiring mandatory member

states' contributions and introducing a sanctions regime to deter and penalise defaulters. As a result, for the first time in its 27-year history, the fund has an endowment of over \$100 million (\$131 million), though it is still well short of its \$400 million annual target.

The AU has also made advances on human rights compliance, drawing up a code of conduct, developing disciplinary processes and beginning to roll them out in existing missions. While some Security Council members think these advances do not go far enough, a lack of clear benchmarks for what constitutes sufficient progress has left many AU member states and officials feeling that the goal posts are continually shifting.

Negotiations between the Peace and Security Council (PSC) and the Security Council have been deeply divisive since late 2018, when Ethiopia tried to secure a resolution that would have made the in-principle decision to use assessed contributions for UN-authorized AU-led peace support operations. The U.S. threatened to veto the resolution on the grounds that the AU had not met the Council's conditions on key contentious issues relating to funding, human rights compliance and financial governance. Efforts by French diplomats to broker a compromise split the consensus among the Council's three African members (known as the A3). The majority of African states rejected the French initiative, leaving all sides angry and frustrated.

South African attempts to revive discussions in July 2019 fared no better. In concentrating efforts on securing U.S. buy-in to a new draft resolution, South Africa and the other A3 members failed to consult sufficiently with the PSC in Addis Ababa. Discussions at the AU had moved on, with some member states asking whether the Peace Fund would be best used to co-finance peace support missions with the UN or whether it should be spent principally on mediation and prevention. Some also questioned whether the AU should provide the full 25 per cent and suggested that the provision of troops be considered an in-kind contribution. Faced with these divisions and a draft that did not (and could not) address them, the PSC eventually pressed pause on the proceedings in order to give African leaders time to formulate a common position.

These developments have caused considerable consternation at the Security Council, with some members feeling that the AU is backtracking on its promise. To preserve inter-council relations, however, it is better to surface misunderstandings and misgivings now, before an arrangement is put in place, than to proceed with a deal that lacks key AU member support and therefore is likely both to fail and continue to cause friction. AU leaders should review the arrangement's key elements, including the implications of meeting the 25 per cent commitment and the tradeoffs that could be involved (including that priorities like mediation and prevention may receive less funding). The Security Council's member states ought in parallel to consider their own bottom lines, and whether they really want this deal to happen.

They should. Both the AU and the UN have hit the limits of what they can do on their own with their current tools for promoting peace and security in Africa, but together they have a fighting chance of breaking through those barriers. In the event that member states in both Addis Ababa and New York decide they want to get a deal done, the contours are not hard to imagine: the parties could negotiate a compromise that allows the AU to treat troop contributions as an in-kind payment toward the 25:75 burden sharing formula, recognises that some information about human

rights compliance cannot be gathered until missions are under way, relies on the UN Fifth Committee to police financial governance, and expects force commanders to report to both organisations.

Such a deal is hardly perfect from either the UN or AU perspective, but the alternative would be to continue living with ad hoc arrangements that risk leaving critical peace and security needs in the continent unmet. That would be a bad result for regional stability and an unfortunate harbinger for UN-AU cooperation. There is a better way forward. The parties should summon the will to take it.

Addis Ababa/New York/Brussels, 31 January 2020

The Price of Peace: Securing UN Financing for AU Peace Operations

I. Introduction

Since the African Union's (AU) founding in 2002, African countries have collectively taken on more responsibility for maintaining continental peace and security. As well as undertaking efforts to prevent and mediate conflict across Africa (most recently in the Central African Republic and Sudan), the AU has deployed troops in what it terms "peace support operations" in Darfur, Somalia, Central African Republic and Mali, among other places. Many of these missions have been conducted either in partnership with the UN or as a precursor to UN intervention.¹

Despite longstanding tensions over which organisation should take the lead in operations of this kind, both institutions increasingly appear to recognise that neither can go it alone and that each has distinct contributions to make. The growing influence of armed non-state actors (including jihadist and other groups) means that many continental crises require responses that fall outside the scope of traditional UN peacekeeping, most importantly because the missions must be willing and able to engage in offensive operations.

In the face of these changing conflict dynamics, the AU's strengths – its ability to deploy rapidly and deliver stabilisation or counter-terrorism operations – have become especially valuable. But while the AU is willing to mount interventions in the interests of peace and security in Africa, it does not by itself have the resources to sustain them. Unlike the UN, it does not possess the requisite funding stream or the logistical and administrative systems to back up multiple long-running missions. Nor can it draw on non-African states when needed for military personnel and equipment.²

This lack of fiscal means prompted the AU to look for ways to ensure more predictable and sustainable funding for its peace support operations from the UN. While

¹ Although Chapter VII of its Charter allows the UN to mandate armed interventions in the service of peace enforcement, its peacekeeping operations are specifically differentiated. Whereas peace enforcement conducted under a Chapter VII mandate adopted by the Security Council allows use of force at the strategic or international level and does not require the consent of the main parties, even robust peacekeeping operations (which can also have Chapter VII mandates) is limited to use of force at the tactical level and must have the host nation's consent. AU peace support operations often aim to enforce peace, not just maintain it; they may be conducted consensually, under a Chapter VII mandate, or in certain cases, under Article 4(h) of the AU Constitutive Act, which permits humanitarian intervention to address atrocities without consent of the territorial sovereign. "Principles of Peacekeeping", UN Peacekeeping (peacekeeping.un.org). "Chapter VII of The Charter of the United Nations", United Nations, 1945. "Policy Framework for the Establishment of the African Standby Force and the Military Staff Committee", AU Exp/ASF-MSC/2 (1), 15-16 May 2003.

² The UN peacekeeping budget for 1 July 2019 to 30 June 2020 is \$6.5 billion. The AU's peace support operations budget for the year 2020 is \$273.1 million of its total budget of \$647.3 million. "Approved resources for peacekeeping operations from the period 1 July 2019 to 30 June 2020", UN General Assembly A/C.5/73/21, 3 July 2019; "Financing the Union", AU monthly bulletin, July 2019.

the idea has supporters and detractors in both institutions, the AU has repeatedly favoured the creation of an arrangement for the UN to fund AU missions through UN assessed contributions, which are obligatory payments from member states to the UN roughly correlated with the states' economic weight. Although the proposal is motivated in part by need, the AU also argues that its interventions on the continent are in service of collective global security, that it is therefore acting on behalf of the UN Security Council, and that the UN should accordingly share the financial burden.³

The AU's first official call for the use of UN assessed contributions came in January 2007 with a plea for direct support for its Mission in Sudan (AMIS), which was about to break down because the AU could not afford to pay troop salaries.⁴ The UN and AU decided that July to make AMIS an AU-UN hybrid mission (UNAMID), but the Security Council also became seized of the broader AU financing issue. In April 2008, under South Africa's presidency, it passed a resolution recognising that the absence of "predictable, sustainable and flexible resources" prevented the AU from fulfilling its peace and security mandate, and backed the Secretary-General's proposal for a joint AU-UN panel, led by former Italian prime minister Romano Prodi, to consider how the UN could support AU peace operations.⁵

The panel submitted its findings in December 2008, acknowledging that the AU had been left to bear the brunt of the initial response to crises on the continent. Its recommendations included the use of UN assessed contributions on a case-by-case basis for up to six months for AU peace operations authorised by the Security Council – a partial validation of the AU's request.⁶

A decade of delay followed. Hours of debates were held in both Addis Ababa and New York, and the AU and UN issued a steady stream of reports, communiqués, declarations and resolutions, but the two sides made only halting progress toward an agreement to use UN assessed contributions for AU peace operations. Despite acknowledging the AU's contribution to maintaining international peace and security, accepting its comparative advantages (quick response and greater enforcement capabilities) and affirming its need for "predictable, sustainable and flexible financing", the Security Council – in particular the U.S. and UK – have been reluctant to reach an agreement in principle on UN funding. Moreover, as negotiations have

³ Paragraph 6(i) and 6(ii), "Common African Position on the UN Review of Peace Operations", AU PSC/PR/2(DII), 29 April 2015.

⁴ "Decision on the activities of the Peace and Security Council of the AU and the state of peace and security in Africa", Assembly/AU/Dec.145 (VIII), January 2007. Discussions were already under way on a UN logistical support package to AMIS following a Peace and Security Council (PSC) request in November 2006. "Communique: 66th meeting of the Peace and Security Council on the situation in Darfur (The Sudan)", PSC/AHG/Comm (LXVI), 30 November 2006. "Report of the UN Secretary-General on the Sudan", UNSCR 1769, 31 July 2007.

⁵ The Council didn't specifically reference assessed contributions, but called on the panel "to consider in depth the modalities of ... start-up funding, equipment and logistics and to consider in-depth lessons from past and current African Union peacekeeping efforts". "Peace and Security in Africa", UNSCR 1809, 16 April 2008. "Comprehensive review of the whole question of peacekeeping operations in all their aspects", UN General Assembly A/63/666-S/2008/813, 31.

⁶ The Prodi panel also recommended a voluntary multi-donor trust fund on capacity building for conflict prevention and resolution and institution building. "Comprehensive review of the whole question of peacekeeping operations in all their aspects", op. cit.

intensified, some AU member states have expressed misgivings about the contours of the deal under discussion as well. Still, the reasons that drove the AU to look to assessed contributions for support have not abated since 2007; the need for peace support operations in the continent – from Somalia to the Lake Chad basin – continues to outstrip Africa’s capacity to finance them.

This report sets out recent developments in the debate on the use of UN assessed contributions to finance AU peace operations, examining ill-tempered negotiations at the Security Council and PSC in 2018 and 2019 that have led to an impasse. It analyses the principal barriers to agreement and suggests next steps as the parties seek to break the deadlock. The report is based on extensive interviews during 2018 and 2019 in Addis Ababa, New York, Brussels, London and Washington, with UN and AU officials, as well as with diplomats and government representatives from both institutions’ member states. It is a companion piece to Crisis Group’s 24 June 2019 report, *A Tale of Two Councils: Strengthening AU-UN Cooperation*.⁷

⁷ Crisis Group Africa Report N°279, *A Tale of Two Councils: Strengthening AU-UN Cooperation*, 24 June 2019.

II. Halting Progress

Throughout the AU and UN's decade-plus consideration of the use of UN assessed contributions for AU peace support operations, a key concern for some UN Security Council members has been the additional cost involved in funding AU missions and the potential precedent creating such a mechanism could set for other regional bodies. They have also been conscious of the reputational and political risks of supporting these operations absent steps to address deficiencies in the AU's human rights compliance and financial governance. To ease these and other worries, the Council set out a series of conditions that the AU would have to fulfil before dipping into assessed contributions: first, more stringent human rights compliance frameworks for its peace operations; secondly, improved financial management and accountability; and finally, increased funding from within the continent.

The first real signs of progress came in 2015. In an effort to ease the AU's reliance on donor support, African leaders decided at their summit in January to move toward self-financing 25 per cent of the organisation's peace and security activities by 2020.⁸ This decision set the stage for a funding split in which the UN would pick up 75 per cent of the cost of Security Council-authorized AU missions and the AU would pay the balance.⁹ The U.S., which had been wrestling with how to ensure a reliable funding stream for the Multinational Joint Task Force (MNJTF) combating Boko Haram in the Lake Chad region, was intrigued by the prospect.¹⁰ At roughly the same time, the UN was wrapping up a comprehensive review of UN peace operations that in June 2015 recommended strengthening the organisation's regional partnerships, especially that with the AU.¹¹

Against this backdrop, the AU and the UN undertook a joint review in 2016 to assess possible funding models.¹² Based in part on this review, which underscored the need for the UN to help the AU address challenges with respect to the predictability and sustainability of funding for its operations, the Security Council, in November

⁸ In January 2015, the AU Assembly issued a "Declaration on Self-Reliance" under which member states agreed to fund 100 per cent of the AU's operating budget, 75 per cent of the program budget, and 25 per cent of peace and security operations through AU member state assessed contributions. Assembly/AU/Dec.561(XXIV). The Assembly reaffirmed this commitment at its summit in July of that year. "Decision on the budget of the AU for the 2016 financial year", AU Assembly, Assembly/AU/Dec.577(XXV), 14-15 June 2015; "Decision on the scale of assessment and alternative sources of financing the African Union", AU Assembly, Assembly/AU/Dec.578(XXV), 14-15 June 2015.

⁹ Cedric de Coning, "Can the AU finance its own peace operations, and if so, what would the impact be?", in Emma Birikorang, Frank Okyere and Kwesi Aning, eds., *Annual Report of African Peace Operations 2017*, Kofi Annan International Peacekeeping Training Centre, 2016, p. 83.

¹⁰ Crisis Group interview, former Obama administration official, January 2020.

¹¹ "Report of the High-level Independent Panel on Peace Operations on Uniting our Strength for Peace: Politics, Partnership and People", Security Council report, A/70/95-S/2015/446, 16 June 2015. In this report, Ban Ki-moon emphasised the necessity of "partnership peacekeeping", in which multiple multilateral organisations collaborate. He had previously highlighted this concept in "Partnering for peace: moving towards partnership peacekeeping", UN report of the Secretary-General, A/70/95-S/2015/446, 1 April 2015.

¹² "Report of the joint African Union-United Nations review of available mechanisms to finance and support African Union peace support operations authorized by the United Nations Security Council", AU/UN A/71/410-S/2016/809, 28 September 2016.

2016, passed a resolution on strengthening the UN-AU partnership in peace and security. For the first time, the Security Council indicated – without expressly stating it – its readiness to consider the use of assessed contributions for AU peace support operations.¹³ The resolution also commissioned a further report, presented in May 2017, in which the Secretary-General set out four possible financing mechanisms to support AU peace operations.¹⁴

Capitalising on these developments, the AU pressed the Council to move toward adopting a substantive resolution that would establish an in-principle commitment to fund AU peace support operations approved by the Council on a case-by-case basis through UN assessed contributions. But the Council refrained from doing so, discouraged by the U.S.¹⁵ Instead, in September 2017, it took a small step further, pledging to review the practical steps and conditions needed to establish a funding mechanism, and steering well clear of any kind of firm commitment.¹⁶ Since then, African Security Council members have put considerable effort into advancing the proposal in New York, but they have made little if any progress.

¹³ It is worth noting that the resolution does not explicitly mention assessed contributions, stating instead the Council's "readiness to consider the proposals of the AU". "Welcoming cost-sharing proposal between the UN and AU", UNSC resolution 2320, 18 November 2016.

¹⁴ The four options are: subvention (a direct grant of UN funds in an exceptional or emergency situation); joint financing of a jointly developed budget (a first for the UN); assistance through a UN support office similar to the model used to assist AMISOM; and finally the joint financing of a hybrid mission managed by the UN, like the joint AU-UN mission in Darfur (UNAMID).

¹⁵ Nikki Haley, then U.S. Permanent Representative to the UN, noted earlier in 2017 that "before considering moving forward on any framework resolution with regard to financial support through the United Nations, we will look for implementation and concrete results from the AU's own benchmarks and timelines". See "AU-UN Cooperation", Security Council Report, 30 June 2017.

¹⁶ The Security Council adopted resolution 2378 (S/RES/2378) at its 8051st meeting on 20 September 2017. "We wanted a solid commitment that the Security Council will finance. In the past, they were expressing principles", said an African diplomat. Crisis Group interview, Addis Ababa, 30 July 2019.

III. Deadlock and Division

A. *The December 2018 Impasse*

Talks between the Security Council and the PSC on the financing proposal reached an impasse in December 2018 following ill-tempered deliberations on a potential Council resolution giving the go-ahead for UN funding. The situation came to a head after Ethiopia, which had placed particular emphasis on strengthening AU-UN relations during its Security Council term (2017-2018), stepped up efforts to adopt a resolution that would reflect an affirmative in-principle decision on the use of assessed contributions for AU peace support operations to be approved by the Security Council on a case-by-case basis. In September 2018, it began deliberations on a draft resolution to be tabled in December that year, during Côte d'Ivoire's presidency and Ethiopia's final month on the Council. The ensuing resolution was sponsored by all the states occupying the three rotational African seats on the Council (also known as the A3 – then Côte d'Ivoire, Equatorial Guinea and Ethiopia); it also garnered the support of the AU PSC and more than 80 UN member states.¹⁷

The A3, led by Ethiopia, worked hard to address the main reservations of other Security Council members, in particular those of the U.S. and the UK, at the same time as trying to balance PSC concerns.¹⁸ The draft resolution recognised Security Council primacy in the maintenance of international peace and security (a key concern for the Council's five permanent members). It also affirmed that the Council would retain responsibility for oversight of any AU-led peace operations it authorised and funded, while also safeguarding a significant troop command role for the AU (a prerequisite for the PSC).

In order to allay Security Council members' fears about AU financial management and accountability, the resolution stated that the UN General Assembly would scrutinise and approve the budgets for the missions to be covered and that the AU and UN would undertake joint performance reviews. In seeking to dispel worries about AU compliance with human rights and humanitarian law, the resolution reiterated the need for the AU to put in place a robust compliance framework to "prevent, investigate and address" violations and abuses. To prevent an immediate draw on UN resources, the A3 accepted that assessed contributions would be used only for *future* missions. Finally, to reassure the Council that there would be accountability in Addis Ababa for mission governance, they accepted that the mechanism would apply only to missions *led*, not merely mandated, by the AU.

The first of these two requirements would place pre-existing missions such as the AU-led mission in Somalia, AMISOM, outside the scope of UN funding. Operations like the Multinational Joint Task Force (MNJTF) combating Boko Haram in the Lake

¹⁷ The A3 briefed the PSC on 3 December, following which the council members approved the draft resolution and issued a statement calling on the Security Council to adopt it in December 2018. AU PSC press statement, PSC/PR/BR.(DCCXIV), 3 December 2018. "PSC Program of Work for February 2019", Amani Africa – Insights on the PSC, 31 January 2019. "Briefing on Sustainable Financing of African Peace & Security Agenda Under the UN Charter", Amani Africa – Insights on the PSC, 18 September 2019. "Draft Resolution on Financing the AU Peace Support Operations", UNSC S/2018/1093 Provisional, 19 December 2018.

¹⁸ Crisis Group interview, U.S. diplomat, New York, January 2019.

Chad basin and the G5 Sahel Joint Force would also be disqualified because they are coalitions of the willing authorised by the AU but without AU leadership.

The U.S. – which had shown increasing misgivings about the mechanism, particularly after its proponents in the Obama administration left office – was slow to react to the proposal. Its mission in New York struggled to get clear instructions from Washington.¹⁹ Ultimately, the U.S. threatened to veto the resolution both on substantive grounds and because it argued that the incoming Congress would need to be consulted before a decision on financing could be approved.²⁰

African diplomats were not convinced by the latter explanation, arguing that the draft did not actually entail any immediate financial commitments.²¹ Moreover, having already accommodated a number of U.S. concerns, the AU PSC and some A3 members were reluctant to make further changes to the draft even though a U.S. veto risked making agreement impossible for the remainder of the Trump administration, as the White House would be unlikely to reverse its position.²²

The threatened U.S. veto was not the only source of confusion. An informal briefing to the Security Council on 6 December by Dr Donald Kaberuka, the AU's High Representative for the Peace Fund (the mechanism that, as discussed below, the AU intends to use to provide its portion of the co-financing) caused further disquiet among diplomats in attendance. Negotiations around the draft resolution had proceeded on the basis that the AU would pay 25 per cent of the cost of any Security Council-authorized mission to benefit from the arrangement, and the UN would provide the rest. But, for reasons detailed below, Kaberuka explained that the AU also intended for the Peace Fund to cover the organisation's conflict prevention and mediation activities. This news came as a shock to some Council diplomats, who had been under the erroneous impression that the fund would be dedicated solely to peace support operations. They worried that it would not be able to support all of these activities and that the 25:75 deal could suffer as a result.²³

These concerns were amplified by suggestions during the meeting that the AU would not necessarily furnish the full 25 per cent and that the use of African troops could perhaps be counted as an in-kind contribution toward its commitment.

In an attempt to end the standoff between the U.S. and the A3, France, which had been a strong proponent of the original draft, worked bilaterally with the U.S. on an

¹⁹ Crisis Group interview, UN diplomats, New York, January 2019.

²⁰ Crisis Group interview, Security Council diplomat, New York, August 2019.

²¹ "8407th meeting of the UNSC on Peace and Security in Africa", UNSC S/PV.8407, 20 November. Crisis Group interview, Security Council diplomat, New York, 30 November 2018. "The text in blue had accommodated at least half of the U.S.'s red lines", a UN official told Crisis Group. "Negotiations were one way. The U.S. did not make any concessions or compromise so it was difficult for the A3". Crisis Group interview, UN official, New York, 21 February 2019.

²² "The AU and the A3 thought the U.S. was bluffing. They didn't realise how serious the U.S. was", a Security Council diplomat told Crisis Group. Some AU members, however, in particular Ethiopia, acknowledged that although a veto was likely, they were prepared to force the U.S.'s hand regardless. Crisis Group interviews, Security Council diplomat, New York, December 2018; African diplomats, Addis Ababa, March 2019.

²³ Crisis Group interviews, Security Council diplomats, New York, January 2019.

alternative text.²⁴ The resulting draft deferred a decision on the use of UN assessed contributions until late 2019 and made it dependent on the Secretary-General's assessment of "the AU's efforts and progress to strengthen financing, human rights protections, accountability, transparency, performance, and conduct and discipline standards, and compliance with applicable international law ... across its peace support operations" – all key areas of concern for the U.S. and some other Council members. Given António Guterres' strong and vocal support for UN financing of AU peace operations, there was reason to welcome him as an evaluator.²⁵

Although a number of African member states (including A3 members Ethiopia and Equatorial Guinea) felt that the compromise text did not represent a sufficient advance on previous Security Council resolutions and refused to endorse it, Côte d'Ivoire sought to push it through without the consent of the other A3 members.²⁶ Ethiopia and the rest of the Africa Group (a bloc of all 54 African UN member states) put their weight behind the original draft, which they said represented the common African position. Some African diplomats saw the Ivorian manoeuvre, which was supported by the AU Commission Chairperson Moussa Faki in order to avoid a U.S. veto, as a betrayal.²⁷ They blamed the French for pressuring Abidjan and Faki's office for breaking ranks.²⁸ Momentum waned as Christmas approached and, in the end, neither resolution was put to a vote.²⁹

The 2018 negotiations damaged relations between the Security Council and the PSC. The discussions were not always respectful, leaving both sides angry and frustrated. One senior AU official told Crisis Group: "This has been a very insulting dis-

²⁴ France had initially been sceptical about using assessed contributions to fund AU peace operations. Paris changed its position, following its failed attempt to secure UN financing for the G5 Sahel Joint Force in 2017, and became one of the Council's most vocal supporters of the proposal even though, in its most recent form, and as noted above, the proposal would not cover AU-mandated missions like the G5 Sahel force unless they were AU-led.

²⁵ "The U.S. realised how badly their position was being received so they were ready to make concessions", a Security Council diplomat said. Crisis Group interviews, Security Council diplomats, New York, December 2018 and January 2019. Draft UNSC resolution sponsored by Côte d'Ivoire, seen by Crisis Group, 20 December 2018.

²⁶ "The compromise text wasn't a compromise ... [it] was a non-starter for us. It was taking us back to 2017, no added value", said an African diplomat. Crisis Group interview, Addis Ababa, 30 July 2019.

²⁷ Crisis Group interview, AU officials, Addis Ababa, March 2019.

²⁸ France, which fully backed the original resolution and intervened as an "honest broker" to prevent the U.S. veto, probably fared the worst as it was perceived by many African diplomats and officials as drafting the alternative text behind the A3's back and forcing the Ivorians to table it. The fiasco also soured relations between the PSC and the AU Commission Chairperson and his office, as they advocated supporting the alternative draft in order to avoid a veto. Crisis Group interviews, African and Western diplomats and UN and AU officials, Addis Ababa, March and July 2019; New York, February and June 2019.

²⁹ The matter was referred back to the PSC, which asked the AU Commission to submit a report outlining the challenges faced during the negotiation of the draft resolution. The PSC was due to consider the report on 9 January 2019, but the meeting was postponed to 27 February. In the end, it did not take place. Peace and Security Council 814th meeting, AU PSC press statement, AU/PSC/PR/BR.(DCCXIV), 3 December 2018; "Vote on Draft Resolution on the Financing of AU Peace Support Operations", What's in Blue, 18 December 2018; "PSC Program of Work for February 2019", Amani Africa, Insights on the PSC, 31 January 2019.

cussion that does not speak to partnership”.³⁰ A Security Council diplomat, referring to the late-breaking suggestion that the AU might not be willing to cover its 25 per cent funding share, said, “The A3’s tactics have been laughable. The tactics have been to scam us”.³¹ The bad blood created by the negotiations contributed to friction between the A3 and the rest of the Council as it sought, in the first half of 2019, to address disagreements over the handling of African crises – in particular the upsurge of violence in Libya and Sudan’s political turmoil.³²

B. *The Impasse Deepens*

Following a six-month hiatus, South Africa, which replaced Ethiopia on the Security Council at the start of 2019, resumed discussions on the use of assessed contributions, linking efforts to its preparations to chair the Council in October that year. In order to avoid a repeat of the deeply divisive negotiations in late 2018, South African diplomats in New York worked closely with their American counterparts to develop an understanding of their positions and red lines. Recognising that lobbying U.S. officials in New York alone would be insufficient for progress, South Africa’s ambassador to the UN, Jerry Matjila, led an A3 delegation to Washington in July 2019.³³

In meetings with officials from the State Department and National Security Council, as well as several members of Congress from both the Democratic and Republican parties, the A3 sought to temper U.S. concerns about the AU’s human rights compliance and financial accountability. The ambassadors offered an optimistic reading of the meetings, leaving with the sense that Washington was ready to discuss a new resolution, while U.S. officials downplayed the impact of the visit.³⁴

South Africa then began work on a new text in close consultation with U.S. diplomats, who were appreciative of efforts to secure their buy-in. Drawing heavily on language from both drafts from late 2018, the new resolution clearly outlined that UN contributions to Council-approved, AU-led peace support operations would be capped at 75 per cent and that the AU would cover the remaining 25 per cent of the overall cost of each operation, either alone or with donor assistance. It also gave the Security Council responsibility for “oversight, accountability, planning, development, mandating and reporting” of any mission, leaving the AU with control only over “operational details”.³⁵

The effort foundered for several reasons. Chief among them was a lack of internal consultation; although the A3 consulted the AU mission in New York, they did not

³⁰ Crisis Group interviews, AU officials, Addis Ababa, 14-15 March 2019.

³¹ Crisis Group interview, Security Council diplomat, New York, 19 December 2018.

³² See Crisis Group Report, *A Tale of Two Councils*, op. cit., p. 4.

³³ The visit was the first of its kind and represented a creative application of the A3’s new effort to engage in collective diplomacy. In the same vein, a month prior, the A3 had taken a unified position in support of the AU PSC’s June 2019 decision to suspend Sudan until the establishment of a civilian-led transitional authority. In the process, the A3 also held, for the first time, a joint press conference to urge other Security Council members to support the PSC’s move. For more, see Crisis Group Report, *A Tale of Two Councils*, op. cit.

³⁴ Crisis Group phone interview, A3 diplomat, Brussels and New York, July 2019.

³⁵ Undated draft Security Council resolution, seen by Crisis Group in October 2019. Crisis Group interviews, Security Council diplomats, New York, October 2019.

do the same with officials and member states in Addis Ababa.³⁶ Even a cursory survey of the latter would have revealed that the PSC would find it difficult to countenance this division of labour, which could only feed growing concerns that the arrangement would reduce the AU's role in managing crises to operations on the ground, robbing it of a say in larger political decisions.³⁷ The A3 also appeared to be unaware of hardening positions among major AU member states (Egypt and Nigeria among them), which argued that the AU had met the financial and other conditions needed to unlock UN funding and were reluctant to make any further concessions.³⁸ They may also have been oblivious to the growing divergences in perspective over the use of the Peace Fund (some in Addis had begun to question whether it should even be used for peace support operations) and the implications of the AU's pledge to fund 25 per cent of its peace and security operations.

The A3 were surprised, therefore, when in September the PSC, following a review of the draft resolution by its Committee of Experts, called for postponement of the draft's submission to the Security Council.³⁹ The purpose of the postponement was to allow AU heads of state, at their summit in February 2020, to develop a common understanding of what the 25 per cent commitment means in practical terms for the AU.⁴⁰

The PSC's decision to suspend deliberations in New York in order to find a common continental position on the use of assessed contributions is understandable and advisable, but some Security Council diplomats see it as justifying their mistrust of the AU and that body's willingness to pay a 25 per cent share of the costs of UN-authorized peace operations.⁴¹ The mistrust deepened following an ill-tempered meeting between diplomats from the two councils in New York at the start of October, in which A3 and PSC representatives had a heated exchange in front of non-African counterparts over the PSC's decision not to support the new draft resolution.⁴² This episode underscored how far apart African positions are. Sceptical Security Council members may try to exploit these divisions in future efforts to restart the debate.

³⁶ Crisis Group spoke to diplomats from a number of PSC member states in Addis Ababa at the end of July and the beginning of August and they were unaware that the A3 were working on a new draft Security Council resolution. Crisis Group interview, UN officials, Addis Ababa, November 2019.

³⁷ Crisis Group correspondence, Security Council diplomat, New York, October 2019. Crisis Group interview, African government official, Addis Ababa, 5 November 2019.

³⁸ "[W]e have already made all the obligations to pass this draft. We have sorted the Peace Fund, secured a large amount of the budget", said an African diplomat. "As Africans we can't do any more. ... We don't have to keep giving concessions for one country to give their approval". Crisis Group interview, African diplomat, 2 August 2019.

³⁹ Letter from Chairperson of the African Union Peace and Security Council of September 2019 to the Permanent Representative of the Republic of Côte d'Ivoire and Coordinator of the African Members of the UN Security Council (A3), dated 19 September 2019, seen by Crisis Group in October 2019. Crisis Group interview, African diplomat, New York, October 2019.

⁴⁰ "Insights on the Peace and Security Council: Briefing on Sustainable financing of African Peace & Security Agenda under the UN Charter", Amani Africa, 18 September 2019. Unpublished letter, seen by Crisis Group, from the Chairperson of the Peace and Security Council of the African Union to the Permanent Representative of the Republic of Côte d'Ivoire and Coordinator of the African Members of the UN Security Council (A3), 19 September 2019.

⁴¹ Crisis Group interviews, Security Council diplomats, New York, January 2019.

⁴² Crisis Group interviews, Security Council diplomats, UN and AU officials, New York, October 2019.

IV. Barriers to Using Assessed Contributions

Before the two institutions can reach agreement on the use of UN assessed contributions, they will need to resolve open issues in three areas of contention. First, they need a clear understanding of what the AU will be willing and able to pay under the 25:75 financial split, as well as how the AU wishes to approach certain key technical issues in practice; secondly, they need to know what Security Council members will require to satisfy their concerns about the AU's ability to comply with international human rights and humanitarian law, as well as the UN's financial transparency and accountability regimens; and, finally, they need to decide which institution will have overall command and control of the troops.

A. *Burden Sharing*

1. The case for UN funding

As noted, the impetus behind the AU's push for the use of UN assessed contributions has been to ensure more predictable and sustainable funding for its peace support operations. In recent years, interventions in Mali (2013) and Central African Republic (CAR) (2014) almost bankrupted the AU Commission, according to one senior AU official.⁴³ Consequently, the Security Council took them over and recast them as UN missions at considerable cost. UN diplomats believe that UN missions, with their sprawling mandates and overhead costs, are more expensive than narrowly focused AU missions.⁴⁴ (It is unclear, however, whether they base this belief on hard data or anecdotal evidence.) The AU is also willing to take on tasks (including more hazardous offensive and counter-terrorism operations) that are generally beyond the reach of traditional UN peacekeeping.⁴⁵ Proponents of co-funding hope that it will create a framework that allows AU missions to address challenges typically outside the UN's remit at a reduced cost, while ensuring that there is a steady and reliable source of funding to keep them going.

Still, the Security Council is not yet fully convinced that the mechanism will generate savings. Some members – especially the U.S. and UK – are concerned about the possibility that the use of UN assessed contributions for AU peace operations will inevitably expand the UN peacekeeping budget, incurring additional costs for their governments. UN members already pay over \$6 billion per year to cover the organisation's existing blue helmet operations, and major financial contributors, notably the U.S., have pushed hard for savings that paying for AU missions could reverse.

⁴³ Crisis Group interview, senior AU official, Addis Ababa, March 2019.

⁴⁴ "African operations are cheaper because these operations only have one focus – fighting armed groups, for example. There is no civilian or reconstruction mandate", a Western diplomat said. Crisis Group interviews, AU and UN officials and Western diplomats, Addis Ababa, January and March 2019; New York, January 2019.

⁴⁵ "We cannot do CT [counter terrorism]. PoC [the protection of civilians] in the service of political solutions is very different from prevailing against [a] military offensively. That's why we need to support these initiatives", a senior UN official said. Crisis Group interview, New York, December 2018. "The AU is willing to send missions where the UN is not willing", said one Western diplomat. "The AU is willing to pay the price of blood. For the UN, it's not possible". Crisis Group interview, Addis Ababa, January 2019.

Some Security Council members also suspect that funding AU missions would eventually set a precedent for other regional bodies to call for UN funding for their operations, although this is not an immediate prospect.⁴⁶ These concerns come on top of the aforementioned doubts about the AU's ability and willingness to consistently pay their share of mission costs, and that UN financial contributors will be left with the entire bill.

2. The 25:75 financial split

As previously detailed, the idea for a 25:75 AU-UN split emerged in 2015 following African leaders' decision to contribute more resources to the AU's operational budget, including 25 per cent of the organisation's peace and security activities.⁴⁷ It also benefited from a surge of interest by the Obama administration, and a focus on peace-keeping reform within the Office of the Secretary-General.

In order to meet the obligations it would incur under this split, the AU began taking measures to bolster the Peace Fund, which has been chronically under-resourced since its founding in 1993, never having more than a few million dollars in its coffers.⁴⁸ Donald Kaberuka, former president of the African Development Bank, was appointed AU High Representative for the fund in January 2016 and immediately began revitalising and restructuring it. Previously a voluntary mechanism, member states are now obligated to contribute to the fund based on the scale of assessment used to calculate contributions to the general budget, with sanctions imposable on countries in arrears.⁴⁹ Contributions to the fund are expected to generate \$400 million per annum by 2023 (originally 2020). In November 2019, the fund stood at \$131 million, an amount still considerably short of its potential, but by far the largest it has accumulated in its 27-year history.

⁴⁶ Crisis Group interview, Security Council diplomat, New York, 28 January 2020.

⁴⁷ See "Decision on the Report of Alternative Sources of Financing the African Union", AU assembly, Assembly/AU/Dec.561(XXIV), 30 January 2015; "Decision on the budget of the AU for the 2016 financial year", AU assembly, AU Assembly/AU/Dec.577(XXV), June 2015; "Decision on the scale of assessment and alternative sources of financing the African Union", AU assembly, AU Assembly/AU/Dec.578(XXV), 15 June 2015. See Assembly/AU/Dec.561(XXIV), Assembly/AU/Dec.577(XXV) and Assembly/AU/Dec.578(XXV).

⁴⁸ The Peace Fund was established in 1993 and it derives its legal basis from the PSC Protocol. Originally the fund was supposed to be replenished through voluntary contributions from AU member states and money derived from sanctions imposed for arrears on non-payment of assessed contributions. Contributions could also be accepted from other sources within Africa, including the private sector, civil society, donations from individuals, and through appropriate fundraising activities. "Decision on Alternative Sources of Financing the African Union", AU Assembly, Assembly/Dec.486(XXI), 27 May 2013; "Decision on the Scale of Assessments and Financing of the African Union", AU Assembly, AU/Dec.578(XXV), 15 June 2015; "Securing Predictable Financing for Peace in Africa", AU report, AU PSC, August 2016.

⁴⁹ The AU adopted a new sanctions regime for the non-payment of assessed contributions in November 2018. Previously, member states were classified as defaulting if they had been in arrears for two years. Now, sanctions may be applied after just six months. The new regime is graduated, with specific penalties for different levels of non-payment and relief for member states who, under certain circumstances, are unable to pay. "Decisions of the Eleventh Extraordinary Session of the AU Assembly", AU Ext/Assembly/AU/Dec.1-4(XI), 17-18 November 2018.

Contrary to a misconception held by many Security Council members, however, the fund was never designed to finance military interventions alone. It has three windows: mediation and preventive diplomacy; institutional capacity; and peace support operations; plus a small crisis reserve facility of \$50 million minimum.⁵⁰ One big concern of Security Council members is that the Peace Fund will be stretched too thin to cover 25 per cent of AU-led peace operations.⁵¹ AMISOM costs an estimated \$1.2 billion per year, meaning that the AU's portion of a comparable future mission would be \$300 million. Even if the Peace Fund's entire expected annual income of \$400 million were expended on peace support (as opposed to the \$235 million now earmarked), it would not be enough to cover the AU's portion of two AMISOM-type missions.⁵² Members are also unsure if the AU is prepared to contribute a 25 per cent share. The Council has been operating on the assumption that if the UN provided 75 per cent of an AU-led mission's cost the AU would make up the difference. There is, however, no African consensus on this point.⁵³

The original 2015 documentation committing the AU to greater financial self-sufficiency is one source of confusion. Among the summit decisions and declarations from this period, some state that the organisation was committing to fund 25 per cent of its peace support operations alone, while others reference "peace and security activities" (a broader category of interventions that includes both military missions and certain other activities like mediation and conflict prevention).⁵⁴ The latter would mean stretching scarce AU resources further than may be realistic if Addis Ababa is to meet its requirements under the 25:75 proposal.

A PSC communiqué from a September 2015 heads of state-level meeting also casts doubt on the solidity of the 25 per cent commitment. It states that the AU Commission chairperson should initiate consultations with the UN "in line with the decisions

⁵⁰ "Securing Predictable and Sustainable Financing for Peace in Africa", op. cit.

⁵¹ "There is still a big gap in the understanding of how the 25 per cent might be raised", one Western diplomat told Crisis Group. "[B]ut it's not coming from the Peace Fund because it's too small. ... The AU will have to come clean and say how they see this working". Crisis Group interview, Addis Ababa, August 2019.

⁵² "Securing Predictable and Sustainable Financing for Peace in Africa", op. cit.

⁵³ While one African diplomat told Crisis Group, "It was decided to fund at least 25 per cent of AU PSOs [peace support operations]", a senior AU official stated: "Never did we say we would pay for 25 per cent of any operation. That was not the decision". Crisis Group interviews, New York, November 2019; Addis Ababa, March 2019. Some Security Council members suggest that the divergence of views among Africans does not represent confusion but rather deliberate misinterpretation on the part of some. "It's less that it's confusion but more different spinings. In 2014, it was clear-cut, but the AU has changed some of the thinking", said a Security Council diplomat. Crisis Group interview, New York, 23 August 2019.

⁵⁴ At the January 2015 summit, in response to a 2012 report on alternative sources of financing, the AU Assembly introduced the principle that member states would "fund the peace support operations budget at 25 per cent". Six months later, leaders reiterated the commitment they made in January, however a separate decision made at the same summit muddied the waters by stating that member states would "provide 25 per cent of the Peace and Security Budget [sic]", ie, all the AU's peace and security activities including military operations. See "Decision on the report of alternative source of financing the African Union", AU Assembly/AU/Dec.561(XXIV), 30 January 2015; "Decision on the budget of the AU for the 2016 financial year", AU Assembly/AU/Dec.577(XXV), 15 June 2015; "Decision on the scale of assessment and alternative sources of financing the African Union", AU Assembly/AU/Dec.578(XXV), January 2017.

adopted by the Assembly of the Union, to resume responsibility for *up to 25%* of all AU peace and security activities, *including* peace support operations, while the other 75% of the cost of such missions would be provided by UN [sic] through assessed contributions” (emphasis added).⁵⁵

Acknowledging that internal clarity and consensus are needed, the AU PSC has decided to develop a common African position on the 25 per cent notwithstanding Security Council members’ frustration at what they see as the AU backtracking from its original commitment.⁵⁶ In particular, the AU needs to clarify what it intends the Peace Fund to cover and how the shortfall will be addressed if it fails to collect sufficient money to cover its share of the 25:75 split.⁵⁷

3. The controversial 0.2 per cent levy

African leaders initially agreed that a 0.2 per cent levy on goods imported to the continent would be used to generate \$400 million each year for the Peace Fund. But the means by which members are permitted to generate their contributions has been left flexible, as some states, especially those with larger and more developed economies, were opposed to Kaberuka’s proposed tax.⁵⁸

The U.S., which threatened to veto the A3’s draft resolution in December 2018, is also strongly against the 0.2 per cent levy, believing that it breaches World Trade Organisation (WTO) rules. While U.S. diplomats did not highlight the tariff as a significant factor in Washington’s opposition at the end of 2018, U.S. officials have indicated that it will be a bigger issue going forward.⁵⁹

If the U.S. wishes to find a way forward on co-financing, it will be important for Ambassador Kelly Craft, the U.S. Permanent Representative to the UN, to signal to Washington that resolving these issues is a priority, and press the Office of the U.S. Trade Representative to work with the UN Mission to arrive at a workaround that addresses its WTO-related concerns.

B. *Human Rights Compliance and Financial Governance*

Discussions between the two organisations on how to ensure AU troop compliance with international human rights and humanitarian law have been particularly fraught. Problems with AU mission discipline, for example during the 2014 handover to the UN in the Central African Republic, and concerns about the capabilities and history

⁵⁵ “547th Meeting of the AU PSC”, communiqué, PSC/AHG/COMM/2(DXLVII), 26 September 2015.

⁵⁶ Letter dated 19 September 2019 from Ambassador Mohamed Arrouchi, then chair of the PSC to Ambassador Kacou Houadja Léon, coordinator of the African members of the A3.

⁵⁷ For full details on the financing windows and projected budgets, see “Securing Predictable and Sustainable Financing for Peace in Africa”, op. cit.

⁵⁸ Opposition to the levy stemmed from uncertainty about which goods would be eligible for taxation, as well as the lack of necessary national legal and administrative frameworks to implement it. Further, member states were concerned about an initial proposal that the AU would retain any surplus funds raised. Some also complained about the decision-making process, arguing that it bypassed regular AU channels and lacked sufficient consultation with all member states. “Discussion Paper No. 258: Self-financing the African Union: one levy, multiple reforms”, European Centre for Development Policy Management, September 2019.

⁵⁹ Crisis Group interview, U.S. diplomats, New York, August 2019.

of the various African troop contingents deployed in UN operations have influenced the posture of Security Council members.

Although some AU officials and member states have been offended by what they see as the portrayal of African soldiers as “rapists and murderers” – with some feeling that the Council made it sound as if they care more about protecting African citizens than the AU does – Addis Ababa has worked to address concerns.⁶⁰ In particular, it has made strides toward establishing a compliance framework, putting in place comprehensive policies on conduct and discipline, as well as preventing and responding to sexual exploitation. As part of its overall efforts in this area, it has also been working with the UN Office of the High Commissioner for Human Rights (OHCHR) on troop screening for AMISOM, and is trying to carry out the new policies with the limited resources at its disposal. In addition, with EU financial support, the AU and OHCHR are developing a compliance framework for the G5 Sahel Joint Force that could be applied to any relevant UN-financed mission.

Views on the AU’s progress are mixed, however, with some diplomats and UN officials believing that the organisation has made significant headway, while others feel that the AU is overselling its achievements as part of efforts to secure support for the proposed use of UN assessed contributions.⁶¹ The U.S. and UK, in particular, are insistent that the AU must not only create policies but should apply them in existing missions before UN assessed contributions can be made available.⁶² Both are concerned about the domestic uproar that could ensue if AU troops financed by the UN were to commit abuses during their deployment.

Such suspicions rankle many at the AU who believe they have done enough to address concerns about human rights compliance. They also complain both that “the goalposts keep shifting” and that the West is holding AU troops to higher standards than UN blue helmets. They note that bilateral support offered to AU missions and African states by some Security Council members is not subject to the same strictures. They, together with a number of Western diplomats and officials, claim that the insistence on human rights compliance is, in part at least, a pretext for delaying a decision.⁶³ Such comments may, however, be too dismissive: the Security Council is focused on improving the human rights-related performance of the UN’s own missions and is unlikely to hold AU missions it is supporting to lower standards. Moreover, concerns may be greater because the more offensive missions the AU is likely

⁶⁰ “African troops deploy in UN missions, so why are they being characterised as different in AU missions?”, a senior AU official asked. Crisis Group interviews, AU officials and Western diplomats, Addis Ababa, January and March 2019.

⁶¹ Crisis Group interviews, international diplomats and EU and UN officials, Addis Ababa, Brussels and New York, January, March and July 2019.

⁶² The Trump administration sometimes puts little emphasis on human rights standards. Former U.S. Permanent Representative Nikki Haley, however, placed addressing sexual abuse by UN peacekeepers at the centre of her peacekeeping reform agenda. The issue is a long-running focus of career civil servants. Crisis Group interviews, U.S. and UK officials and diplomats, Addis Ababa, London and New York, July and August 2019.

⁶³ “The U.S. says, ‘Develop compliance first’ – this is to postpone the whole issue”, said a Western diplomat. Crisis Group interviews, African diplomats, AU officials and Western diplomats and government officials, Addis Ababa, January, March, July and August 2019.

to undertake create greater risks of harm to civilians and require different codes of conduct than traditional UN peacekeeping operations.⁶⁴

Security Council members also express concerns about the possibility of financial mismanagement and the need for transparency regarding any use of UN funds. These concerns were a major focus during negotiations in November and December 2018, and African member states sought to allay them by promising to place financial management of AU operations under the UN General Assembly's Fifth Committee, which oversees the organisation's regular and peacekeeping budgets.⁶⁵ An African diplomat told Crisis Group:

The resolution aims to have whatever the AU does be reported to the Fifth Committee. UN member states will have the authorisation to determine the budget. It will be the UN member states and the UN General Assembly which have oversight. It is not that the AU will just take the money.⁶⁶

Because the Fifth Committee oversees the use of assessed contributions for peace and security issues, there was no real alternative to this arrangement, but the AU's acquiescence at least removes a potential sticking point.

But running AU mission budgets through the Fifth Committee will not be easy: doing business there is extremely complex and time-consuming, largely relying on consensus decisions. The committee is notorious for micromanaging UN-led operations, down to the level of approving or cancelling individual civilian jobs in blue helmet missions. The Fifth Committee is also a space for horse-trading on national and regional priorities – over the division of resources between UN missions in Francophone and Anglophone countries for example – and AU operational budgets could get caught up in such broader political games. New York-based diplomats say they have talked about some of these topics, but acknowledge that there has been no robust discussion about how the Fifth Committee would handle AU operations.

C. *Command, Control and Primacy*

The question of which organisation will take the operational and political lead on AU missions funded through UN assessed contributions is also highly contentious. Ideally, the AU would like full control. Its experience in Somalia, where the UN provides logistical support and policy advice to AMISOM, the AU's peace enforcement mission has made it wary. AU officials complain that the UN has tried to usurp control of the mission and block the AU's participation in the mission's political work.⁶⁷

⁶⁴ Crisis Group interview, UN official, New York, January 2020.

⁶⁵ Crisis Group interview, New York, November 2018. The Fifth Committee is one of six General Assembly main committees and is responsible for all UN administrative and budgetary matters. It decides and approves the organisation's budget, including for peacekeeping operations over which it has considerable influence. For example, though it cannot change the maximum number of uniformed personnel authorised for a mission, it can limit funding for the troops which in turn limits the actual number on the ground. Katharina Coleman, "The Political Economy of UN Peacekeeping: Incentivising Effective Participation", International Peace Institute, May 2014.

⁶⁶ Crisis Group interview, African Security Council member diplomat, New York, November 2018.

⁶⁷ According to an AU official: "The whole issue around how the AU operates in missions is that the UN wants control. ... The UN wants authority without giving troops and they want to control the political process without giving troops". Crisis Group interview, Addis Ababa, 25 January 2019.

There is significant resistance within the UN to the AU's position. UN Security Council members, concerned about financial accountability and the need to control costs and influence AU decisions, are unwilling to relinquish oversight to the AU. "They want to take the money and then say goodbye to the UN", one former senior UN official explained.⁶⁸ Maintaining at least some supervision over forces engaged in counter-terrorism operations or peace enforcement is a clear red line for some states, including the U.S. and UK.

A similar concern about command and control led some Security Council members to insist, as previously noted, that the funding mechanism will apply only to missions that the AU actually leads – and not to missions authorised by the AU but that are under the command of member states. Ad hoc operations like the MNJTF and G5 Sahel therefore could not benefit from UN funding.⁶⁹

For the AU, the issue of the command and control of troops is a significant concern; the insistence by Council members that the UN wield considerable control suggests an insensitivity to the fact that it will be African soldiers putting their lives at risk. "Basically, we go fight and they [the UN] make the decisions", was how an AU official put it. Two key changes made by the French to the A3's original draft resolution in 2018 brought home these concerns. First, the AU objected to the removal of a provision giving it a say in the nomination of the force commander. Secondly, some Africans took offence at the way in which the draft spoke of "authorising" and "utilising" the missions. "The two words used together mean that our soldiers are mercenaries", said one AU official.⁷⁰

Disagreements on oversight and control also feed into existing tensions over primacy. As Crisis Group noted in *A Tale of Two Councils: Strengthening AU-UN Cooperation*, P5 ambassadors have long been unwilling to accept the AU as an equal partner and are quick to assert that the Security Council remains the principal body charged with maintaining international peace and security. On the other hand, the AU, in defence of African solutions to African problems, believes that other institutions, including the Security Council, should follow its lead when dealing with continental crises.⁷¹

⁶⁸ Crisis Group interview, former UN official, Addis Ababa, 25 January 2019.

⁶⁹ "We need some oversight on these missions", a Western diplomat told Crisis Group. "But the AU fudged that. They say they've mandated the MNJTF and the G5 Sahel but they have no control, and the UN cannot support an institution that isn't owning their missions". Crisis Group interview, Western diplomat, Addis Ababa, 1 August 2019. Another motivation was to limit the number of missions that the UN would be called upon to pay for. Plus, the U.S. viewed France's strong support for the use of assessed contributions as a back door to securing UN funding for the G5 Sahel.

⁷⁰ Crisis Group interviews, AU officials, Addis Ababa, January and March 2019; UN official, New York, February 2019. The term "utilised" was added to the draft resolution in several places, introducing the phrase "AU-led peace support operations authorised and utilised by the Security Council" into the text. "Draft resolution on Financing AU peace support operations", UNSC/S/2018/1146. Provisional, 20 December 2018.

⁷¹ See, for example, Crisis Group Africa Report, *A Tale of Two Councils: Strengthening AU-UN Cooperation*, op. cit.

V. Next Steps

Given signs of internal division and uncertainty, the AU had reason to step back and consider not just what it is willing and able to pay toward AU-led peace support operations partially funded through UN assessed contributions, but also whether there is sufficiently strong support for the 25:75 cost sharing to continue pressing for it in New York. Against this backdrop, the February 2020 AU summit, during which African leaders are expected to decide how the union will cover its 25 per cent share, could determine the course of future negotiations between New York and Addis Ababa over UN funding. As the AU moves through this period of reflection, the Security Council's member states should also assess their bottom-line requirements for supporting the proposed financing arrangement and prepare to make these clearer to African interlocutors.

In working through these issues, both the AU and the Security Council will need to give serious weight to the question of the sustainability of the status quo. As sceptics might note, notwithstanding the challenges of arranging ad hoc support for AU missions, the AU has typically managed to find the necessary financing to date. The UN has stepped in when needed, as in the case of the CAR, and a combination of multilateral and bilateral donor support has so far been sufficient to maintain AMISOM. In each case, however, the ad hoc approach has come at a cost. Financial uncertainty has dogged AMISOM, and will most likely lead to its premature withdrawal despite the continued threat from Al-Shabaab.⁷² And in CAR an AU-led peace operation that was deployed to address large-scale attacks on civilians in 2013 was beset with repeated financial problems, limiting its operational effectiveness and necessitating its replacement by a UN peacekeeping mission in 2014.⁷³

A. Questions for Reflection

The essential task for the AU – whether at the February summit or in other discussions – is to ensure that it is comfortable with the practical implications of funding 25 per cent of AU-led peace support operations, given divergent views on what precisely the Peace Fund should support. At the same time, it will be important for AU leaders to engage in much wider reflection on the potential pros and cons of the use of UN assessed contributions so that member states are fully aware of what they are committing themselves to and the challenges they will likely face.

With respect to its financial commitment, the AU and its member states should completely unpack the issue of the 25 per cent:

⁷² See, for example, Paul D. Williams, "Lessons for 'Partnership Peacekeeping' from the African Union Mission in Somalia", International Peace Institute, October 2019; and Omar S. Mahmood and Ndu-buisi Christian Ani, "Impact of EU Funding Dynamics on AMISOM", Institute for Security Studies, December 2017.

⁷³ Tatiana Carayannis and Mignonne Fowles, "Lessons from African Union-United Nations Cooperation in Peace Operations in the Central African Republic", *African Security Review*, vol. 26, no. 2 (2017), pp. 220-236.

First, they should determine whether member states are committed to paying 25 per cent of all peace support operations that benefit from the financing mechanism, with the understanding that UN assessed contributions can only be unlocked if the AU signs up for the 25:75 split.

Secondly, they should consider how to ensure that the Peace Fund will be fully funded by the extended 2023 deadline (which will be essential if the Security Council is to agree to UN funding) and develop a strategy for making up any shortfalls that may remain, whether through donor support or other avenues.

Thirdly, they should reflect on what portion of its peace operations the AU expects the UN to co-finance, and the circumstances in which the union could self-finance some of its own interventions.

Finally, they should address the question of whether the Peace Fund would be better spent wholly on conflict prevention and mediation activities rather than costly military missions, as a few member states and officials have begun to suggest.

On the operational side, African leaders should try to define how much oversight of AU missions they would be willing to cede to the UN in exchange for the use of assessed contributions. Security Council members have made clear that full AU command and control will not be an option. The AU should also closely examine the ability of the under-staffed and under-resourced commission to absorb the additional financial support or manage the heavy bureaucratic burden that it will entail.

For their part, Security Council member states should take the opportunity to review the implications for the UN of using assessed contributions for AU-led peace operations. The tortuous diplomacy of the last few years has been a distraction from the basic case for why the UN ought to invest in AU missions. African issues continue to take up half of the Council's time, but its existing array of peace-making and peacekeeping instruments has proven of limited value in a place such as Mali, where jihadist groups target blue helmets. UN officials and Security Council diplomats are nervous about rapidly deteriorating security across the Sahel.

Against this backdrop, the essential question for the Security Council is whether it will be able to positively affect such situations if it does not turn to further African-led operations to supply the troops that will tackle them.⁷⁴ If the answer is no (as appears to be the case), then the next question is how concretely to use the current negotiations to set up a reliable framework for funding these operations on a case-by-case basis – while also gaining some oversight of their performance, discipline and human rights compliance – so that the Council will be better placed to help manage future crises in Africa. In so doing, it will need to consider how it can establish a more trusting relationship with the AU and African troop contributors, which will be essential to making a co-financing arrangement function smoothly, and which recent debates have made harder.

⁷⁴ In 2017, the U.S. blocked French attempts to secure Security Council endorsement for the G5 Sahel Joint Force tackling the asymmetric threats in the region, partly because of Washington's objection to committing UN assessed contributions to the force. For more, see Crisis Group Africa Report N°258, *Finding the Right Role for the G5 Sahel Joint Force*, 12 December 2017.

B. *A Possible Compromise Solution*

As indicated above, the pillars of any compromise will have to include agreement on financial burden sharing, human rights compliance, financial governance and command and control arrangements.

Central to any possible accord is the 25:75 co-financing split. Since it was first mooted in 2015, the AU's 25 per cent share of the costs has become totemic. It is also central to the arguments that Security Council diplomats will need to make in their capitals regarding the arrangement's costs and benefits. Failure to commit fully to this division of payments would most likely be a deal-breaker for both the U.S. and the UK, and potentially for other Security Council members, too. Addis Ababa will therefore have to agree to shoulder the full 25 per cent, whether entirely on its own or with assistance from partners.

To help reduce what could be a prohibitively heavy financial burden for the AU, the Security Council should give serious consideration to the union's suggestion that African troop contributions be considered as payment in kind. Personnel costs are typically the largest single expenditure in any peacekeeping mission. If AU member states either committed to supply troops at their own expense (as currently happens in ad hoc coalitions like the MNJTF and G5 Sahel) or the AU agreed to reimburse troop-contributing countries through the Peace Fund, they could transform the negotiations. A monetary value would need to be placed on the service of these troops, which may be unpalatable to some at the AU who are concerned about appearing to turn their soldiers into mercenaries. Security Council members would also want assurances that the AU will not come to them seeking funds for stipends, basic equipment and other costs included in the in-kind payment amount. Although the details would need to be fine-tuned, the acceptance of in-kind payments could be a win-win solution.

On the vexed question of human rights compliance, the development and improvement of new AU policies promises to be a lengthy process.⁷⁵ For purposes of allaying Security Council concerns sufficiently to reach a deal, the focus should be on increasing and accelerating AU and UN cooperation at the technical level for troop screening and training, establishing operational rules and accountability procedures, and putting in place mechanisms for casualty tracking. Security Council and PSC diplomats could devise a joint monitoring mechanism to keep track of progress – and setbacks – in this area, to avoid recurrent accusations that the UN disregards AU efforts. Regardless of how much progress the AU makes, however, it will be difficult for the body to demonstrate a successful track record for its new policies and procedures until it has had a chance to apply them directly to a new mission in the field. For this reason, the Security Council may have to take something of a leap of faith for at least the purposes of the first mission or two under the new arrangement.

Regarding Security Council concerns over the standards of the AU's financial governance, the fact that the AU agreed in the December 2018 draft resolution to submit the budgets of UN-financed missions to the General Assembly's Fifth Committee – a step that the AU considers an important concession even if the UN sees it as a structural requirement – provides the best guarantee of compliance with UN regula-

⁷⁵ Crisis Group interview, UN official, New York, 17 January 2020.

tions.⁷⁶ Even so, without additional support the AU will find it difficult to navigate the Committee's complex and cumbersome procedures. Donors could consider funding a dedicated post at the AU to provide the commission with technical assistance.

Finally, to resolve differences over command and control, the most equitable solution would be to have a joint force commander reporting to both institutions, modelled on UNAMID, the AU and UN's hybrid mission in Darfur, Sudan. While this set-up may not be ideal – in the UNAMID case, UN officials have complained about the need to answer to differing priorities and guidance from New York and Addis – it is unreasonable for either institution to expect to have sole oversight. The increased cooperation and coordination between the two secretariats envisaged in the 2017 Joint Framework for Enhanced Partnership in Peace and Security could, if implemented, help reduce some of the problems associated with joint command of UNAMID.⁷⁷

C. *Reaching Agreement on a New Resolution*

If a new resolution is to be agreed upon, rebuilding a more positive negotiating dynamic between Security Council and PSC members will be important. Deliberations since September 2018 have been ill-tempered and divisive, and a new tone and reconciliation will be needed before deliberations resume. If leaders in both councils decide to pursue the co-financing arrangement, they should instruct negotiators to adopt a more constructive approach, bearing in mind the costs to the relationship if discussions end abruptly or become further mired in disagreements. They must also be much more serious about actually getting a deal. Working-level technical discussions to thrash out practical details should be pursued in parallel to a political track, preferably at senior levels, which would focus on resolving political problems.

1. Finding a new tone

There are costless steps each side could take to improve the tone and efficiency of negotiations.

As concerns New York, African interlocutors complain that the Council has been too grudging in its appreciation of the measures that the AU has taken to date – from progress with respect to the Peace Fund to steps in the direction of stronger human rights compliance mechanisms.⁷⁸ Even if not sufficient to meet some UN members' requirements, these changes represent positive steps in the direction of both self-reliance and the protection of human rights and have required a considerable investment of time, energy and political capital. Some African diplomats also see the AU's offer to co-finance 25 per cent of peace support operations that have global benefits – for example, in the area of counter-terrorism – as generous in ways that Security Council members have failed sufficiently to acknowledge. Council members should be looking for opportunities in both formal and informal settings to express

⁷⁶ Crisis Group interviews, Security Council diplomats, New York, November-December 2018.

⁷⁷ With regard to responding to conflict, the framework states that “the partnership will seek collaboration from the earliest stages of contingency planning to ensure complementarity and unity of action” through staff exchanges, seminars, workshops and discussions. “Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security”, signed in New York on 19 April 2017.

⁷⁸ Crisis Group interviews, African diplomats, Addis Ababa, March 2019.

appreciation for the AU's useful work and acknowledge its importance for peace and security beyond.

Relations between the A3 and the PSC also need attention. The breaking of ranks in December 2018 (with Côte d'Ivoire and Chairperson Faki supporting a compromise text despite strong opposition from the other A3 and PSC members) sowed discontent and mistrust, both within and between the two councils, stalling progress for over a year.

Assuming a common position is established in February, the AU must remain united for the sake of advancing its positions coherently in negotiations. More regular dialogue and coordination between the A3 and PSC could help avoid future divisions – both in Addis and also in member state capitals, which the A3 should be prepared to visit. The AU has recently begun holding video conferences between Addis Ababa and New York. It should increase their frequency during Council deliberations, and the PSC should be prepared to meet at short notice if the A3 needs quick decisions. The PSC should also give the A3 a clear negotiating mandate that sets out areas for possible compromise and clear red lines, to help maintain momentum during any discussions.⁷⁹

2. Working- and high-level consultations

To ensure that momentum is not lost altogether, an expert-level informal working group of the two councils should be established immediately after the AU's February 2020 summit. The group would discuss technical details of how co-financed peace support operations would actually work and seek to find practical solutions to the three issues that are holding up an agreement.

Alongside these working-level deliberations, a second track at the very highest levels is needed. A final decision on UN funding for AU peace operations will require sign-off in capitals as well as among diplomats in New York and Addis. Thorny political issues such as command-and-control primacy and oversight will be difficult to resolve through standard AU and UN diplomacy, although those contacts can lay the groundwork. South Africa's president, Cyril Ramaphosa, as AU chairperson for 2020 and a member of the A3, is well placed to lead the high-level negotiations. South Africa would be even better positioned if it sought and won a seat on the PSC in February.

As seen, some Council members hold deep misgivings. The AU Commission Chairperson and President Ramaphosa (personally and through a trusted emissary) should actively advocate for co-financing. The visit to Washington of A3 ambassadors and political coordinators, respectively in July and August 2019, was a good first step, but further and more consistent diplomatic efforts, at the ministerial level and above, are essential.

Pretoria should refrain from setting another self-imposed deadline and resist pushing for the adoption of a resolution in December 2020 – its last month on the Council and its second term as president – unless the conditions are right. Although dragging out negotiations endlessly will not be good for relations between the two councils, an artificial deadline is unlikely to help prospects for securing agreement.

⁷⁹ One factor that slowed down progress, and eventually stalled the process in December 2018, was that the A3 were unwilling to proceed without agreement at the PSC, which was unable to convene swiftly enough to provide the A3 with new instructions.

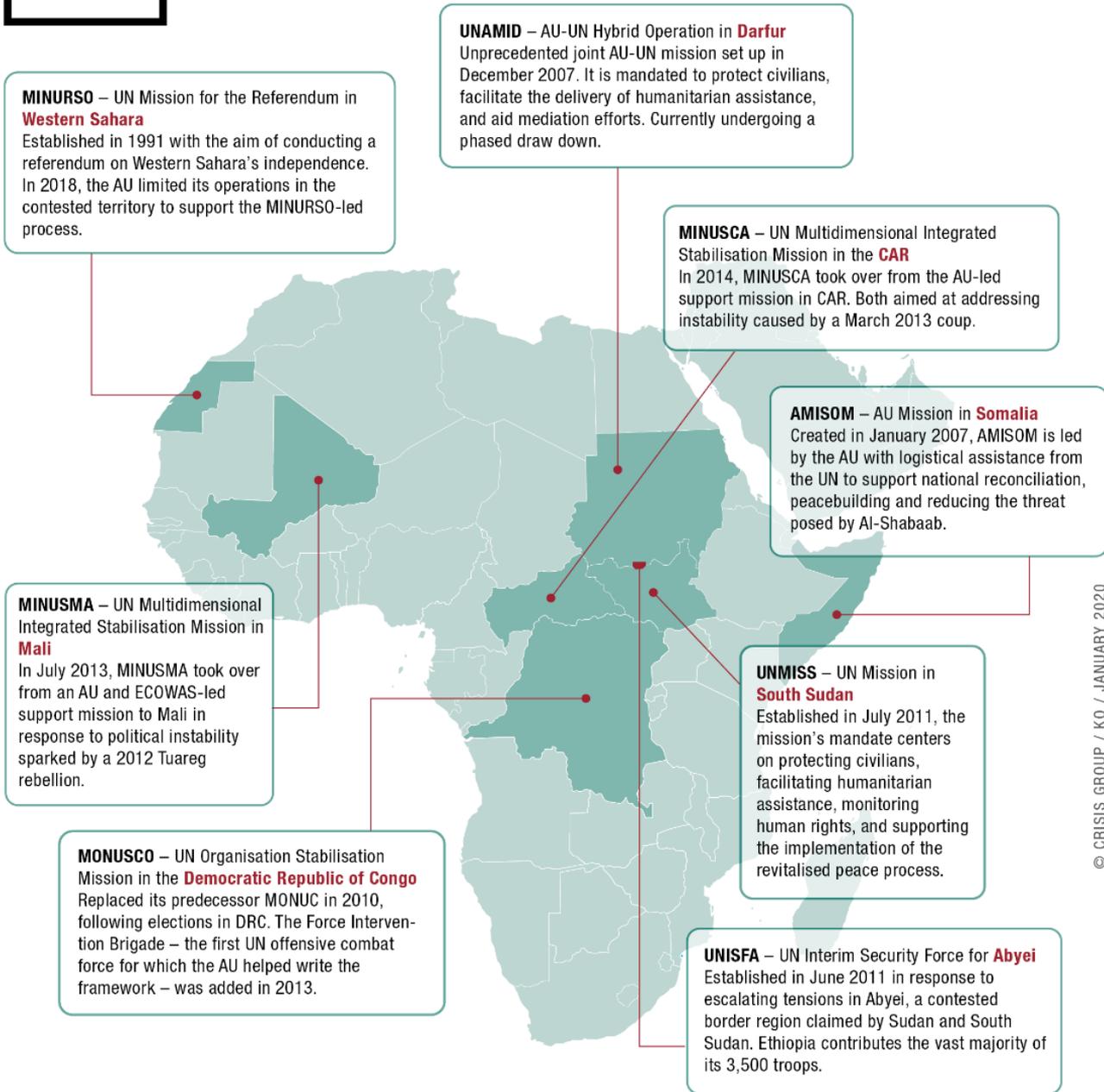
VI. Conclusion

More than ten years ago, the AU and the UN first explored the possible use of UN assessed contributions to support AU peace operations in Africa – operations that serve the mandates of both institutions. If the passage of time has proved two things, one is that the political, technical and institutional hurdles to making this idea a reality are very high, and the other is that it is still something worth doing. Crises continue to threaten stability across the continent, and both the limits of the UN's capacity to manage these threats and the need for AU missions to develop steady sources of external support are ever more apparent.

Whatever its imperfections, an AU-UN co-financing arrangement can provide the predictable funding that African troops need to do the tasks that they are uniquely well suited to doing. If the parties want it badly enough, a deal should be within reach. If they do not, it will be a missed opportunity, and the two institutions' efforts to promote peace and security in Africa will be the poorer for it.

Addis Ababa/New York/Brussels, 31 January 2020

Appendix A: UN and AU Peace Operations in Africa



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AU Endorsed Operations

MNJTF – The Multinational Joint Task Force

Composed of troops from Benin, Cameroon, Chad, Niger and Nigeria, the AU- mandated MNJTF combats Boko Haram in the Lake Chad Basin. The UNSC noted its creation, but has not clearly endorsed it.

Joint Force of the Group of Five for the Sahel

Created to fight cross-border jihadi and criminal threats, the AU-endorsed force comprises troops from Burkina Faso, Chad, Mali, Mauritania and Niger. The Security Council welcomed but did not fully authorise it due to concerns about funding expectations.

Appendix B: Key Reports, Resolutions and Statements

Key UN documents

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- “Report of the Secretary-General on options for authorisation and support for African Union peace support operations”, UNSC S/2017/454, 26 May 2017.
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- S/RES/2033 (2012), 12 January 2012.
- S/RES/2167 (2014), 28 July 2014.
- S/RES/2320 (2016), 18 November 2016.
- S/RES/2378 (2017), 20 September 2017.

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- S/PRST/2009/3, 18 March 2009.
- S/PRST/2009/26, 26 October 2009.
- S/PRST/2010/21, 22 October 2010.
- S/PRST/2014/27, 16 December 2014.
- S/PRST/2015/22, 25 November 2015.

Key AU Documents

PSC resolutions, communiqués and press statements

- “Common African position on UN review of peace operations”, PSC communiqué, PSC/pr/2(dii), 29 April 2015.
- “547th meeting of the AU PSC”, PSC communiqué, PSC/ahg/comm/2(DXLVII), 26 September 2015.
- “6th high-level seminar on peace and security in Africa”, PSC press release, 14 December 2018.

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- “Decision on the activities of the peace and security council of the AU and the state of peace and security in Africa”, Assembly/AU/Dec.145 (VIII), January 2007.
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- “Decision on the budget of the AU for the 2016 financial year”, Assembly/AU/Dec.577(XXV), 14 June 2015.
- “Decision on the scale of assessment and alternative sources of financing the African Union”, Assembly/AU/Dec.578(XXV), 15 June 2015.
- “Decision on the outcome of the retreat of the assembly of the African Union”, AU/Dec.605 (XXVII), 18 July 2016.
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- “Decision on the new African Union sanctions regime for the non-payment of contributions”, AU/Dec.3(XI), 17-18 November 2018.

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- “Progress Report Of The High Level Panel On Alternative Sources Of Financing The African Union Chaired By H.E. Olusegun Obasanjo, Former President Of Nigeria Consultations With Member States”, AU assembly report, Assembly/AU/18(XIX), 16 July 2012.
- “Securing Predictable and Sustainable Financing for Peace in Africa”, AU PSC Report, August 2016.

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“Report of the Joint African Union-United Nations Review of Available Mechanisms to Finance and Support African Union Peace Support Operations Authorized by the United Nations Security Council”, AU/UN A/71/410-S/2016/809, 28 September 2016.

“Communique of the second African Union – United Nations annual conference”, Joint AU-UN communique, July 9 2018.

“Twelfth Annual Joint Consultative Meeting between Members of the United Nations Security Council and the African Union Peace and Security Council”, UNSC report, S/2018/736, 19 July 2018.

“The 814th meeting of the AU peace and security council on the preparation for the draft UN resolution on cooperation between the united nations and sub-regional organizations: the role of states, regional arrangement and united nations in the prevention of conflicts”, AU PSC press statement, PSC/PR/BR. (DCCXIV), 3 December 2018.

“Joint declaration of the chairperson of the AU commission and the UN secretary general”, Joint press release, 6 December 2018.

Appendix C: Acronyms

A3	Three rotational African seats on the UN Security Council
AMIS	African Union Mission in Sudan
AMISOM	African Union Mission in Somalia
AU PSC	African Union Peace and Security Council
G5 Sahel	G5 Sahel Joint Force
MNJTF	Multinational Joint Task Force
P5	Countries holding the five permanent seats on the UN Security Council (China, France, Russia, UK, U.S.)
UNAMID	UN Assistance Mission in Darfur
UNOHCHR	UN Office of the High Commissioner for Human Rights
UNSCR	UN Security Council Resolution
WTO	World Trade Organization

Appendix D: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Algiers, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Hong Kong, Jerusalem, Johannesburg, Juba, Mexico City, New Delhi, Rabat, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

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Appendix E: Reports and Briefings on Africa since 2017

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Council of Despair? The Fragmentation of UN Diplomacy, Special Briefing N°1, 30 April 2019.

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Managing Trafficking in Northern Niger, Africa Report N°285, 6 January 2020 (also available in French)

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