



ADDIS ABABA UNIVERSITY

SCHOOL OF GRADUATE STUDIES

INSTITUTE FOR PEACE AND SECURITY STUDIES (IPSS)

**DYNAMICS OF AGENDA SETTING AND INTERVENTIONS BY
THE AU PSC: THE CASES OF MOZAMBIQUE, LIBYA AND
SOMALIA**

BY:

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MAY 2023,

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APPROVAL

The undersigned certify that they have read and hereby recommend to the Addis Ababa University to accept the thesis submitted by Ftsum Hailu and titled “Dynamics of Agenda Setting and Interventions by the AU PSC: The Cases Of Mozambique, Libya And Somalia” in partial fulfilment of the requirements for the award of Master of Arts Degree in Peace and Security Studies complies with the regulations of the university and meets the accepted standards with respect to originality and quality.

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ACRONYMS

AMISOM	African Union Mission in Somalia
APSA	African Peace and Security Architecture
ASF	African Standby Force
ATMIS	African Union Transitional Mission in Somalia
AU	African Union
CEWS	Continental Early Warning System
CAR	Central African Republic
ECOWAS	Economic Community of Western Africa States
GS	Guest Speaker
IGAD	Intergovernmental Authority for Development
KII	Key Informant Interview
IPSS	Institute for Peace and Security Studies
ISS	Institute for Security Studies
PSC	Peace and Security Council
RECs	Regional Economic Communities
EU	European Union
PSOs	Peace Support Operations
UN	United Nations
UNSC	United Nation Security Council
OAU	Organization of African Unity
SADC	South African Development Community
SAMIM	SADC Mission in Mozambique
FRELIMO	Mozambique Liberation Front
RENAMO	Mozambican National Resistance
R2P	Responsibility to Protect
RSP	Regiment of Presidential Security

ABSTRACT

The argument of this thesis focuses on the dynamics of agenda setting and interventions by the AU-PSC with highlighting on three case studies in different conflict situations by region namely the State of Libya, The Federal Republic of Somalia and Republic of Mozambique. The PSC has tremendously working on the issues of conflict in the continent that have a varied nature in causes and operational elements in responding to them. Since the 1990s the situation in the Republic of Somalia has been deteriorating from time to time where it leads the African union to intervene through African Union Mission in Somalia (AMISOM). The Libyan case traces itself back to 2011 where the mission of NATO against the leader of the African Arab state Muhammad Gadaffi launched and put Libya in crisis. The African Union responded to a very minimal extent and left the case to internationally being treated until the present day. Even recently, the Libyan case is majorly seen as agenda of four major actors such as the AU, EU, the Arab League and the United Nations; internationally tuned agenda. Mozambique is another case where the AU and the RECs/RMs are interchangeably responsible actors in dealing with the crisis in the northern part of the country. This paper therefore argues on the selectivity in agenda setting norms of the PSC along with the delay in interventions to conflicts in the continent Africa by examining different the nature and involvement of several actors and factors in its operational setup. It further discusses the dynamics of the Peace and Security Council and the Regional Economic Communities (PSC-RECs) and how it tunes the agenda setting and intervention in relation to the regional politics and security dynamics. In this paper, what factors are driving to the selectivity in agenda of the PSC and the delay in intervention are also briefly discussed. The methodological approach the researcher used in this thesis falls under the qualitative research design along with exploring concepts through theoretical lenses to examine the institutional and operationalization of the PSC in drawing the agenda and intervention trends. This thesis used primary and secondary sources to help the researcher draw the conclusion.

Key words: African Union, Peace and Security Council, Agenda Setting, Intervention, Conflict, Regional Economic Communities,

CHAPTER ONE

1.1. Introduction

This paper aims at studying the agenda setting and intervention dynamics of the African Union Peace and Security Council. In this study, case countries with different conflict natures in addition to the academic and research analysis papers will be discussed to learn and identify the dynamics of the agenda setting and intervention trends of the PSC, what challenges are there and what improving mechanisms can be recommended by the researcher will also be determined. This study will contribute to the existing knowledge on agenda setting and intervention trends of the PSC.

1.1.1. Background

The modern era of the continent Africa is related with the history of independence from colonial powers. It has come to operate relatively independent in terms of dealing continental challenges since the advent of the AOU first summit in 1963¹. The union has come with the idea of establishing the peace and security organ as continental organ to safeguard the peace and security issues of the continent through the establishment of the Peace and Security Council (PSC) in 2004 through the protocol².

The Peace and Security Council of African Union is the highest decision making organ governing and directing the African Union's conflict management and resolution decisions and is established in 2004 with the objective of preventing and ending conflicts, maintain and overlook peace in member states of the continent Africa. According to Article 5 of PSC Protocol, the PSC has 15 members, and the AU Assembly is responsible for electing them. Five of them can stay as member in PSC for three years and for the other ten states membership expires in two years. Once their membership is over, they can apply for other terms of service based on election. Regional balance within the continent, the capacity to contribute troops and finance in addition to political will and diplomatic presence of that specific state in Addis Ababa are considerations

¹ Available at <https://au.int/en/overview>, historical background of the AU/AOU

² The African Union Protocol Relating to the Establishment of the Peace and Security Council of the African Union,

that are often taken by the Assembly up on electing PSC members. (KAROC, 2014).³There are 6 pillars of APSA namely, the Peace and Security Council (PSC), the Panel of the Wise, the Continental Early Warning System (CEWS), the African Standby Force (ASF), and the Peace Fund all works for the facilitation of the decisions of the PSC in peace and security issues of the continent.

Since establishment the PSC which was created based on the proposal of AU in the Lusaka Summit in 2001 and the crafting of the AU Assembly adopted the protocol to the AU Constitutive Act article 2 in July 2002 along with other organs in the African Union Peace and Security Architecture (APSA) has been dealing with peace and security challenges of the continent. It has been using its periodic sessions to discuss and decide on peace and security challenges in the continent through the PSC. Among the mechanisms and procedures of works of the PSC, the agenda setting practice and the decisions made on the sessions of the PSC to intervene either diplomatically or militarily are the most important millstones of the PSC. And it is often clear that the agenda setting process is done by the monthly chair of the PSC elected among the 15 members and the PSC decides what conflict needs diplomatic or coercive interventions. (Amani Africa, 2021).

To begin with, the case of Somalia is one of the frequently tabled cases in the sessions of PSC due to its intervention nature. The impact of the intervention of AU PSC in the case of Somalia, it discloses the fact that how it particularly is a complicated case where AMISOM has played a relatively productive role along with international supports such as the United Nations Support Mission in Somalia (UNISOM). This case came to life after a prolonged security problem of the Somalia since 1992 and several attempts from individual countries intervention to international actors played their role to stabilise the country. The intervention of the AU through AMISOM traces back to 2007 and has marked a critical role compared to the previously attempted and failed missions taken by individual states, RECs and International actors; the intervention of Ethiopia, IGAD and US in this case respectively (Williams P. , 2018).

What has been seen in Mozambique to deal with the conflict situations in the northern part namely Cabo Delgado known as the most deadly conflict and the failure of the regional

³ The African Union Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 21, 2001

mechanism SADC and the AU to respond to the conflict is highlighted for focus. The crisis in Mozambique ignited violently since 2017 and only set forward to be chaired at the PSC session in February 2022 (IPSS, 2020).

Had it been to the effort of the AU PSC made to solve the political tension in Libya prior to 2011 and if it was lucky enough not to be stalled by the adoption of the UNSC resolution 1973; the PSC tried to settle the issue diplomatically by forming an Ad-Hoc⁴ High Level Committee on Libya with five Heads of States and Government and the Chairperson of the Commission and adopted “Roadmap” for Libya. In addition after the broke out of the war in Libya in 2011, the PSC consistently made efforts to solve the situation by taking measures such as welcoming the UN-mediated establishment of the Presidential Council of the GNA and has shown support for the AU initiative to convene a Libyan national dialogue (IPSS, 2018).

Having providing the highlights of the efforts of the PSC in the above cases, the researcher has gone through different primary and secondary sources to examine the agenda setting and intervention trends of the AU-PSC to draw his sound conclusions about the issue under study in this thesis.

1.2. Statement of the Problem

Africa, unlike its globally strategic continent, is the most venerable to intra and inter-state conflicts and recently growing trends of unconstitutional government changes.⁵ This was the need for the establishment of the PSC to deal with the security challenges of the continent. The PSC unlike its purpose of establishment is not as proactive as it is supposed to be. These have been reflected in handling and addressing to conflicts mainly the agenda setting and interventions.

Though the mandate was given to the PSC to overlook, manage and prevent conflicts and maintain peace in the continent, the reality is far from that. As researchers show, only in 2019, 25 state-based conflicts were recorded (Fredrik, 2020). According to Fredrick (2020), the

⁴ Ad-Hoc is originally a Latin word which have a meaning in English as “for this” or “for this situation” something that has been formed to for a special and immediate purpose without previous planning (Britannica Dictionary)

⁵ The African Union Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 21, 2001

number of ceasefires and signed peace agreements has significantly reduced in the years from 2003-2018. The puzzle here is that Africa has its own Peace and Security Council which has been established in 2004, while the number of significant ceasefires and peace agreements decreased even after the establishment of the AU-PSC (Fredrick, 2020). Unconstitutional government changes are frequently occurring in the eyes of the AU-PSC. The case of Mali, Madagascar and Burkina Faso are typical examples of recent phenomena.

The PSC have met for 1120 times to discuss and decide on conflicts that affects the continent. The PSC have gone through looking in to conflict cases of Sudan, South Sudan, Somalia, Mali and the Central African Republic (CAR) in addition to region-wide agendas of the political instability in the Sahel, Great Lakes and Lake Chad Basin though conflicts have been worsened (Institute for Security Studies , 2022). This according to the PSC report issue 153 shows that the PSC is suffering from highly cultured of selectivity in the agenda that it addresses regarding to conflict and security issues in the continent. The cases of conflict in Cameroon's Anglophone regions, Tunisia's constitutional crisis, Libya's civil war which continues to-date, the war occurred in Ethiopia, election related violence in Zimbabwe have never been tabled in the PSC neither for discussion nor for decisive measures to end the crisis regardless of the urgency of these conflicts. Mozambique's insurgency only had a chance to be seen on the table of the PSC 5 years after its breakout (Institute for Security Studies , 2022). The Libya case is now out of hand of the PSC and is internationally handled.

Regardless of the institutional set ups and structures the AU PSC owns, its agenda setting and intervention trends fall in question when it is examined by bringing specific cases such as the Mozambique case mentioned above. According to the year handbook of the PSC, the monthly chairperson of the PSC members prepares agendas to be discussed in the PSC sessions (Amani Africa, 2021). And it is up to the member state's conflict situation or bilateral relations with other states that dictate the content of the Agenda. This most of the time has neglected severe conflict cases from being discussed and take intervention measures to address the situation. In due course; longer spans of conflicts are observed in cases such as the Mozambique, Somalia and Libya no or limited research has revealed the prevalent challenges and gaps in the agenda setting and intervention trends. Therefore, this study will look in to the three cases as a core to examine the agenda setting and intervention trends of the AU PSC and fill the gap.

1.3. Objectives of the Study

1.3.1. The General Objective of the Study

The general objective of this study is to examine and question the agenda setting norms and intervention trends of the AU-PSC.

1.3.2. Specific Objectives of the Study

This study has three specific objectives.

- To examine/question the normative procedures that guides the agenda setting and intervention of the PSC.
- To examine how the Agenda Setting trends of the PSC affect the peace and security dynamics of the continent Africa.
- To identify the challenges the AU PSC face in intervention and agenda setting trends of the PSC.

1.4. Research Questions

This study has three questions listed below.

1. How do normative procedures guide PSC's agenda setting and intervention processes?
2. What does the existing agenda setting and intervention trends of the PSC look like?
3. What are the recurring challenges in the agenda setting and intervention trends the PSC face?

1.5. Limitation of the Study

The limitation of this study is that it only focuses on three specific cases. This makes difficult to draw conclusion with the basis of the cases. In the beginning, it was hard to make sound conclusions only based on the cases under study to determine and examine the agenda setting and intervention trends of the PSC. The researcher has gone through different non-specific country cases to strengthen the argument and minimize the limitation of smaller scope to draw the conclusions from.

1.6. Organization of the Study

This paper is organized in 6 different chapters. The first chapter of this thesis includes the introductory part of the study, and a brief background on the Peace and Security Council of the African union are highlighted. In addition to this, the statement of the problem, the research questions along with the objectives; general and specific in this regard, are also part of this chapter. In the second chapter, reviews of different literatures under different thematic issues that navigate the operational and structural setup of PSC and the conceptual framework are included. Research method and the entire component under this theme are organized in the third chapter. The fourth chapter displays the findings/results section of the thesis. Discussion on the subject under study, conclusion and recommendations are organized in the fifth and sixth chapters of this thesis respectively.

1.7. Significance of the Study

This paper has significance in contributing to the literature and conceptual knowledge of the agenda setting and intervention dynamics of African Union Peace and Security Council (AU-PSC). It can be used as reference for academic works of related fields and help them look through theoretical lenses used in this research study. This thesis has looked in to the agenda setting and intervention of the highest decision making organ namely the PSC with the theoretical lens of new institutionalism, new regionalism, the concept of intervention and will help researcher navigate the dynamics of the PSC agenda setting and intervention through those theoretical lenses. In general it will significantly add to the existing knowledge on the issue under study in this paper.

CHAPTER TWO

2. LITERATURE REVIEW

2.1. The African Union Peace and Security Council (AU-PSC) - Institutional and Normative Arrangements

The agenda setting culture of the AU PSC determines the institutional arrangements designed to respond to peace and security challenges of the continent. Hence, looking deeper in to the structural setup of the AU in general and the PSC in particular based on authors' and researcher's empirical works has a weight.

Scholars like Williams (2009) have studied the AU-PSC in terms of its historical background, scope, institutional design, membership character and size, formal rules, norms, importance, political relevance, efficiency and productivity and preference to solve problems at hand. Levitt (2003), agrees with the view of Williams on the AU-PSC that he presents his work on the PSC in such a way that

“paragraph 4 of the Preamble to the AU-PSC Protocol states that based on a decision of the 37th Ordinary Session of the OAU Assembly of Heads of State and Government in Lusaka, Zambia, in July 2001, the Assembly "decided to incorporate the Central Organ of the OAU Mechanism for Conflict, Prevention, Management, and Resolution as one of the organs of the Union, in accordance with Article 5(2) of the Constitutive Act of the African Union⁶”.

According to Williams (2009) the PSC is not established by the AU Constitutive Act, an Act which was adopted in July 2001, in Lome Togo, instead it is a product of the PSC protocol. He argues that the PSC emerged from the ad hoc to act accordingly/ address existing peace and security issues through the Mechanism for Conflict Prevention, Management and Resolution (MCPMR) which in such case was the product of the Organization for African Unity (OAU) through the Assembly of Heads of States and Government in June 1993 (Williams, 2009).

According to the discussions and subsequent agreements made by member states of the OAU in several meetings (Kampala (1991), Dakar (1992) and Addis Ababa (early 1993)) peacekeeping operations in the member states were not to be intrusive of host country decisions. However, Williams (2009) argues that the member states must have been forced to revisit their decision

⁶ Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 21

following the genocide in Burundi and Rwanda in 1993-4. Williams (2009) noted in his article, the mechanism under the OAU was characterized by weak implementation and did not tackle problems related to conflicts; mainly because conflicting states themselves were members of the union. On his other note, the meetings of the Organizational mechanism to solve conflicts were known for their weak attendance and agenda were distributed on the meeting days and there was lack of profound discussions (Williams, 2009).

The drafting of the PSC protocol came to life for the reason that states have agreed to have a decisive organ of the union on peace and security issues. This was caused by the reluctance seen by the UN Security Council to deal with security issues in Africa. This led member states to the establishment of the PSC through a protocol during a summit in Durban on 9 July 2002 which is named as a Protocol Relating to the Establishment of the Peace and Security Council of the African Union. The name PSC was selected among other three alternative names under debate by the member states (Williams, 2009)

Chronologically, scholars have come in to more similar understanding about the peace and security sector of the AU from literatures in 2009 to 2019, though literatures written in 2019 has come with few different perspectives and changes on the operational and legal structures of the AU security dimensions.⁷ The establishment of the African Peace and Security Architecture (APSA) marked an important step in the efforts of managing and preventing conflicts in the continent (African Union, 2002).

The APSA has five pillars in it namely the Peace and Security Council (PSC), Panel of the Wise (POW), The Continental Early Warning System (CEWS), The African Standby Force (ASF) and African Peace Fund (APF) from which the PSC is the highest decision making organ. According to the authors, the APSA's institutional set up is a result of the decision made by the OAU summit in 1993, during the integration of the mechanism of conflict prevention and management in to the newly formed AU⁸.

Two instruments are responsible for laying legal foundation to the formation of APSA according to Porto, 2009. The first one is the formation of operational structure with the aim of effective

⁷ Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 21, 2002

⁸ Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 21, 2002

implementation of decisions related to conflict prevention, peace-making, peace support operations and interventions (though intervention was a controversial issue for long period of time until the advent of “non-in differentiate”) along with the establishment of Common African Defence and Security Policy (CADSP) by the AU assembly in 2004 as the authors noted.

As Engle and Porto continue to review the APSA in relation to PSC, APSA lays its place in the department of PSC with 5 sub divisions within it. These include the Conflict Management Division (CMD, the predecessor to the OAU’s Mechanism unit), two divisions for Peace Support Operations (Peace Support Operations Division, PSOD), the Defence and Security Division, and the PSC Secretariat (Porto, 2009)

Another critical pillar of the APSA which is responsible for preventive diplomacy and conflict resolution and duly known for advising the chairperson and the PSC on conflict issues is the Panel of the Wise which provides support to the PSC or the chairperson of the commission based on invitation. The PSC has also the power of mandating other pillars of the APSA such as the ASF to perform activities that include observation and monitoring missions along with the other military and non-military peace and conflict resolution tasks (Porto, 2009).

2.1.1. The PSC Vs RECs/RMs

Engle and Porto (2009) in their work have tried to show how the APSA has evolved into a regime than architecture in terms of function and setups. They argue that, the APSA’s institutional setup is not controlled by the AU due to the inclination of the need to cooperate with the Regional Economic Communities (RECs). This need according to the authors has a two side story. One is, it has created sense of ownership and collaboration among actors of the regions and in contrary, this approach has led to unnecessary delay in implementation of peace missions. As an example of the cooperative procedures, the authors mention the Memorandum of Understanding signed in 2008 between the AU and RECs. Hence, due to the above development, they argue that the peace and security architecture has evolved into security regime for it has become dependent on varied actors. According to the authors, norms should be replaced by institutional behaviours that involve inter-subjectivity among shared functions of the institution as agreed to sign up for that makes a sound definition and meaning of architecture in their case. In this sense the PSC has been blamed for ignoring situations that are related to human

rights, Responsibility to Protect (R2P), sanctity to human life and other duties due to reasons related to Article 4(h) of the AU Constitutive Act “inalienable right to independent existence” (Porto, 2009).

Negotiated norms of the institution are more preferred by the member states while the full implementation of the norms is not backed by the members who give it an image of “regime in the making” (Engle and Porto, 2009,). Three challenges are outlined by Engle and Porto (2009) as they conclude. First, the AU is not free from influence of its member states, second, there is no institutionalized behaviour or it has been compromised and thirdly, the institutionalization process of the security architecture has been facing capacity problem (Porto, 2009).

Another scholar, Vines (2013) has reviewed the decade long journey of the AU Peace and Security Architecture. The most vital point that Vines raised on the relationship of the AU and RECs as a foundation to APSA’s establishment and operationalization, the regional rivalries of countries located in the same RECs is very prominent to challenges of effective operationalization of the peace and security assignment of the continent (Vines, 2013).

The rivalry between South Africa and Nigeria as competitors for any new permanent seat on a reformed UN Security Council, Ethiopia and Kenya to become Horn’s hegemon, Libya and Egypt competing for regional super power and others are evident to the issue and has been a problem to the decisions of AU in peace and security issues (Vines, 2013).

Vines (2013) continues to argue, the tendency and process of the sanctioning is a good example as it shows a greater rate of stigmatization and mostly is viable to smaller in size countries. Since the AU seeks collaboration from other actors such as the RECs, UN and European Union, the independence and effectiveness are in question. To enhance this, the PSC has adopted a Framework that includes the implementation and monitoring of sanctioning policy (Vines, 2013).

In his review, Vines (2013) elaborates that, the PSC in collaboration with the head of the AU commission is in charge of all the peace and security from policy to action. His view on this agrees with the view of Engel and Porto (2009) as they argue that the AU never tries to control the PSC, instead they have a collaboration approach. APSA with the intention of providing peace and security in Africa and the pillars to work for the successful achievements of goals of the PSC

as such it receives advice and information from the pillars namely POW, CEWS, and deploy the ASF for military solutions as necessary. Another important note by Vines (2013) on one of the PSC instrumental organ ASF is that the ASF has been only perceived as military wing. Instead it is also known that there is a civil component and post war reconstruction function of the ASF in addition to military function (Vines, 2013).

The author, Vines (2013) outlines about the operationalization of AU's peace and security through its missions to Burundi (AMIB), Sudan/Darfur (AMIS), Somalia (AMISOM), the CAR (FOMUC) and Comoros (AMISEC). According to Vines (2013), this missions and deployments have opened a way for the institution to operationalize its peace and security norms. He also argues that missions such as AMISOM has revealed the widening of the cooperative operationalization of the PSC as several countries have contributed troops that mount to 17,000 troops only for the mission (Vines, 2013).

In conclusion, according to vines (2013) view regional incoherencies, the contesting regional power among Egypt & Libya, Ethiopia and Kenya...etc in this case has made the fully operationalizing and establishment of APSA harder. As he review the relationship between the AU and RECs, Vines (2013) concluded that the incompatible goal of the member states in the regional economic communities expressed in terms of conflicts against power and hegemony have blocked/ tempted not to move as fastest as intended the PSC and other security functions of the continental organ. In his note, the author showed us that the success and development of the PSC is determined by the commitments of RECs. Empirical cases for his arguments includes the case of ECOWAS sanction towards Madagascar ahead of the AU which shows that there exists blurry line in terms of hierarchy and mandate that should be demarcated among the two where the PSC is the governing decision making organ of the AU peace and security issues. The overlapping mandate seen in some decisions related to peace and security issues while responding to regional crisis, there exists confusion and lack of clarity in power and mandate between the two (Vines, 2013).

The other concept that is gaining a hand in the APSA is the mediation efforts under the APSA. According to Desmidt (2019), the difference on the mediation efforts by the APSA and RECs is that the mediators from APSA are appointed from the former heads of states while the RECs tend to resemble to the current head of states as mediators. The Gambian case in 2016 is a good example for the RECs mediation efforts being led by current heads of states at the time of crisis where the then ECOWAS head and Liberia's president along with other ECOWAS head of states have led the mediation as the author added. According to the author, this is not always true that there are variations to the above case where individuals on behalf of head of states of the IGAD have led mediations in South Sudan in 2013 (Desmidt, 2019).

The other issue the author Desmidt (2017), emphasizes is that the unresolved issue of subsidiarity (where functions and division of labour is in question in terms of mandate and hierarchy) that came following to the signing of the memorandum of understanding in 2008 among the AU and RECs/ RMs.

Vines (2013) argument on the relationship and harmonization of the AU/PSC and RECs, Eagle and Porto's work on the same issue in 2014 takes us to the challenges of coordination and harmonization of the PSC and RECs. The authors have clearly outlined that not only the integration and collaboration of APSA and the RECs is a very challenge to the operationalization of the peace and security operations but also the integrating of the APSA with its pillars in a way of relating them as an "interlocking system" in their terms (Porto E. a., 2014).

2.1.1.1 Funding and the PSC

What has been not mentioned in other literatures in detail is the EU support to the African Peace and Security Architecture which is responsible for supporting the operations of the AU and RECs through the channel of African Peace Facility (APF). According to the briefing, the EU has been investing up to EUR 740 million to facilitate the works of peace and security in Africa through this channel (KAROC, 2014).

In addition to accelerating role of the function in relation to cooperation among the AU and RECs, the fund has been covering costs related to conflict prevention and post-conflict stabilization. In addition, the EU has reserved a chunk amount of fund that mounts to 100 million EUR with the purpose of enhancing the capacity of the components of the APSA in improved

cooperation, and effective management of conflicts. This includes supporting the pillars of APSA for better operationalization of the sector (KAROC, 2014).

Mentioning the road maps developed, operational guidelines adopted and even the assessment made by APSA in 2010 as a reference for evaluating the progress of the cooperation and integrating efforts of the AUC and PSC (Engle and Porto, 2014) concluded that few have been achieved. According to Engle and Porto (2014) even though, encouraging steps such as the signing of memorandum of understanding of cooperation and the cooperation agreement of the RECs and Cooperating Mechanisms of the regional Standby Brigades of Eastern and Northern Africa has been signed, challenges are still visible in practicality of the intended cooperation at the ground in the areas of peace and security (Porto E. a., 2014).

A recently emerging concept to the security arena of the continent but not much of attention has been given to in the issue of African security as many agree is that the maritime security. Eagle and Porto (2014), has come in to bringing the issue of APSA's field of the Maritime security in to the table. According to the authors, the politics of maritime security in an institutional level has been fluid due to the fact that maritime security can be expressed in terms of traditional security politics, developmental and environmentalist concerns, and efforts to regain economic sovereignty over African territorial and offshore waters. Because of its range of importance is vast in scope, the maritime security is one among the contested and important peace and security policy needs in progress that currently should/ may attract the attention of the PSC, RECs and the member states as whole for it is one of the challenges in policy coordination and harmonization as the authors noted (Porto E. a., 2014).

Hany (2016) in his work additionally outlined that, the panel of the wise which is responsible to consult the PSC is known for engaging in what he calls "forgotten" (Hany,2016) and unresolved crisis and focuses on implementation of peace agreements instead of working for solving hot and on-going conflicts. In order to help itself complement the PSC the Panel of the Wise works with civil societies. As he continues, mentioning concerns that commentators raise on questioning the non-transparent way of appointment process of members, he recommends for the panel to have a building block role in the evolving security architecture of AU. He also mentioned on the evident progress of the CEWS, which provides timely information to the chairperson of the commission and backs the work of the PSC (Basada, 2016).

As a contemporary review sample for this literature review that has come through evolution from 2009 to 2019, it is evident that preventive diplomacy and mediation take central stage in the work of the PSC. Accordingly, the preventive diplomacy takes the place for analysis. Based on the work by Desmidt, (2019) non-military / preventive diplomacy is one of the concepts added to the contemporary tasks of PSC which is one of important duty of the PSC. This includes concepts such as official statements and communiqués signalling growing concern, undertaking preliminary shuttle diplomacy, deploying high-level visits without clear mediation mandate but with a clear aim of indicating political spotlight (Desmidt, 2019).

The nature and language of the communiqués is dependent on the urgency and scale of the conflicts on-going according to the note on the author's work, in addition to the frequency of meetings on the issue (Desmidt, 2019).

Another concept the author raised in relation to conflict prevention and early warning functions of the two organs namely the African Peace and Security Architecture (APSA) and African Governance Architecture (AGA)'s overlapping functions. This is visible in the case of the PSC is a member of the African Governance Platform (AGP) which serves as institutional platform of AGA and the PSC at the same time is basically a pillar of the APSA where functional and institutional overlaps are prevalent (Desmidt, 2019).

Desmidt (2017), in her analytical presentation based on empirical data shows that the joint preventive diplomacy and joint mediation efforts among the APSA and RECs is encouraging noting the period of 2013-2016. Desmidt (2017), she continues to highlight on the combined diplomacy intervention of the AU and RECs from 2013-2015. The figure shows the two have combined their intervention at a rate of 56% in 2013 which peaked to 75% in 2015. The figure falls to 69% and 62% in 2015 and 2016 respectively.

Different scholars and periodic reports have their own stance on the PSC after the establishment of the PSC protocol in terms of institutional design under sub analysis topics of membership, scope, norms, formal rules, relevance, effectiveness and productivity in terms of solving conflicts.

2.1.2. PSC Membership

As Williams (2009) notes that, the PSC membership is based on the principle of equitable regional representation and task rotation mentioned on the PSC protocol Article 5, which also lists criteria for member states to be part of the regional representation. Apart from the devotion to work on the principle of equitable regional representation, most member states in the PSC are countries with bad conduct in constitutional governance, respect for human rights, and the rule of law and are involved in violent conflicts even during their time of membership as councils representing their region (Williams, 2009). This creates lack in being impartial to the decisions of the council and its process. For example, according to the author, the involvement of Ethiopia in the Somalia crisis supporting the transitional government of Somalia in 2006 and Ethiopia's presence at the council has created clash during a deliberation of the PSC on Somalia's case. This was for the reason that Ethiopia insisted to chair the meeting and others opposed claiming that, Ethiopia itself is part of the conflict in Somalia and cannot chair the deliberation (Williams, 2009).

This is one similar or parallel issue with the above according to the report by the ISS Africa which shows that most member states are not willing to look in to their agendas in the PSC. The report also highlights that the PSC itself avoids confrontation with member states on peace and security issues (Institute for Security Studies , 2022).

On the other hand, Williams in his article emphasized that the PSC suffers from attention and commitment among its member states to the extent that troop contributing countries are few in number in addition to low or no financial contribution from the members. This basically doesn't respect the Article 13 of the "Roles of Members" in the sub article 17 (a) and (b) of the PSC Protocol which clearly outline that in Article 13 sub article 17(a)

"⁹troop contributing countries States shall immediately, upon request by the Commission, following an authorization by the Peace and Security Council or the Assembly, release the standby contingents with the necessary equipment for the operations envisaged under Article 9 (3) of the present Protocol"; and sub article 17(b) Member States shall commit themselves to make available to the Union all forms of assistance and support required for the promotion and maintenance of

⁹ Protocol Relating to the Establishment of The Peace and Security Council of the African Union, article 9 (3) and sub article 17 (b), 2002.

peace, security and stability on the Continent, including rights of passage through their territories” (AU, 2002).

2.1.3. Scope of the PSC

Related to the Scope of the AU-Peace and Security Council, it has come across through different stages of developments since its inception in 2004. According to Williams, the council’s role so far has tend to resemble to act as pain killer/ fire extinguisher in his own term for it acts after conflicts are on track and happening, instead of preventing them from occurring (Williams, 2009). Other scholars such as Tim describe the PSC as practitioner to conflict early warning system especially after the establishment of supporting organs to the PSC. The scope of the PSC has grown from fire extinguisher to democratic practices assessment as an indicator to conflict early warning system under the AU-Peace and Security Architecture.

Without a change in views among scholars from 2003 literature publication by Levit to the work of Williams in 2009, the PSC has an ambiguous power relationship in terms of mandate and mission approval with the United Nations Security Council. The literature indicates, even though the PSC was claiming the need to follow and be abide by the letter of Article 53 of UN charter to the function of PSC is not binding and has independent autonomy by law through the adopted PSC Protocol (Mentioned in Article 16 of the protocol), these two authors blame the PSC unclear mandate based on law for Article 17 of the protocol says any intervention by regional institutions requires approval by UNSC (Levit, 2003).

Besada (2016) is another scholar who has explored the central role of the PSC in the promotion of peace, security and stability in Africa, preventive diplomacy (this concept mainly is related to the works of the contemporary peace and security concept, discussed below) and restoration of peace. He elaborates the functional relationship and hierarchy of the APSA components; the PSC is served by the pillars of the APSA in order to enable it to discharge its responsibilities with respect to deployment of peace support missions and interventions in the event of genocide, war crimes and crimes against humanity. The PSC is also served by the continental early warning system, consult a Panel of the Wise composed of five African personalities, a Standby Force within the five regions of Africa (enable it to enforce its political decisions) , advised by a Military Staff Committee and the Peace Fund (Basada, 2016).

As per Basada (2016) apart from defining the PSC nature and functional relationships with the other APSA pillars, has also noted that the African political engagement as regards to peace and security is in a better stand compared to the years before 2007 of operation, 2004-2006. He argues that, unlike the pre 2007 days years 2004-2006 where the concept of non-interference took the largest share in the continent, the AU with its PSC/APSA wing has upgraded itself in to the ability to interfere which is similar to the “Responsibility to Protect (R2P)” of the UN General Assembly decision in 2007 (Basada, 2016).

One of the main reasons for the establishment of the AU-Peace and Security Council was that, the reluctance seen on the side of the UNSC to handle conflicts in the continent Africa. The need for the establishment of the PSC protocol was also to guide and bring a sound procedure to the works of the PSC in general. But the protocol in terms of the mandate in its various articles gives priority/ primary function to the power of the UNSC in terms of regional intervention as Williams outlined (D.Williams, 2009).

Apart from the above two authors similar views and review about the PSC’s need for approval from UNSC in regional intervention, some scholars has described the PSC as an interventionist lately. Scholars like Tim in his article The African Union Peace and Security Council's engagement in the Horn of Africa has argued that the AU has learned a lesson from AOU and created a strong intervention legal and institutional frameworks, though he didn’t make it clear that whether the intervention still require UNSC approval or not which would be progressive review after the work of Paul in 2009 (Murithi, 2011).

Recently the panel of the wise have come to place with new members at the 5th round of election in February 2022. The new members of the panel of the wise are expected to tackle urgent conflict issues with the old structural challenges. These structural challenges characterized by vague mandate, unclear power, and other financial obstacles (Weldemichael, 2022).

2.1.4. Efficiency and Productivity

In relation to the efficiency of the PSC, it has been observed that it recorded undeniable achievements since its creation in 2004 both in its process of operationalization and institutional mandate. It exceeded the expectation noted in the PSC Protocol that required the PSC to meet twice a month has shown more than twice of meeting in a month which the PSC meets 6 times a

month with a least number of meeting to expect, though it gradually progressed to reach in such regularity. Based on the data from this report, the PSC has met and held 770 sessions as at the end of May 2018. This more impressive number compared to the 21 sessions and 150 sessions held in 2004 and 2017 respectively. The achievements are not only limited to the number of sessions held by the PSC and indeed growing, instead though the PSC drafting of monthly program was initiated in 2007 it has come to start producing monthly programs in 2010 and yet it is considered positive to have a regular program regardless of the delay in 3 years which denotes that the progress is steady (Amani Africa, 2018).

In contrary to the above literature authors such as Omorogbe (2011) has evaluated the efficiency and productivity of the AU in general and the PSC in particular on its efficiency to deliver peace in Africa and the PSC's to-date productivities of achieving peace by analysing missions in Burundi, Darfur and Somalia, and has concluded that AU PSC though, it has shown commitment to deliver peace and security, it truly has not lined up with the principle of "African Solution for African Problems". The concept of African Solutions for African Problems is where Africans have the first stand of controlling their own problems and come up with a solution from within that best suits their context. According to the author, this is due to lack of resource which hinders the missions from effectively implemented. As he argues, to the date of his analysis the success of the PSC's missions is solely dependent on the good will of the western powers and the willingness of deployment from the UN (Omorogbe, 2011).

The other issue rose on the efficiency and productivity of the PSC in another literature is the issue of "selective agenda". This is to mean that not all pressing security issues have made it to the PSC case filing and decision making. For example though crisis in Sudan, South Sudan, Somalia, Mali and the Central African Republic (CAR) have been discussed repeatedly in the PSC, cases such as Cameroon's Anglophone regions, Tunisia's constitutional crisis, Libya's civil war, the war in Ethiopia, Elections-related violence in Zimbabwe have never made it to the agenda of PSC and others such as the Northern Mozambique's crisis came to table at the PSC after more than 4 years of its breakout since 2017 (Institute for Security Studies, 2022).

2.1.5. Conflict Mapping In Africa

To review the intervention impact of the AU-PSC in ensuring peace and stability in the continent, it is important to assess the numeric conflict occurrences based on evidence from texts. In order to do that, definitions based on clustering made in the study using the Heidelberg Conflict Barometer (HCB), there are 5 levels of conflict that shows the intensity of the conflicts, which has been used in this discussion to show significant changes in conflict occurrences and the capacity of PSC to respond to these conflicts. In light of this, level 1 to 5, where 1 and 2 shows the less intensity or non-violent conflicts and 3-5 high intensity including violent conflict (Level 3), limited wars (level 4) and wars (level 5) respectively (IPSS, 2019).

Comparing the year to year value, the number of conflicts both violent and non-violent ones have been slightly decreasing in 2017 (IPSS, 2019). Overall, the notion in conflict decrement is common worldwide which counts as 402 in 2016 and 385 in 2017. This constant change in figure has become a common display of the nature of conflicts in the world in general and in Africa in particular (IPSS, 2019).

According to the report (IPSS,2019), though the number of conflict occurrence decreases from year to year, Africa takes the quarter share of conflicts that have occurred in the world in 2017 having different conflict drivers such as the need for national power, subnational predominance, questions over system or political and economic ideology and conflicts over resource. This is expressed as out of the 385 conflicts worldwide 107 conflicts occurred in Africa during this year ((IPSS, 2019)

The literature in this report (IPSS, 2019) analyses the conflict nature by clustering as violent and non-violent conflicts, limited wars and wars. Figures are analysed in such a methodology. Hence, conflicts that mount to the level of war shows a stable or unchanged number compared to 2016 which accounts to 17 wars in 2017, 10 cases tabled and issued communiqué by the PSC, the rest of the sessions where thematic issues such as terrorism, child soldiers, climate change and others (Communiqués of the AU-PSC 2017). Compared to 2016, Africa has recorded less violent conflicts in proceeding year from 65 to 57 respectively. However, there is an increment of non-violent conflicts in 2017 to 33 from 28 non-violent conflicts in the previous year 2016 (IPSS, 2019).

Africa as that of the world's trend in conflict occurrence, it has a decreased rate in conflicts in 2018 compared to the year 2017 and even more in 2016. Yet, out of the conflicts occurred worldwide, the percentage of Africa's share falls to more than a quarter with percentage rate at 27% in 2018 though it dropped from 28% from where it was in 2017. The conflict drivers are same as 2017 but differs in a case that the system/ ideology driver is higher than subnational predominance causes in 2018 for the first time (IPSS,AAU, 2020). According to the report the number of conflicts recorded in 2018 reduced by 5% from its previous figure of 107 in 2017 to 102 in 2018 respectively (IPSS,AAU, 2020).

Based on text from the report IPSS, (2020), in 2018 conflicts that were fought with the cause over control for power covers 27% of the total conflicts occurred in Africa during this specific year. The other 21%, 20% and 15% are conflicts related to fight over system/ideology, subnational predominance and conflicts over resource respectively (IPSS,AAU, 2020).

As the report continue to compare the conflict trends in 2019-2020 it showed a reduction rate by 6.9% and 3.9% with conflict figures of 95 and 98 conflicts in 2019 and 2020 respectively. This shows a varied reduction that the rate of conflict reduced by 7 conflicts in 2019 compared to 2018 and yet increased by 3 conflicts in 2020 compared to the 2019 trend (Institute for Security Studies , 2022).

2.2. Conceptual Framework

This Chapter deals with the conceptual framework of this thesis. The framework discussed in this chapter will serve as a lens through which the research question on the PSC; these questions concern the agenda setting trend and process of PSC and intervention trends of PSC. The conceptual framework is derived from discussions on interventions, Responsibility to Protect (R2P), New Institutionalism, and New Regionalism theories.

2.2.1. Intervention

The concept of intervention in this regard can be seen as any form of interference that includes diplomatic intervention, coercive and military intervention where a certain state or institution; the interventions can be by institutions at different scales, that is, international, continental or regional institutions intervene in response to conflict related issue that affects international relations.

Historically, prior to the 19th century, intervention was common matter within state's foreign relations. The concept, before it has come to its recent form, was designed and used as an instrument to settle conflicts by the greatest power of the ancient times such as the Roman Empire. It did not have a much of progressive role in the Middle Ages as well. It was frequently used to enforce impartial and just rules (Rattan, 2019).

Intervention in the beginning is designed as a key component of the English School in 18th century which is built around three key concepts: international system, international society and world society (Stivachtis, 2018). Intervention in this case is a right and duty of states holds for human protection as part of the international society as one of the elements of the school suggest. It was in the book of defence with the cause of humanitarian basis when the hegemonic European power was in place (Stivachtis, 2018).

There exists a thought, Wright (1957) that intervention can be defined as unlawful interference with a dictatorial nature by a state in the internal affairs of another state or in the relations between other states. Hence it is considered as illegal act as Wright, (1957) argues for it violates the sovereign power and independence of a state under intervention (Wright, 1957). Nevertheless, justification is given by states to prove that their interventions are just and try to show that there are cases where the intervention is legal. State's independence is expressed as the chance to have its domestic laws drafted and exercised at its free will with no pressure from outside having its own domestic jurisdiction over its legal and political acts. There are scenarios where a state's domestic jurisdiction can be cross boundary such as in territorial waters, in national ships at sea and in colonies (during the time of active colonial rule) in addition to in protectorates (still common situation during colonialism), leased areas and territories, territories with mandate or trust, diplomatic decisions in cases of where states are believed to have weaker stance in its domestic jurisdiction and fail to fulfil the international law or treaty (Wright, 1957).

The concept intervention is defined as "Any influencing of a system of rule from the outside, no matter if the influencing is done by nonviolent or by violent means" (Brussels, 2007).

According to Brussels (2007) the term 'conflict intervention' can be used as involvement with the purpose of influencing violent or non-violent conflicts in another state. In most cases it is left

open that what means of intervention is used, what is the type of intervention and who should intervene and with what purpose and objective?

2.2.2. Principle of Non-indifference

The Non-intervention principle deals with the absolute right of states not to be interfered by any external bodies in its internal affairs, national sovereignty and territorial integrity. France is first country in the world which adopted the idea of non-intervention principle and included in its Article 4 of the constitution adopted in 1790. Though, France did adopt the non-intervention concept, it did not completely close its option for the need for intervention. Later the government of France has ratified a declaration of interventions in 1792 in conditions where there is a need for a fight for liberty, it is customary to interfere in other countries internal affairs (Rattan, 2019).

As Rattan (2019) states, several institutional laws and conventions were issued that strengthen the principle of non-intervention in the post-World War I. The United States for example has declared that it will not recognize any territorial changes that are made by force. The US's measure was followed by the adoption of laws of non-intervention such as the Article 15(8) of the Covenant of the League of Nations and Article 11 of the "Montevideo Convention on Rights and Duties of States" of 1933 prohibited "interference with the freedom, the sovereignty or other internal affairs, or the processes of the Governments of other nations" (Rattan, 2019).

The emphasis of the Charter has more intensified the principle of non-interference not only in the concept of political and any coercive actions that occurs extraterritorial, but also the independence of economic autonomy of states. According to the Charter of Economic Rights and Duties of States issued in 1974, the relations of states on economic as well as political matters should be based on principles¹⁰ (UN, 1975). Another declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States adopted in 1981 states that, states should refrain from any form of use of force on internationally recognized territories of other nations, or disturb the social set up and economic security of other states, unconstitutional or coercive change of government system of other states, create tension among states, expose the cultural heritage and national identity of people in to harmful condition. All the charter and

¹⁰ United Nations Charter of Economic Rights and Duties of States, 1975

declarations are strengthening documents to the “¹¹*principle of the non-intervention of the international law*” (UN, 1975).

It was the UN Charter that introduced the arena of non-interference as a new dimension of intervention which is called the principle of indirect intervention using political, economic and diplomatic means after World War II. This progressed due to the growing cooperation of states which makes it easier to apply. States after the World War II have become cooperative in promoting interventions through diplomatic and other non-coercive means for the sake of Protection of Civilians (PoC). This has made the process easier than prior WW II¹².

Recently, in the contemporary world politics, the exception for the principle of non-intervention or a condition for intervention of the UN Charter has become a contested issue. Hence the principle of non-intervention mentioned under Article 2(4) and Article 2(7) of the UN Charter has become a compelling law under international law regardless of the contesting nature that it has; which is perceived differently by different states, only two conditions are set for intervention mentioned in the Charter with the purpose of collective Intervention under chapter 7 (VII) where there is threat to peace, breach of peace, and act of aggression and second self-defence by a state (Rattan, 2019).

As it is discussed earlier, the contemporary international system laid its foundation on the solid principle of sovereignty and non-interference. States in this regard have a right to be free from any external interventions without their consent in any form in their internal matters. Later on, following the repeated interventions known as the humanitarian intervention which gained dominance since 1991 have put the shield of sovereignty and the right of non-intervention in dilemma over the notion of protecting civilians from harm. Apart from the national security that states always tune their international relations policy, the human security aspect that encourages coercive action is rooted with the perspective of the protection of people’s right within a state than the state itself. This brought the international law of humanitarian intervention to the concept of a Responsibility to Protect (R2P) civilians within states jurisdiction (Seybolt, 2008).

¹¹ United Nations Charter of Economic Rights and Duties of States, 1975

¹² United Nations Charter of Economic Rights and Duties of States, 1975

2.2.3. Responsibility to Protect (R2P) and its Evolutionary Development

The Responsibility to Protect is a contested concept for it plays two side stories in many cases. In some cases, it has served for a just cause where victims of gross human rights violation and war crimes of a certain conflict hosting state were prevented from complete genocide like the case of Kosovo and in others; it was used to change a regime. Libya is a typical example for the later. The case of Kosovo and Serbia where Kosovo people were under intensive human rights violation and victims of crimes against humanity by the Serbs laid foundation to the evolution of the Responsibility to Protect concept (Cater and Malone, 2016). This according to the writers Carter and Malone (2016), the need for the North Atlantic Treaty Organization (NATO) military intervention regardless of Russia's vote against the action, paved a way for open interpretation of the R2P in the 1999. Even though, the Kosovo case was the first military intervention in the name of R2P, the concept traces its root back when nations and the UNSC intervene to protect Kurds of Iraq and the response for famine of the Somalia in 1991 and 1992 respectively (Cater and Malone, 2016).

The establishment of the International Criminal Court (ICC) has also contributed to the creation of the R2P following the need to conviction of the Rwanda and Kosovo genocide perpetrators through tribunals created by the UNSC to follow cases for the crimes committed in these two particular cases (Cater and Malone, 2016).

2.2.3.1. The Debate on R2P

The base for R2P in principle is the need to protecting of civilians where the host country is unable or fail to protect its citizens from gross human right violation, war crimes, crimes against humanity and genocide. Cases like the genocide in Rwanda and the Kosovo has triggered the need for R2P in the international and African politics. Hence, the R2P charm in Kosovo did not repeat itself in the case of Libya where the NATO has intervened even with the endorsement of the UNSC in 2011. This instead created a sense of mistrust among the UNSC members mainly the United States and the Russian Federation which was manifested by blocking anyone from intervening to protect from within or international actors which results with the creation of antagonist rivals over the situation in Syria in 2012 (Cater and Malone, 2016).

The inception and cause of R2P is the essence of the protection of civilians from violation of rights and attacks regardless of the debates on sovereignty, where many states are using the concept as hiding cave from being accountable (Martin, 2014). The other point that seeks greater attention is how genuine is the concept of R2P in the eyes of the super powers who have a decisive power in the UNSC. In order to understand that, it is important to analyse the case of former Yugoslavia. There was clear split among the P-5 countries having blocks in one side France and United Kingdom where they have strongly argued that using excessive power will not solve the problem in Srebrenica while the United States stuck to the idea of using proper power including the air force is critical to enforce the aggressors in Srebrenica relent. There is also another third story of the case led by Russia. The Russian government because of its close relationship with Belgrade demanded a peaceful resolution of the situation (Cater and Malone, 2016). Thus, the R2P in this case is dependent on the willingness and modality of the intervention means or political will of the super powers in UNSC which leads to conclusion that civilian protection matters only if these powers agree (Cater and Malone, 2016).

Most debates of the R2P were intensified after the establishment of the International Commission on Intervention and State Sovereignty (ICISS) which was announced by the Prime Minister of Canada, Jean Chretien, in 2000 and the launching of the 'Responsibility to Protect' through the ICISS report in December 2001 (Cater and Malone, 2016). The R2P in this regard has reshaped the concept of sovereignty by implication that it is a state's primary accountability for the protection of civilians, but that the principle of non-intervention yields to the international R2P if the state is unwilling or unable to protect its people from harm. So in this case, sovereignty is granted until it is believed by the international R2P that a certain state is fit to protect its citizen from harm. This was dealt in the report with three principles which later on has brought differences and appeals by the US and many African states. The establishment of the inter alia criteria for military intervention and precautionary principles on R2P is believed to avoid the debated trend on the R2P (Cater and Malone, 2016).

According to the report by ICISS (Cater and Malone, 2016), the R2P is pulled for discussion on the table only when the Council fails to act and the General assembly should consider as last resort for action under the 'Uniting for Peace' formula or by regional organizations under Chapter VIII of the UN Charter. This criteria and precautionary principle for R2P introduced by

the ICISS has faced strong objection by the United States claiming that it will block the US from intervening militarily when its national interest is at risk. Apart from the fact that third world states are not in to the concept of R2P due to many miscalculated judgement on the decisions made by the US and other allies to intervene in Iraq in 2003, the ICISS has brought a significant inclusion in the process of establishment ICISS (Cater and Malone, 2016).

This has resulted with the inclusion of a clause in the Constitutive Act of the AU under its article 4(h) and 4 (j) it reads as follows:

“¹³(h) the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity”; and “(j) the right of Member States to request intervention from the Union in order to restore peace and security”

On another side of the debate, the R2P concept without the phrase of the right to intervene can have three distinct pillars. The first one according Evans and Shanoun is that the perspective of the concept from the side of support seekers than the ones who are interested in intervention (Evans and Sahnoun, 2002). So in this case the centre of the R2P is the need to protect communities from mass killings, systematic rape, starving of children and other forms of crimes when the state fails to deliver. The second advantage goes, to the primary responsibility of the state to protect its people from harm unless it is the preparatory of the act or it is weak or unwilling to defend harms from other actors from where international actors should intervene. This aligns with the concept of sovereignty as responsibility. The third important advantage which is mostly not considered is that the concept of the R2P is a package for not only the responsibility to react but also the responsibility to prevent (preventive diplomacy) and responsibility to rebuild (post intervention reconstruction, both politically and economically). This is where the international community fails to properly implement the R2P which most of the time it worsens the lives of civilians after intervention with the cause to prevent. The Libyan case is a typical example in this case too, where the NATO has interfered without having a backup plan on how to leave the country after the fall of Gadhafi. Bringing the responsibility to prevent and rebuild to centre stage should help make the concept of R2P itself more edible (Evans and Sahnoun, 2002).

¹³ Constitutive Act of the African Union, Article 4 (h) and Article 4(j), 2002

The concept of the Responsibility to Protect (R2P), hence were institutionalized in an international level as a norm after the endorsement of the concept through a summit that adopted a document in 2005 on the UN world summit where states affirm to protect their people from dangers of genocide, war crime, crimes against humanity. The summit has developed a document that describes the details of the Responsibility to Protect (R2P) known as the 2005 World Summit Outcome Document¹⁴.

In the outcome document of the summit, paragraph 139 of the Paragraphs on the Responsibility to Protect reads as follows;

“¹⁵The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.”

The UN charter chapter VI in this regard provides the states to resolve their conflicts in a peaceful manner while chapter VII gives coercive measures in pursuant to responding to crisis and conditions related to R2P. On the other hand the UN Charter chapter VIII provides the constitutional basis for the involvement of regional organizations in the maintenance of international peace and security for which the UN Security Council is responsible for (UN , 1945).

The PSC intervention is basically in line with the concept of R2P which is reflected in its Constitutive Act article 4 (h) and (J); where it gives the PSC a mandate to intervene in member states who fail to fulfil their responsibility to protect and give the chance to the state members to

¹⁴ UN 2005 World Summit Outcome Document, Paragraphs on the Responsibility to Protect, Paragraph 139

¹⁵ UN 2005 World Summit Outcome Document, Paragraphs on the Responsibility to Protect, Paragraph 139

request to intervene in other countries' situation regarding to the R2P (Constitutive Act of the African Union, 2002).

2.2.4. The New Institutionalism

The rise of the New Institutionalism traces back to 1980's and was coined by March and Olsen (2005). The concept is a broad concept in the new political science and contemporary international relations (Bodnieks, 2020). The new institutionalism is developed from the old institutionalism to reinstate and refine the study of institutions as important variables in political games. Old institutionalism according Bodnieks (2020) was a dominant spectrum in political science for the late 19th and first half of the 20th centuries. Old institutionalism in this matter is concerned with law and its role in state governance (Bodnieks, 2020).

The term Institutionalism itself denotes that, it is a general approach which helps to study political institutions, assumptions and theoretical aspects that define the relationship between institutional behaviours and political institutions along with their performance and change in general. (March and Olsen, 2005).

The new institutionalism runs around nine different approaches namely rational choice, international, sociological, empirical, network, constructivist, historical, feminist and normative approaches which categorize themselves as a new institutionalism. (Bodnieks, 2020)

According to Bodnieks (2020), new institutionalism is a middle-range theory which is a theory of sociology that integrates theory with empirical concept. It is common trend for states to review and restructure their security and defence institutions as needed as a result of discussions, disputes and challenges can be seen among sovereign states, particularly, during conflicts, aggressions or even war periods. This is due to the fact that state institutions have the most important role in influencing policies related to defence and security in a state. Bodnieks (2020) argues that, highest attention should be given to the changes that occur in security and defence institutions. This is due to the fact that the military and security institutions are way different in form from the civil institutions, therefore frequent and systematic change is required for these institutions in security and defence sector. The new institutionalism is a very convenient theory to facilitate such changes according to (Bodnieks, 2020)

The difference between the old institutionalism and new institutionalism is that, the first is an approach to the study of politics that focuses on the formal institution of governments. Whereas the new institutionalism is a social theory that focuses on developing a sociological view of institutions, the way they interact and the effects of institutions on society (Bodnieks, 2020).

2.2.4.1. The New Institutionalism and Politics

According to March and Olsen (2005), a sum of institutions, with a power to fit in a series system that runs a state creates a political order. These institutions change over time and reinstitute with new principles as time changes. Bodnieks (2020) emphasize that, it is also known that institutions are ways by which political goals are achieved in the defence and security arena and they are foundations of shared values and prosperity targeted at citizens of a state (Bodnieks, 2020).

As March and Olsen (2005) stated, the relationship between institutions and political decisions either to influence state actors from within or international actors is interrelated. This is expressed in a way that, political actors organize themselves and act according to the sets of rules and principles that are socially constructed (constructivist institutionalism), and known and accepted by the public. So, it is the institutions that determines and sets rights and responsibilities that influence through these rules and principles by deciding how to shape or regulate advantages, burdens and life opportunities are distributed among the society, and dictate power and authority on how to deal with issues and respond to conflicts (March and Olsen, 2005).

In the perspective of rational choice institutionalism, it is up to the institutions to dictate the political game, define interstate relationships by offering opportunities and limit activities otherwise if interest is not with their line. From rational choice institutionalism it follows that institutions are rules governing the political game and that institutions offer opportunities and constrain activities (Bodnieks, 2020).

Hence, the neoliberal institutionalism also known as neoliberalism currently focuses on international organizations with the desire to nurture cooperation among states by helping them cross a line that enable them escape from international agreements Bodnieks (2020). The UNSC voting trend and their alliance to their perspective choice countries as debates notes that is the

most commonly mentioned example of the neoliberal institutionalism instrument (Bodnieks, 2020).

2.2.5. The New Regionalism

Unlike the Old regionalism which involves only the relations among states, the new regionalism involves not only state relations but also non state actors which are formal and informal ones like civil societies, private sectors. The concept can be defined as a new arena of inter-or transnational relations in the debate of international relations. It has been triggered by the post-cold war era and later magnified due to the reason 9/11 syndrome (Söderbaum and Shaw, 2003).

There has come in many numbers the concept or regionalism and regionalist projects since the late 1980's. The European Union intensive expansion all over the world region wise is a contested example of such recent norms. Others such as the Southern Common Market, the Association of Southeast Asian Nations (ASEAN), the North American Free Trade Agreement (NAFTA), the Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS), the Intergovernmental Authority for Development (IGAD) and other regional economic and political communities are manifestations of the regional projects under the theory of regionalism (Söderbaum and Shaw, 2003).

2.2.5.1. The New Regionalism and Regional Security Organs

The concept of new regionalism theory or the regional security theory has gained market in the international relations mostly in the eras of the end of cold war. This is due to the fact that the regional security theory revolves on the study of international relations with the perspective of state and the globe and the relationship they both have. In many cases, the regional dynamism of a politics is influenced by proximity, so is the elevated attention on the concept of security by proximity of states grows in this regard. It is obvious that the highest form of cooperation and/or threat of a state come from neighbours which creates different regional complex (Kelly, 2007). This concept also emphasizes the regional complex that is as a driving force for seeking collective security mechanisms. In such a case regional institutions curb collective threats through repression than integration and by forming regional organizations (Kelly, 2007)..

The new regionalism according to Kelly (2007) has made it quickly in to bringing itself as a dominantly growing theory in the international relations. Unlike the liberal theory, where unipolar is promoted, analysing the IR in the sense of globe than regional dynamics, the new regionalism has five distinct debates. The first debate according to Kelly (2007) revolves on the sense that states are more aware and afraid of their neighbours than a distant state (proximity's effect over security dilemma). Since states are fixed geographic locations, local dynamics affects them intensely than the global. The second debate focuses on the local partners' exploitation of external patrons to help them hunt local opponents as western powers intervene in regions (Kelly, 2007).

The third debate is on the contemporary role of the regionalism. He argues, regionalism exposes the increasingly normative awkwardness of systemic overlay (exploitation of local actors over the patron), that is, imperialism and colonialism. There is a growing practice that countries of small size and regions are demanding a deserving status in the IR regardless of the excessive power of the great powers (Kelly, 2007). The fourth and fifth debates give emphasis to the sustained successful growing overlay challenges and the rejection by the regionalists on "too much insistence on parsimony as a doctrinaire blinder that leads to deep, indefensible mismatches between theory and reality" respectively (Kelly, 2007).

CHAPTER THREE

3. RESEARCH METHODS

In this study a qualitative research method is applied with the purpose of exploring social perceptions, ideas and concepts from professionals in the topic as experienced by experts in their social and professional contexts (Grossoehme, 2014). This method is selected with the anticipation of understanding different opinion, and knowledge about the concept, both epistemological and ontological in this regard.

3.1. Research Design

Exploratory research design is used in this thesis for the reason that understanding perceptions from professionals, researchers, think-tanks in the subject under study and help the researcher to interpret the data he obtained in relation to the initial research questions that he has to answer in this study and add a portion of knowledge to the existed literature. Due to the fact that the researcher has used unstructured data collection methods such as interactive interviews with key informants, guest speakers open discussions on a topic.

3.2. Data Collection Methods and Data Types

3.2.1. Sampling

The sampling technique used in this study is non-probability sampling. This is due to the fact that this study involves key personals with specific expertise in the field of study under this thesis and they have been selected through snowballing sampling procedures.

3.2.2. Data Types

The data types that the researcher used in this thesis are two in number. These are the primary and secondary data in particular. As part of the primary data type, the researcher has obtained a primary data through unstructured interviews with key informants, attending a guest speaker's lecture from prominent key officials of the PSC, communiqués¹⁶ and situation reports,

¹⁶ Communiqué is a French term which has equivalent meaning with “to communicate” in English language and is used for publishing session results and decisions of the PSC sessions.

statements of higher officials and published hand and yearbooks of the AU-PSC. As a secondary data, the researcher has used different literary works from different scholars and researches.

3.2.3. Data Collection Tools

3.2.3.1. Key Informant Interview (KII)

A validity of a data is mostly determined by the quality of information that the researcher has to obtain through different sources. Primary data is believed to have a significant role on the researcher's effort to collect the necessary data which enable the researcher to reach in to sound conclusions about the study under thematic issue. It makes it desirable if the primary source is a vitally knowledgeable person in the area. Key informants are persons with a distinct profession who have a distinct knowledge and information about the topic under study. The researcher chosen to conduct a key informant interviews as a data collection tools with different scholars and researchers from different institutions to ensure the data validation in the study.

The data in this study is triangulated among two thematic issues, the agenda setting and intervention trends of the PSC with specific cases of Mozambique, Libya and Somalia. To this end the researcher conducted a key informant interview with researchers from Institute for Security Studies- African Peace and Security Governance (ISS), Amani Africa Media and Research Center, the Institute for Peace and Security Studies- Africa Peace and Security Programme IPSS-(APSP), along with desk review. In addition to that the researcher attended a scheduled guest speakers' lecture about the PSC from recognized persons at the AU CEWS and ISS as a source of experience based and primary data through asking personal views during the presentations and lectures through virtual and in persons sessions organized by the IPSS. The key informants are 5 in number in addition to 3 guest speakers, 2 from IPSS-APSP, 2 from ISS and 1 from Amani Africa; all interviewed in person except for the KI from Amani Africa who was reached out through virtual interview on Google meet.

3.2.3.2. Desk Review

Desk review/document review otherwise secondary data review is one of the data collection tools the researcher used to further enrich its arguments and study body in this case the analysis of the research. In due course, sources from published authors at different journals are used to

make a sound literature review as a basis for the study. As an input for the analysis of the subject under study and triangulate the data from the primary and secondary sources, the researcher has used documents from IPSS (Conflict insights), PSC reports on country and region situation from ISS, PSC insights from Amani Africa Media and Research , and the Communiqués¹⁷ of the AU-PSC.

3.3. Data Analysis and Interpretation

The researcher has started his journey of navigating and collecting in to data mainly the secondary data by going through all possible relevant and available sources and documents that suit to the thematic area of the study. The unorganized and varied data collected from secondary sources were organized and put in a structured manner. To further discuss and find out the existing debates and ontological and epistemological knowledge about the subject under study in this paper, the researcher has conducted key informant interviews to collect primary data to further strengthen the analysis and triangulate the data obtained from both sources. The data collected from the key informant interviews were all in English. In order to understand and show the intervention trends of the PSC the researcher has looked in to it through a lens of R2P, and the right to intervention of the AU. A new regionalism theory is also used as a lens in this study to understand the dynamics of the RECs and PSC. Finally the New Institutionalism is another lens where the researcher used to navigate the normative framework of the PSC in its trend of agenda setting and intervention in state members of the continent.

3.4. Ethical Considerations

Research work is an important action that requires the cooperation of many in order to successfully be conducted and bring the desired impact. In order for that to happen, the researcher should earn trust from stakeholders and participants of the study in any form (al, 2016). According to Stephen (2016), research knowledge and findings are meant to be shared with scholars and professionals. The ethical norms and considerations taken by the researcher determine the quality and impact of the study where its contents are not subjected to any ethical misconduct.

¹⁷ Communiqué is a French term which has equivalent meaning with “to communicate” in English language and is used for publishing session results and decisions of the PSC sessions.

As a principle of conducting a study with an ethical basis, the researcher has applied ethical considerations in his study. The first priority was given to the respect, dignity and the safety of research participants once their consent to participate in the study is confirmed. He applied the principle of a good researcher that ensures the protection of privacy of the participants by giving emphasis to the confidentiality of the information obtained from the participants and maintaining their anonymity. Another pillar of ethical consideration that the researcher has applied is an ethical consideration related to the research content and procedure. Hence the researcher strictly worked to ensure the truthfulness and honesty of the work where exaggeration and deception will not be observed in any of the study. A major step was taken to disclose any affiliation, source of funding and any conflict of interest during the study period. Finally, the researcher ensures transparency, originality and correctness by avoiding plagiarism and misrepresentations of the study and any information related to the study.

CHAPTER FOUR

4. RESULTS/FINDINGS

The PSC is primarily drafted with the mandate of implementing effectively the goal set by the AU Constitutive Act (AUCA) article 4 (h) by labelling the tendency of armed conflict as a deadlock for socio economic development of the continent and the concept of ensuring peace, security and continental stability gained a first-hand attention by the PSC (ISS, PSC Insight, 2020)

The PSC is initiated with the mandate to give the AU a picture of origin of solutions for security challenges of Africa. This has been done through different methodology in the operational time of the PSC. To begin with, the PSC has mandated several peace support missions; more than a dozen in this case, conducted several mediation and peace making processes that showcased its mandate as the AU's instrument for peace and stability in the continent. In addition to this, the efforts of PSC were not limited to the above activities and missions. Instead it has set a consistent practice that shows the intolerable norm of the AU towards the unconstitutional change of government by enforcing measures on such actions. Thus, results have been achieved in restoring constitutional governments with the measures taken by the PSC. Member states/governments such as Guinea, Niger, Togo, Mauritania, Madagascar, Mali and Guinea Bissau are some member countries of the AU that have restored their constitutional government after facing challenges to Coups and unconstitutional government changes through the PSC measures (Amani Africa, 2018).

¹⁸Apart from the achievements in terms of response to conflicts of the PSC and notwithstanding the statement in the PSC protocol Article 4 (b) which reads as “*early responses to contain crisis situations so as to prevent them from developing into full-blown conflicts*”, it has been blamed for its approach of handling conflicts after they evolve in to actual crisis. ¹⁹A key Informant from a research think-tank shares this idea by expressing his intake on the prevention aspect of the PSC. (KII-04, 2023) argues that due to the fact that conflicts are cyclical and relapsing in most common situations in Africa prevention rather than management is pivotal (KII-04, 2023).

¹⁸ Protocol for the establishment of the AU PSC, 2002, article 4 (b),

¹⁹ Key informant, (Coded KII-04) a senior researcher from Amani Africa Media and Research Services

Most of the conflicts being addressed or tabled for discussion by the PSC are addressed only after they turned to be full range conflicts. This according to the special reports named as fire fighting approach of the PSC which do not focus/address the conflicts before happening by taking preventive measures. This has been displayed in the PSC inability to prevent conflicts before they broke out, for example the cases of Burundi, Burkina Faso, Central Republic Africa (CAR), and South Sudan and Democratic Republic of Congo (DRC) (Amani Africa, 2018).

This in other perspective has been expressed as denial of early warning alerts given by the Continental Early Warning System (CEWS) a pillar of the APSA. There goes a problem of implementation of decisions²⁰ (GS-01, 2023).

According to PSC Insight by ISS (ISS, 2020), in order to bring about the required results set by the Act, the preamble acknowledges the presence of an acting body which should be provided with institutional power and mandate to operate effectively. This is how the protocol for the Establishment of PSC came to life in 2002 with the scope of addressing conflicts with in the continent based on article 5 of the Constitutive Act which reads as

“²¹To address the scourge of conflicts on the continent and to ensure that Africa, through the African Union, plays a central role in bringing about peace, security and stability on the continent” (AU, 2001)

4.1. The Normative and Institutional Framework of the PSC: Agenda setting and intervention perspective

4.1.1. The Agenda Setting Culture

The Agenda setting trend and process of the PSC is a pivotal activity that determines what issues need urgent and pressing intervention from the council and it is highly critical process. The PSC in its protocol and rules of procedure clearly states that monthly programs should be prepared ahead at least in 20 days. This according to the Dakar Retreat of the PSC conducted in 2007 basically is to give a direction that any chairperson who assumes the PSC’s Chairperson Power shall prepare monthly program within 20 days of operation in office in consultation with the AU Commission (Amani Africa, 2018).

²⁰ Guest speaker 1- (GS-01), An expert from the African Union Continental Early Warning System (AU-CEWS)

²¹ The African Union Constitutive Act, 2001,

The two working documents of the PSC namely the PSC Protocol and the Rules of Procedure specifies that any item can be added to the interim agenda prepared and no member state shall oppose it (Amani Africa, 2021) also reads on the PSC Protocol article 8(7) as;

*“The provisional agenda of the Peace and Security Council shall be determined by the Chairperson of the Peace and Security Council on the basis of proposals submitted by the Chairperson of the Commission and Member States. The inclusion of any item in the provisional agenda may not be opposed by a Member State”*²²

Another primary data source for the study, key personnel at the PSC argued that if the monthly Agenda of the council is prepared without announcing the chairperson for the month and circulated to the members of the PSC to guess who prepared the agenda. If the members guessed who is chairing for the month correctly it means that the agenda has an interest of the chairing country representative and it is subjected to change²³ (GS-02, 2023). This according to the GS-02 is done to ensure impartiality on the agenda setting process of the PSC. The above approach is subjective and cannot accurately ensure the impartiality of the agenda setting.

The agenda setting of the PSC /monthly basis has three different aspects. One is country conflict situation, second is regional conflict situation such as the Sahel region and Chad basin and the third one is thematic situation (KII-03, 2023)²⁴. According to KII-05, there are two important organs that influence the agenda setting trend of the PSC. The first one is the PSC secretariat which is vital and influential in agenda setting process of the PSC in regard to thematic agendas. The other one is the PSC monthly chair which is more influential in country specific situation (KII-05, 2023)²⁵.

Practically the way the PSC crafts its agenda is using the monthly program of work which is prepared by the council itself on the annual indicative program of work. There is a way for a certain issue to be included in the agenda. That is, if the conflict situation or thematic issue is included in the working documents of the PSC namely the monthly program of work and the annual indicative program of work (Amani Africa, 2021).

²² Protocol Relating to the Establishment of The Peace and Security Council of the African Union,2002

²³ Guest Speaker 02- coded (GS-02), A representative from the Africa Union Peace and Security Council Secretariat, May 2023

²⁴ Key Informant Interviewee 03 (Coded-KII-03), a researcher from Institute for security Study, May 2023

²⁵ Key informant Interviewee 05 (Coded-KII-05), a senior researcher from Amani Africa Media and Research Services, May 2023

Taking the issue of the situation in Cabo Delgado province of Mozambique that the PSC has addressed the issue as part of a thematic agenda, and it added no new country specific situation to its agenda in 2020 (Amani Africa, 2021). There is a similarity of conclusions on the changing trend of the Agenda setting of the PSC. KII-03 also mentioned that in terms of Agenda setting there is a trend of change and inclination towards thematic situations such as the climate change, terrorism but yet the country specific issues are the most burning issues that need attention (KII-03, 2023). So in general the dynamics among the PSC members makes the agenda setting very difficult and flawed (KII-03, 2023). This is also reflected on the report Amani Africa (2018) discusses the point of agenda setting is done by the chairs by consulting the chair AU commission along with members of the PSC as stated in the PSC Protocol and Rules of Procedures. Due to the fact that the Protocol and Rules of Procedures of the PSC allows the addition of new thoughts in to the provisional agenda which leads to irregularity of agenda for agenda is determined by the monthly chair of the PSC which is characterized by thematic issue than a conflict situation of a certain member countries (Amani Africa, 2018). In due course, thematic issues are more prone for agenda setting than conflict situations. The percentage of thematic issues over countries' conflict situation has risen to 70% in 2017 from 60 % in 2016 (Amani Africa, 2018). This reflects on how the agenda setting trend of the PSC is tuned to thematic issue than dealing with real conflict situations in the continent in this specific years mentioned (Amani Africa, 2018). In 2020 the proportion has changed to 53% of conflict situation agenda and 47% thematic issue (Amani Africa, 2021)

According to Amani Africa (2018) special report, the PSC is less balanced in terms of agenda setting though there is institutionalized culture of program preparation. The agendas are supposed to cover a significant portion of cases such as situations in Central Africa region where situations are as equal as the situations in the East African which gets 2/3 attention by the PSC particularly the case of Somalia and Sudan. The intensity of the situation in Central Africa is similar to that of in East Africa which leaves everyone in wonder why the PSC is willing to intensively get busy in one situation denying the other which needs equal attention (Amani Africa, 2021).

Amani Africa, (2018), the PSC's agenda setting and fortitude to decide in which conflict situation needs intervention is not clearly set except for unconstitutional change of government which drives the AU-PSC consider the situation for action mostly unconditionally. This makes it hard to tell which agenda is subjected to be tabled by the PSC. Hence, many cases with worst situation and conflict conditions are left untouched or denied the chance to make it to the table which creates a space of allegation on the PSC for its selectivity (Amani Africa, 2021).

²⁶KII-04 supports the above argument by phrasing it as

“I would say framing the agenda setting is commendable. The main loophole of the PSC agenda setting is, first, the tendency of selectivity and reluctance when it comes to discussing the sensitive cases” (KII-04, 2023).

Another informant in this study elaborates why the PSC is most of the time selective in its agenda setting by bringing for example of the case of Sudan where there was no tangible suspension measure from membership apart from communiqué and statement of condemnation for the unconstitutional change of government; regardless of how burning is the issue in Sudan we could not see any concrete actions apart from communiqués. Also the case of Cameroon was not tabled at the PSC sessions for too long for the crisis between the Indi speaking minority and the French dominated regime which lasted for almost 7 years now just because of the constitution of the PSC itself. Cameroon is member of the PSC, which means that it is easy for Cameroon to block the discussion on Cameroon (KII-03, 2023). As he adds²⁷,

4.1.2. The PSC's Intervention by Case Countries

This section of the paper will explore potential interventions of PSC with cases having different conflict types and natures to help the researcher look in to the intervention trends of the PSC. It also assesses on how the PSC responses to different types of conflicts and understand the dynamics of PSC and Regional Economic Communities (RECs).

²⁶ *“I would say framing the agenda setting is commendable. The main loophole of the PSC agenda setting is, first, the tendency of selectivity and reluctance when it comes to discussing the sensitive cases”* (KII-04, 2023).

²⁷ *“It is a worrying trend. Because, on one hand there is no roadmap for proper standard agenda setting and in order for the PSC to be effective, there should be a balance in Agenda setting on the other hand. In my expression there is a saying that who he gives the paper gets the tune. So the financiers are the influencers in the Agenda setting in most cases”* (KII-03, 2023)

4.1.3 The Case of Mozambique

The geographic location of the Republic of Mozambique is in the Southern Africa region sidewise with the Indian Ocean coast. The country share borders with Eswatini, Malawi, South Africa, Tanzania, Zambia and Zimbabwe. The total population size of the country is 29.3 Million (IPSS, 2020).

According to the report, (IPSS, 2020), after long years of stability and economic growth lasted for almost 20 years following the end of civil war fought after independence from Portuguese colony since 1975, the Republic of Mozambique re-entered in to conflict in 2013 among the ruling government party Mozambique Liberation Front (FRELIMO) and Mozambican National Resistance (RENAMO) following the attack of a police station by the opposition group, RENAMO. The two groups are the most dominant conflicting actors in the country though there is an extremist group joined later in October 2017 to the conflict situation mostly known in northern Mozambique named the Islamist militia group which was claimed to have a relationship with Islamic State in Iraq and Syria (ISIS) (IPSS, 2020)

A new fight resumed no later than a year after an important step was taken to sign a peace deal between the government and RENAMO in 2019 to go to national election where many Mozambique's people casted their votes and the FRELIMO party was declared winner by 73% of the election results. This led to conflict following the rejection of the result by RENAMO (IPSS, 2020).

The PSC and RECs relationship and dynamics through the principle of subsidiarity, in the condition where intervening is left to the regional economic community and regional mechanism also can be seen as the influence of the new regionalism, Southern Africa Development Community (SADC) though the delay in response to the situation in Mozambique is multifaceted, SADC and the AU/PSC failed to directly respond to the conflict situation in the country. KII-05 strengthens this concept by arguing that the response in the case of Mozambique was very late and the case of Mozambique made it to the table of PSC session in 2022 while the crisis was active since 2017. This argument is backed by another primary data source guest speaker-03 (GS-03), where he emphasizes the delay of the PSC in tabling the issue. Many reasons are mentioned for this lack of adequate response to the situation. The first one is that,

(IPSS, 2020) the ruling party of Mozambique FRELIMO has a very good relationship with the SADC member countries and responding to the conflict situation or intervening with no consent from Mozambique is considered as betrayal by the SADC. The other reason that mostly rose is, the SADC has a habit of not intervening in domestic issues and the perception it had about the conflict in Mozambique is considered domestic issue, specially the conflict between the government and the main opposition group RENAMO (IPSS, 2020).

The failure of the SADC to intervene in regional crisis which it should have been its mandate because of the subsidiarity principle also was seen in the case of DRC and Great Lakes Region. The SADC has failed to respond to crisis from within in the above cases and is quoted by the author as follows; “The crisis in the Great Lakes region and the DRC may therefore have signalled that SADC's authority to deal with conflicts from within was in doubt” (Breytenbach, 2009).

If a question is asked on where the PSC does stand in terms of intervening in Mozambique, leads us to its response through RECs through mandates that are issued in different times by its communiqué following to the developments of SADC in response to the conflict situation in the country. Therefore; the PSC’s decision for intervention in Mozambique is clearly through the RECs, the SADC in this case. According to the PSC communiqué issued in its 1062nd Meeting in January 31st, 2022, the PSC has endorsed the deployment of missions known as the Southern Africa Development Community Mission in Mozambique (SAMIM) from SADC under the framework of African Standby Force (ASF), a military wing of the APSA under the framework of APSA to fight and prevent terrorism in Northern Mozambique, in Cabo Delgado province in particular (PSC, 2022).

The PSC (2022) pressed the commission to assist the mission in SAMIM in logistics, equipment and other necessary supports that the mission needs in addition to strengthening its engagement and offering direct military equipment supplies gained from china. The PSC in its other communiqué for the 1119th session of the PSC, held on November 2022 reaffirms the efforts of SAMIM intervention through SADC, acknowledges the support of the Rwandan Defense Force, though KII-01 has argued that the Rwandan intervention has undermined not only the PSC mandate in dealing with crisis in its member states but also bypassed the RECs (SADC in this case) and intervene in the case of Mozambique regardless of the principles set on the concept of

subsidiarity. The secrecy of the Rwandan mission puts the legitimacy of the RECs and PSC at large in question (Nhamirre, 2023)..

According to a report by ISS (2023) and the information from a lead researcher at the IPSS KII-01, at first hand the mission undermined the SADC and PSC, second, though the Rwandan forces pledged to cooperate with the Mozambique government, the government of Mozambique complains the secrecy of the Rwandan forces movement by blaming that they no longer share information and intelligence nor to Mozambique neither to the SAMIM. Hence, Mozambique has failed to actively lead the coordination effort as the host country (Nhamirre, 2023).

The Rwandan intervention case was also characterized by lack of proper communication. The troops of Rwanda arrived in Mozambique ignoring the announcement of the SADC's deployment to Mozambique announced a week ago neither notifying the SADC nor consulted the Mozambique's parliament with unilateral decision of the President of Mozambique (Nhamirre, 2021).The acknowledgement of the intervention of the Rwanda troops by AU-PSC contradicts the principle of the PSC protocol article 4 (f) demanding the non-interference of states in the internal affair of other member (Nhamirre, 2021).

4.1.4. The Case of Somalia

The case of Somalia is unique and complex compared to cases discussed above due to the nature of conflicts, the scope and magnitude of the insurgencies, the varied actors and size of combatants in the country and other contributing factors. To begin with, starting from 1990s the country is a collapsed state with intense corruption, clan conflict and warlordism, second, as Williams continue to argue there were 150 armed groups operating in Somalia in the year 2016 (Williams et al. , 2018). And thirdly, it is a dwelling place of the internationally labelled terrorist group al-Shabab, a wing of al-Qaida (Williams et al. , 2018).

An intervention of the AU-PSC in Somalia has come to operation after several African and international intervention actors gave their perspective shoots in the region since the 1991 and yet all of them failed. To mention few, the first foreign intervention was the US-led multinational United Taskforce (UNTAF) lasted only until 1993 along with UN humanitarian and Ceasefire Monitoring Operation in Somalia (UNOSOM-I) stayed only until 1992, which later replaced by UNOSOM-II casted away in 1995. In addition to that the Ethiopian army intervention from

2006- 2009, and the Intergovernmental Authority on Development (IGAD) Peace Support Mission in Somalia (IGASOM) which was unable to deploy successfully due to lack of impartiality of the troop contributing countries which neighbouring Somalia (Rwengabo, 2016) and shortage of logistics and financial capabilities to handle the mission²⁸ (KII-01, 2023).

The African Union Mission in Somalia (AMISOM) is by far the most large scale intervention in the history of the AU-PSC interventions which came to operation by the initiation of the AU-PSC in Somalia to deal with complex conflict and political dynamics (Rwengabo, 2016). Similar view is shared another primary data source KII-05 who articulates his comment on the PSC intervention in Somalia as most effective mission in relative comparison with the two cases under this study, the Mozambique and Libya in this case. Though the mission in its first operational stage faced several challenges such as low commitments from the troops, troop losses in battles against the armed groups, but in other words explicitly shown the defects of AU such as the financial, material and bureaucratic issues, the mission is way better in achieving political, military and state building goals. In such regard the PSC played a greater role (KII-01, 2023).

These achievements can be expressed in terms of the missions' strong moves in engaging stakeholders to come up with solutions for certain crisis in Somalia and facilitating platforms for rivals to negotiate in round tables. The biggest success Rwengabo (2016) is that the AMISOM was able to establish minimum government structures which were never in place since 1991 and helping the Transitional Federal Government to permanently replaced with the Federal Government as a permanent entity who has a central power over violence in the country. This enabled the mission to successfully restore the security arena for government officials, aid workers and the people in some territories of Somalia (Rwengabo, 2016). Furthermore, the missions' commitment to train the Somali police and security personnel was very critical to the state restoration processes along with the capacity building trainings to help the actors build confidence to extend state authority (Rwengabo, 2016).

²⁸ Key informant 01 (Coded KII-01), a senior researcher at the Institute for Peace and Security Studies, AAU, May 2023

The main objective of PSC-AMISOM Williams et al. (2018), is to help and facilitate a space where different political actors in Somalia solve their differences through dialogue and negotiation. This statement agrees with the argument of Rwengabo (2016) on how the AMISOM has facilitated such platforms. In this regard, the mission has successfully created the platform by securing political transition. In addition, the mission has reduced the influence and threat of al-Shabaab from a national existential threat to a fraction of extremist armed group with no much of political influence in apart from perpetrated terrorist attacks. AMISOM also is successful in bridging and securing electoral processes in the country. Though the mission does achieved its political platform creation tasks by securing threats and creating conducive grounds for political game, the result in politics was determined by the Somali politicians and how they handle the chance the AMISON already created for it does not have a political mandate throughout its mission (Williams et al. , 2018).

The challenges the AMISOM faced during its stay in Somalia according to Williams et al. 2018, is the question of national and local ownership. Apart from these and other challenges in logistics, some military campaign failures in relation to al-Shabaab, irregularities in political decisions of the Somali government and so on, the PSC intervention through AMISOM can be labelled as the most effective interventions by the PSC compared to other interventions in the continent more specifically in helping the establishment of government structure, security personnel developments, reducing al-Shebaab's existential threat to the status of belligerent and providing security protections to aid workers and government officials (Williams et al. , 2018).

Apart from the massive success that can be praised in relative term, the mission has faced a huge challenge in terms of funding. According to KII-03 there are times where soldiers in the AMISOM stay for a long time without receiving their salaries. The widespread piracy challenge in Somalia has driven these soldiers with no salaries to engage in illegal charcoal business in the coastline of Somalia²⁹. As he continues to elaborate, Kenyan soldiers were once alleged of similar actions according to KII-03. He believes that such financial shortages might cause divergence on the core objective of the mission.

²⁹ Key informant 03 (Coded KII-03), a senior researcher at the Institute for Security Studies, May 2023

As a result of promising and progressive achievements of the AMISOM, a transition has been made to ultimately handover the mission to the federal government of Somalia which is planned to be operationalized in December 2024 to the African Union Transition Mission to Somalia (ATMIS)³⁰

Thus, regardless of the challenges the AMISOM encountered, the success of this transition is going to be considered as a breakthrough of the PSC' mission in history³¹ (GS-01, 2023). The post conflict reconstruction and development has gained a good market in this regard among the PSC. This is expressed in the communiqué³² of the 883rd meeting of the African Union Peace and Security Council at Ministerial level, Interdependence between Peace, Security”: with the title "towards a collective engagement for action and development" and expressed as follows in the communiqué³³;

4.1.5. The Case of Libya

The case of northern Africa country crisis, once Africa's largest oil producer and ruled for most of its time by Mohammed Gadhafi started at the root of the 2011 popular uprising which is also known as the Libyan Revolution which caused the first civil war in the country (IPSS, 2018). The uprising grew with the intention of opposing and overthrowing of Gadhafi claiming that his autocrat rule couldn't take Libya in to democratization.

According to the Libya conflict insight report of IPSS (2018), the country relapsed in to second round civil war in 2014 following the failure of drafting constitution which was supposed to be ready by the legislative authority of Libya elected in the election in 2012 known as the General National Congress/Council (IPSS, 2018).

³⁰ Communiqué of the 1143rd meeting of the PSC held on 7 March 2023 on the topic: Updated Briefing on the Situation in Somalia and the Operations of the AU Transition Mission in Somalia (ATMIS)

³¹ Guest speaker 1- (GS-01), An expert from the African Union Continental Early Warning System (AU-CEWS) (GS-01, 2023)

³² Communiqué- is a French term that has an equivalent meaning to the English term “to communicate” mostly used to announce periodic issues of the African Union PSC in this case.

³³ “Also reaffirming the essence and fundamentals of human security, in line with the Common African Defence and Security Policy and the AU Policy Framework on Post-conflict Reconstruction and Development (PCRD), as a multidimensional notion of security encompassing socio-economic and political rights” (PSC 883rd Communiqué', 2019)

Hence, IPSS (2018), the intervention of PSC in Libya was not welcomed easily and was highly influenced and pressured by international powers since its start. The AU-PSC's diplomatic effort to stabilise Libya following the 2011 uprising was faced challenges and opposed by western countries such as Britain, France and United States. A typical example for this case is, the AU-PSC's first diplomatic response to the crisis in Libya by establishing an Ad-Hoc High Level Committee (AUHLC) on Libya comprise of the five Heads of State and Government of the African Union Commission with their intervention tool known as "Roadmap" for Libya which was aborted by the United Nations Security Council Resolution 1973 which gave an endorsement to NATO to militarily intervene (IPSS, 2018).

The pressure did not stopped by only stalling the PSC's "Roadmap for Libya" through the UNSC, but also continued to diplomatically force the AU-PSC to recognize the National Transitional Council (NTC) as a legitimate body representing the Libyan government. This was a bench mark that showed that the PSC's standalone need for intervening in Libya to stabilise the crisis in Libya has been jeopardize as the AU finally fall for the pressure of western powers and accepted to recognize the NTC as legitimate representative government of Libya in October 2011 (IPSS, 2018).

IPSS (2018), since ever the military intervention of NATO and the fall of Gadhafi from power, neither the NATO nor the Libyans didn't have a backup plan on how to keep the country together which drives the creation of insurgencies and involvement of external powers where Libya has become a proxy war zone for the actors and became difficult for the PSC to intervene as a continental security (IPSS, 2018).

Regardless of the complex situation created by the involvement of the external actors in Libya, the AU as usual strongly presses on the withdrawal of foreign powers so that it can leave a space and opportunity for the continental framework to come up with homemade solutions that fits the African country Libya which is under crisis, in fact being escalated by the contribution of the western powers. This was highly expressed during the AU PSC ministerial meeting held on 27th September 2019 (IPSS, 2018).

As its continues effort to bring Libya's crisis to an end, the AU-PSC has been continuously asking and demanding to make itself part of the peace process in Libya as it is its member state. To show its commitment regardless of its track record in setting out action based response to the crisis, a road map has been devised to help the PSC send fact finding mission with African chiefs of defense representing the five regions of the continent, which will be done in collaboration with the UN in addition to its decision to upgrade its liaison office in Libya which will help the PSC have a strong hold military and diplomatically in the country (ISS, PSC Insight, 2020).

Regardless of the challenging international political setups in Libya caused by the involvement of foreign powers from Turkey, Italy, the Russia and others, the AU PSC commitment to mark a continental peace process in Libya shows improvements apart from its mixed track record to the response of the crisis in Libya (ISS, PSC Insight, 2020).

Apart from the efforts that the PSC initially made, no matter how the issue of Libya is very burning and urgent, the PSC did not bring the issue to the table for discussion at PSC level. Instead of that joint meetings of the League of Arab States (LAS), the United Nations (UN), the African Union (AU) and the European Union (EU).have been held in Brussels as a Quartet³⁴ meeting to discuss Libyan issue³⁵ (Council of the EU, 2021). So in this case Libya is a bigger case where international interventions are critical. As KII-01³⁶ stated, the Libyan case is too complicated to understand.

³⁷As for the PSC regardless of the seriousness of the issue in Libya and the security situation that is deteriorating from day to day, it is very unpleasant in terms of tabling the issue at PSC sessions as equal as its urgency. According to KII-05 the agenda setting is prepared by the monthly chair of the PSC and most of the PSC monthly chairs have not that much of country interest in Libya's case. For that reason, the Libyan crisis has been neglected for quite long

³⁴ Quartet means a group of four which is originated from Italian word

³⁵ Council of European Union, 2021, Libya: Joint Statement by the Quartet,

³⁶ Key Informant Interviewee-01 (Coded KII-01), a key expert and senior researcher at the Institute for Peace and Security Studies (IPSS), May 2023

³⁷ Key Informant Interviewee-05 (Coded KII-05), senior researcher at Amani Africa Media and Research Services, May 2023

period of time³⁸. He continues to argue that the case of Libya comes to the table 1-2 times a year which is very small³⁹.

4.1.6. The PSC-RECs subsidiarity principle and implications on intervention trends

Drawing from the above countries' cases, the nature of the RECs most of the time shapes the engagement of PSC with conflict cases. The Mozambique's case is entirely controlled by SADC where the REC in this region is way stronger than the two preceding cases, the Somalia case is internationally played and IGAD's members like Ethiopia and Kenya want to act through the AU for the mission is bigger than the REC in the region⁴⁰. The Libya case is shaped by the multi-membership of Libya in different RECs and the dynamics it played in the decision making of the UNSC over Libya where the Arab League has supported the decision of NATO to intervene in Libya. Hence there was no strong REC in the northern Africa region to play a critical role in such a way (The Washington Post, 2011).

The signing of Memorandum of Understanding (MOU) in 2008 between the Regional Economic Communities/ Regional Mechanisms (RECs/RMs) and the Peace and Security Council of the African Union based on the PSC protocol Article (16) marked an important role of the RECs/RMs. It was signed with the objective of Regional Economic Communities of the African Continent are vital platforms for the African Union Peace and Security Council's mandate in promoting peace, preventing conflicts and managing violent conflicts in Africa (Amani Africa, 2021). This according to Amani Africa (2021) mainly is due to their proximity to the conflict situation gives them a better chance of understanding the situations and make the intervention efforts easier. On the other hand the Joint Communiqué of the first meeting of the AU PSC and the RECs/RMs states that RECs/RMs are the first respondents for conflicts in their geographic region. This marked the birth of the concept of subsidiarity and complementarity (Amani Africa, 2021).

³⁸ Key Informant Interviewee-05 (Coded KII-05), senior researcher at Amani Africa Media and Research Services, May 2023

³⁹ Key Informant Interviewee-05 (Coded KII-05), senior researcher at Amani Africa Media and Research Services, May 2023

⁴⁰ Key Informant Interviewee-01 (Coded KII-01), a key expert and senior researcher at the Institute for Peace and Security Studies (IPSS), May 2023

To further strengthening the dynamics of the PSC-RECs the Communiqué⁴¹ of the 870th meeting of the PSC on the Harmonization and Coordination of Decision-making processes/Division of labour between the PSC and the Policy Organs of the Regional Economic Communities/Regional Mechanisms (RECs/RMs) for Conflict prevention, management and Resolution and the Promotion of Peace, Security and stability in Africa, Communiqué⁴² no.3.

Filtering the above concept in the lens of the New Regionalism and regional security along with new institutionalism theories is vital. To strengthen this concept, KII-03 highlighted that it is the best way to respond to regional conflicts through the RECs. He mentioned the example of SADC's intervention in Mozambique by his term as "RECs, because of their proximity to the conflicts in their areas, it is easy to intervene due to their ability to understand the conflict situations in their proximity than the AU seated in Addis, we can see the case of SADC in Mozambique". He continues to argue that it is noble idea that guarantees effectiveness.⁴³In fact, there are ways where subsidiarity has helped, but if we look deep at the interventions we see huge gaps.

The most common gaps prevalent in the area of subsidiarity is the gap of coordination among the PSC and the RECs. This was seen in the case of Mozambique in SADC's mission (Amani Africa, 2022). KII-03 stated that there is no proper cooperation between the PSC and RECs. In his example KII-03 mentioned the case of Democratic Republic of Congo's (DRC) case where a multiple actors intervene such as the SADC, the East African Community, the ongoing process of Monaca, the Nairobi case and the Rwandan process and all the military and diplomacy tracks show that there is no proper roadmap for intervention or at least it has been jeopardized (GS-03, 2023). So is in the Mozambique's case (Amani Africa, 2022). The participatory modality of SADC and AU, Amani Africa (2022) is at stake for this case. The SADC doesn't seem to involve AU-PSC in the process of the mission. The African Standby Force (ASF) is demanded to be deployed in closer partnership of SADC and AU (Amani Africa, 2022). This is expressed in

⁴¹ Communiqué- is a French term that has an equivalent meaning to the English term "to communicate" mostly used to address periodic issues of the Union following regular sessions of the Peace and Security Council of AU.

⁴² "...Acknowledges the important role of the RECs/RMs as primary responders of crisis/conflict situations in their respective jurisdictions, in line with the cardinal principles of subsidiarity, complementarity and comparative advantage;" (AU, 2019).

⁴³ Key informant 03 (Coded KII-03), a senior researcher at the Institute for Security Studies, May 2023

the comments of another primary data source of this study, KII-04 who sees the dynamics of PSC-RECs in terms of hierarchy. He added⁴⁴

That is where the confusion emanates from as KII-04 articulates and is similar with a critic from Vines (2013). This was manifested in the case of ECOWAS's response in Mali and the IGAD's in the Ethiopia crisis (KII-04, 2023). As the 2010 assessment of the African Peace and Security Architecture (APSA) states as:

“There appears to be a disconnect between the AU PSC and similar organs in the RECs. This is a crucial gap given that enforcing PSC decisions rests with its members who are also members of the RECs.... Thus, without proper coordination, implementing PSC decisions will be significantly diminished, potentially undermining the credibility of the PSC” (Amani Africa, 2021).

This statement by the PSC as Amani Africa illustrated is a complimentary concept with what KII-01 stated for the case Rwanda intervention in Mozambique as violating the written norm of regional coordination between the PSC and RECs⁴⁵

The other side of the dynamics of the PSC-RECs is characterized by insufficient fund. For example as KII-01 stated, the IGAD was unable to hold in the mission of AMISOM for the reason that it has realized the mission is too big in terms of logistics and man power where additional actors should take part in. SADC's challenge to finance its mission SAMIM is expressed as a persistent to ensure its principle of resoluteness of regional bloc and the member states need and interest to resolve their regional conflicts (Amani Africa, 2022). The intention would be impactful if it didn't contradict with the idea of cooperation among the AU and RECs. This indeed, affects the intervention result of the PSC as KII, 02, 03, 04 emphasizes in common.

The communiqué⁴⁶ of the first joint meeting among the PSC and RECs no.11 emphasizes that it underscores the need for soliciting financial resources from within the continent and demand increased efforts to achieve these fund solicitation for ensuring peace and security by effectively with the aim of reducing financial dependency on external actors, so as to facilitate effective

⁴⁴ “the RECs are designed to make the mandate of PSC easily implemented. The question here is, do the RECs report to PSC genuinely?”, (KII-04,2023)

⁴⁵ Key Informant Interviewee-01 (Coded KII-01), 2023, senior researcher at the Institute for Peace and Security Studies, AAU,

⁴⁶ Communiqué- is a French term that has an equivalent meaning to the English term “to communicate” mostly used to address periodic issues of the Union following regular sessions of the Peace and Security Council of AU.

implementation of the PSC missions for ending security challenges in the continent. Furthermore the communiqué⁴⁷ reads that the participants agree to work together by devising common working methods in order to achieve the funding goals set (AU, 2019).

The PSC-RECs under the concept of subsidiarity and their impact in intervention depends on the strength of the RECs⁴⁸. For example the Arab Maghreb Union (AMU) in the case of Libya was very insignificant. KII-02 expresses the case of Libya and the response of the REC in the northern as irrelevant. Even the recent proposal for peace in Libya is currently being held in Munich⁴⁹. He asks “why is the African case being tabled in the European cities?” “Where does the African solution for African Problems stand?” Had it been the AMU stand firmly to even engage in the case of Libya for better peace, the venue for the sessions at least would have changed to somewhere in Africa.

According to GS-03, the main reasons for a slow and improper performance among the AU PSC are partly the diplomatic language that the state members use. There are two statements the AU Chairperson has articulated in two different situations but with the same content of message about the RECs and Sovereignty. The first one is when he responded to a letter from former South African president Tabombeki who was concerned about the situation which were happening in codivare and inviting the AU to intervene and the chair person responded to it by expressing his concern and understanding of the situation but couldn't do anything because of the tie put on the hands of the AU PSC because of two measure culprits namely the concept of Sovereignty and Subsidiarity in his term⁵⁰. The second one is the chair person's statement to the AU assembly he said in his terms⁵¹

⁴⁷ AU Peace and Security Council (PSC) and Regional Economic Communities (RECs) Joint Communiqué', 2019

⁴⁸ Guest Speaker 03 (Coded GS-03), senior researcher at the Institute for Security Study (ISS), May, 2023-data obtained through guest speaker lecturing at the IPSS.

⁴⁹ Key Informant Interviewee-02 (Coded KII-02)- Coordinator, Research, Africa Peace and Security Programme (APSP) at the institute for Peace and Security Studies (IPSS), 2023

⁵⁰ Guest Speaker 03 (Coded GS-03), senior researcher at the Institute for Security Study (ISS), May, 2023-data obtained through guest speaker lecturing at the IPSS, GS-03, 2023.

⁵¹ “The AU's decision making and policy making role has been constrained by the narrow regime of the idea of sovereignty and the question of sovereignty again” (GS-03, 2023).

Though the division of labor among the PSC and RECs was discussed and decided on the Communiqué⁵² of the 870th meeting of the PSC, the issue of ambiguity to clarify the role still remains a challenge. The 2017 the AU's reform report proposed by Paul Kagame of Rwanda recommended a diagnosis of the challenge on the roles of the RECs and PSC⁵³. GS-03 argues that the idea of RECs is not only a regional and geographical dynamics; instead it is a political and social construct which came to life during colonialism. In this case this statement intensifies the role of institutions to create political society composed of regions which takes us to new regionalism and regional security theory. In his statement GS-03 continues to elaborate that these RECs dynamics have been long existed even before the inception of the OAU. Some RECs existed way before the advent of the Organization for African Unity and are way experienced in peace and security issues. That is where the challenge of role less clarity emanates from.

Taking the extent and roles of the RECs operational in the three cases of this study namely the Mozambique, Libya and Somalia, we can observe how different roles they play in relation to the PSC-RECs relationship. As GS-03⁵⁴ also mentioned that the capacity of the RECs determines what the relationship and even span of influence look like among the AU and RECs. As for the Somalia case, as KII-01⁵⁵ stated, the IGAD has little or no significant role on the AMISOM's mission due to the size and nature of intervention the case requires. On the other hand the REC in the case of Mozambique in this regard has a significant role. The SAMIM mission in Mozambique is entirely operated by the SADC⁵⁶.

KII-02's view is more similar with the above informants about the operational capacity and how it determines the relationship between the RECs and PSC. He asks⁵⁷

⁵² Communiqué- is a French term that has an equivalent meaning to the English term "to communicate" mostly used to address periodic issues of the Union following regular sessions of the Peace and Security Council of AU.

⁵³ Guest Speaker 03 (Coded GS-03), senior researcher at the Institute for Security Study (ISS), May, 2023-data obtained through guest speaker lecturing at the IPSS.

⁵⁴ Guest Speaker 03 (Coded GS-03), senior researcher at the Institute for Security Study (ISS), May, 2023-data obtained through guest speaker lecturing at the IPSS, GS-03,2023

⁵⁵ Key Informant Interviewee-01 (Coded KII-01), 2023, senior researcher at the Institute for Peace and Security Studies, AAU, (KII-01, 2023)

⁵⁶ Key Informant Interviewee-02 (Coded KII-02)- Coordinator, Research, Africa Peace and Security Programme (APSP) at the institute for Peace and Security Studies (IPSS), 2023 (KII-02, 2023)

⁵⁷ "How many RECs have the capacity to respond, pool resources necessary for the logistics to respond? The REC in north and central Africa have no much of a significant voice and active performance in terms of response. For example how effectively did the REC in northern Africa respond to the case of Libya? It can say a lot. Yes, it affects the PSC intervention trend. RECs should be elevated to the capacity of meaningfully responding. Not only

4.2. Discussion

As it is discussed in the conceptual chapter of this paper, the New Institutionalism/neo-institutionalism is a theory which deals with the institutional set up and how institutions function under formal or informal rules to shape the norms and influence individual and group behaviour and actions. The institutional and normative framework of the PSC is explicitly determined in the two working documents of the PSC namely the PSC Protocol and Rules and Procedures of the PSC.

4.2.1. Overview of PSC Intervention Impact

Taking the above review as a bench mark to locate where Africa stands in terms of conflict trends, the researcher will review texts on how the PSC responded to these in what nature and modality.

The assumption taken for this review by the texts under review is based on the Constitutive Act of the African Union Article 4 where it provides normative foundation for intervention by the AU/PSC and the Article 4(g) specification on non-interference along with the Article 4(h) of the Act which guarantees the right to intervention under certain decision by the Assembly where grave crimes, genocide, war crimes and crimes against humanity are prevalent (AU, 2001).

According to the APSA Impact Report; a report responsible for presenting findings of annual study analysing the trend of conflicts occur in Africa and the dynamics of AU/RECs under the framework of the PSC quality and effectiveness in dealing with these conflicts, only 27 conflicts which comprises up to 52% of 52 violent conflicts were subjected for intervention in 2017 through one or more instruments of APSA namely diplomacy, mediation and peace support operations (IPSS, 2019). The number of conflicts which in this case categorized as wars, limited wars and violent conflicts which was qualified for intervention by the AU/PSC is 74 in 2017 which was less in 2016 with a number of 82 and similarly for 2015 (IPSS, 2019).

In the whole year of the 2017, 5 limited wars recorded. Considering the limited war in Egypt and Sudan, Darfur it can be reflected that this is an indication of to what extent the PSC can be challenged in its decisions of clustering conflicts without the consent of the actors/host countries

responding, but also the capacity in their early warning system the RECS' capacity should be enhanced" (KII-02, 2023)

which might prevent the PSC from intervention. There was a limited war in Egypt between the government and security forces and Islamic militant groups in the Sinai region and the actor of this limited war Egypt which was also PSC member denied to recognize it as limited war instead labelled it as isolated attacks. Other literature with a concrete data elaborates this case that a multiple air attacks which was carried out by Egyptian Military along with Israeli forces on the Islamic state in north Sinai shows that the conflict between these two parties was a limited war than other label (ACLED, 2019).

By the same talking, we can see the case of Darfur, Sudan and two conflicts in Algeria strengthens the denial of host countries as war and violent crisis as the PSC/AU observes (IPSS, 2019).

Similarly, according to APSA Impact report (IPSS, 2019) the rate of non-intervening in conflicts in 2018 reduced in relative comparison with 2017 where out of 53 conflicts 29 were qualified for intervention. This is expressed in percentage as 45% not addressed in 2018. The text continues to read that the year 2018 is a better score for addressing conflicts by the AU/RECs under the framework of APSA with the decision making power of PSC though they do not focus in preventive interventions. The most common practice in the year 2018 and the previous years have been focusing on conflict management than preventive interventions (IPSS, 2019).

In 2018, the ratio of intervention instruments of the PSC shows varied figure among the three instruments namely Diplomacy, Mediation and Peace Support Operations, the first two are preventive mechanisms and the later post conflict response. Hence according to APSA Impact Report, 2019, the PSC/RECs has used a mixed of instruments in dealing conflicts in 19 conflicts which in this case 61.3% of 31 conflicts in 2018. On the other hand, diplomacy is the only instrument that either the PSC or RECs or both have used to respond to 12 violent conflicts. The second intervention instrument is one of the common compromises that the PSC is blamed for in many cases. Two instruments namely peace support operations and diplomacy were also used to address 4 conflicts that involved conflicts with terrorist groups, while 12 conflicts addressed with combination of diplomacy and mediation in 2018 though the demarcation line between the two is confusing and blurry. Conflicts in Lesotho, Sudan Darfur are the two conflicts addressed by diplomacy, mediation and PSOs in this year 2018 (IPSS, 2019).

The other concept that needs attention in this regard is that, the subsidiary nature of the RECs and PSC in mission deployment and responding to conflicts. Hence, among the 6 PSOs deployed in this same year 2018, 4 conflicts were mandated by the RECs or AU organ PSC established by Chad, Burkina Faso, Mauritania, Mali and Niger, namely the African Union Mission for Somalia (AMISOM), the African Union Led Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), the Multinational Joint Task Force against Boko Haram (MNJTF) and the G5 Sahel Joint Force (FC G5S) (IPSS, 2019).

According to the report and the comparisons made in the interventions by PSC between the years 2016 and 2018 show an indication and four major observations on the intervention quality and effectiveness of the PSC. These includes that first, during these years there are two dominant intervention instruments used by PSC/APSA more specifically diplomacy and mediation. The second one according to the observation of the report is the single intervention tool dominance during the year 2016, 2017 and 2018 with different numbers of conflicts which is 11 in 2016 and reduced to 9 in 2017 and increased to 12 in 2018. This single instrument is a diplomacy intervention that leads us to the third observation which is the tendency of gradual decline of using multiple intervention instruments by PSC/APSA in conflicts with violent nature. The fourth observation shows that diplomacy is the most dominant instrument used among others. Justifications are given on the causes of the above observations in such a way that nature of conflicts vary from time to time, the rise of oppositions against government and protests which in this case diplomacy and mediation looks favourable to responding to it, and the continuity of some conflicts that involves violent extremist groups and last but not least the tendency in the reduction of violent conflicts in Africa since 2016 (IPSS, 2019).

As the researcher continue assessing the impact and effectiveness of the PSC in conflict management and prevention in terms of intervention, 2019 is better year for the PSC in discussing and responding to conflicts in the continent. We can mention 5 countries which received an attention by the PSC in 2019 namely Somalia, South Sudan, Sudan, Libya, and Central African Republic (CAR). The discussion was based on priorities on regions and cases of threats such as the Sahel and issues related to climate change, foreign military presence in conflicting countries, and terrorist networks in Africa (ISS, 2020).

According to the PSC insight from Institute for Security Studies PSC report, the PSC has shown a better capacity for solving conflicts through mediation as an instrument. This was reflected in the case of Sudan. On the other hand, the PSC did not respond at all cases such as in the conflict of northern Cameroon and Ethiopia's ethnic based disputes (PSC Report, 2022).

The Report PSC Report (2022) continue to read as the PSC continuously failed to address the governance problems of member states which in most cases is the basic cause for many conflicts in the continent by challenging and confronting them, though it continuously demands for its members to avoid security threats in their countries. As a result, 13,051 protests with a reported death of 1297 recorded in 2021 which can be seen as consequence for failing of PSC to confront governance deficits of protest hosting countries (PSC Report, 2022).

CHAPTER FIVE

5. CONCLUSION AND RECOMMENDATIONS

5.1.1. Conclusion

In line with the international relations, states' interest, the concept of collective global security and regional cooperation under Chapter VIII of the UN Charter, the preventive diplomacy scheme under Chapter VI, and the coercive intervention demand by the UN in response to chapter VII along with the AUCA article 4 (h), all these institutional and regional arrangements leads us to the view of new institutionalism, and new regionalism theories for evaluating a peace and security dynamics.

The AU using its security decision making apparatus, the PSC has made remarkable efforts and changes on peace and security challenges in the continent. This study has brought knowledge on the well developing trend of consistent and serious trend of decisions that do not tolerate the advent of government's unconstitutionally, though exceptions were recorded and are contesting to date, for example the case of Chad and Zimbabwe left untreated though unconstitutional power hand over occurred mainly in chad.

As the new institutionalism theory states, institutions are created to influence state, group and individual behaviours and the AU-PSC in this case to influence the peace and security arena of the continent. This mainly is done in two ways in this regard. One is, discussing an issue with the required attention and intensity it needs in an institutional level and the other one is responding to the issue accordingly. In this study, the Agenda setting and Intervention trends of the continental security apparatus are revealed in a way that the first one is characterized by selectivity and the second one is by delay to act.

Apart from the institutional set up it has that deserves praise in relation to its year of operation, the PSC's agenda setting trend is characterized by selective nature. Some cases are tabled at the PSC sessions no matter their urgency and others left untouched for so long. Several reasons are revealed by this study on what can be the cause for selectivity. First, the selectivity emanates from the dynamics of member states at the PSC itself. This is expressed in a way that PSC member states are not willing to bring agenda that concerns their countries' to the table of the

PSC for discussion or block what others bring to the table if it is a case of countries with whom they enjoy bilateral relations and do not want to confront the issue. Therefore in this case there is a trend of protectionism among the member states of the PSC. The second reason for the selectivity of the agenda setting in this regard is, influences from within and external. The internal influence is manifested in the relationship between PSC and RECs where the RECs do not cooperate in some cases to bring issues in their region to the table of PSC. External influence is mostly related to the funding and some cases are treated internationally such as the case of Libya and Somalia. The engagement of the international actors in certain cases can also determine the frequency of the agenda of a certain country on the table of the PSC. The AU's active engagement in the case of Somalia gives the case a better chance to be discussed at the PSC sessions more than any other case in relation. Whereas the Libya case seems dormant in terms of bringing the issue to the table as frequent as it deserves. The engagement of the PSC in this case is limited as this study discovered.

On the other hand, the response to conflicts by the PSC is late in most cases. The initial stage of the PSC response is expressed in its formal communiqué or statements. Most conflicts made it to the table of the PSC very late and so is its response to them. Lack of effective use of CEWS alerts and security information by the PSC due to denial is a major cause for no or late response.

The reason for this issues as it has been mentioned in the above paragraphs is, the selective nature of the PSC in its agenda setting. The other critical reason is the challenge posed by the RECs. The overlapping and undefined role of RECs and PSC due to the concept of subsidiarity is found to be a deadlock for effective and timely intervention by the AU as this study shows.

Funding challenges, insufficient capacity to handle its own mission financing has made it a challenging spectrum for the AU-PSC and highly influenced its intervention trends and impacts. Interventions mainly after a conflict occurs require a peace operation supports that takes larger amount of finance and logistics in addition to human resources. This determines the quality of the intervention impacts and might compromise the objective of peace missions. The biggest mission of the AU-PSC in Somalia the AMISOM for example is challenged by fund shortage to the extent of soldieries of the AMISOM spend long time without receiving their salaries and some have participated in illegal trade on charcoal and piracy in the coastline of Somalia. This to some extent jeopardizes the intervention objective of the mission. The debate on the AU's access

to peace fund of the UN in its mission remains a biggest challenge and affects the operation of the PSC.

5.1.2. Recommendations

This study has come up with three important recommendations for the AU-PSC enhanced and proper implementation of the peace and security challenges in terms of agenda setting and intervention trends.

- The PSC need to build a standard agenda setting and intervention trends:

The AU-PSC is an important decision making organ that was established with a protocol to serve the peace and security need of state members in Africa regardless of state size, relationships, and other country based characteristics. The AUCA article 4 (h) gives a ground for the PSC to intervene in conflict situation in case of genocide, war crimes, crimes against humanity and grave human rights violation in state members. In this case, though the case of human rights violation is subjective, volatile and contested concept which is difficult to measure and every other conflicts are subjected to scrutiny, there should not be an exception or compromise for cases that clearly violate the AU PSC rules and procedures and other international conventions on human rights in the sense of protectionism. In this regard, the PSC need to comply to its commitments in its protocol and the AUCA, rules and procedures of work and the annual plan of work to address all issues and bring conflict situations to attention and discuss them at its table for measures without being selective. In order for the PSC maintain that, there needs to be a standard practice and implementation in relation to the agenda setting and intervention trends with impartiality and inclusive manner. The researcher believes that this helps solve the flawed agenda setting and intervention trends of the continent.

- There should be a clarity on the subsidiarity concept among the PSC and RECs

Regardless of the MOU signed for the cooperation among the PSC and RECs which also is very critical for the effective implementation of the objectives of PSC on resolving conflicts through the engagement of the RECs in their jurisdiction, there needs clarity on the subsidiarity concept. The subsidiary concept has now labelled as the dead lock for the AU mission in resolving conflicts and preventing them before occurring due to the ambivalent relationships of the PSC

and RECs displayed in different cases. The role of the RECs should be seen clearly in a way that promotes the better performance of the AU in member states with conflict situations and the need for intervention. The PSC should set precedence that showcases the roles of the RECs is not to promote competition, instead it should make it clear that it is a cooperation for a better common peace and security goal of the continent.

- AU-PSC should strongly advocate to access the UN peace fund for its peace operation missions

Due to the growing tendency of globalization and the proliferation of Trans-boundary crimes, terrorism and other common security threats, Africa is not only fighting its own fights that occur in the continent. War on terrorism, human trafficking, regional conflicts and piracy are a common global security challenges that need global attention particularly a full support from the UN. Hence, peace operation missions in Africa should not be funded as a form of donation or charity. Instead as a member of the international community and UN itself, the PSC needs to persistently ask for the permanent access of the peace fund for its operations. This should be done in consideration with the effort as global effort than the AU/PSC alone.

The most common trend of joint intervention among the AU/PSC and the UN is characterized by; for the side of the AU/PSC, it is mostly engaged in peace making operations that involves wars demanding material and human damage and for the UN engaging in peace keeping operations that comes following peace agreements signed in most cases. Therefore; the PSC in its missions, most particularly missions that have thematic nature than country specific conflict situations such as terrorism is responding for the sake of global security and it demands coordinated international efforts with full support not only with periodic logistical support that comes as a result of intervention, the PSC need to strongly advocate to help the continent be in a stage of planning and implementing missions with full access of the UN fund as a member continent which contributes to the annual budget of the UN.

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Appendices

Appendix I Interview Questions

1. Introductory Question-

Q1. Please introduce your name, your profession, years of experience and current carrier position?

2. Ontological and Epistemological Questions

Q1. What is your perception about the Peace and Security Council of the African Union?

Q.2. How do you describe the PSC's trends in conflict response, management and intervention from your experience?

Q.3. How do you describe the PSC in terms of Agenda Setting?

Q.4. Describe the effectiveness/impact of the PSC's interventions in Mozambique, Somalia and Libya?

Q.5. How do you describe the subsidiarity concept among the PSC and Regional Economic Communities (RECs)? How does it affect the Agenda setting and intervention processes?

Q.6. what are the influences the PSC face?

Q.7. How do you describe the PSC's progress in terms of solving conflicts?

Q.8. How do you describe the relationship between UNSC and PSC?

Q.9. what differences of driving factors can you describe of these two institutions in terms of intervention and response to conflicts?

Q.10. Please describe if you have any points to add about the PSC and its potential to solve conflicts in Africa in General?

Appendix II

Consent Form for Interview Participants

Academic Research Title: *Dynamics of Agenda Setting and Interventions by the AU-PSC: The Cases of Mozambique, Libya and Somalia.*

1. Introduction

You are invited to join an academic research study being conducted as a partial fulfilment of the MA program in Peace and Security Studies to better understand the dynamics of Agenda Setting and Interventions by the AU-PSC. During this study, the researcher from AAU/IPSS is seeking your contextual knowledge about AU-PSC. The information you provide will be used to develop analysis for academic thesis as a fulfilment to the MA program. If you agree to participate, you will be asked to take part in an interview face to face or in any modality that is convenient to you. The researcher will pose questions for you to answer and discuss topics related to PSC, and related themes. Your participation in this research should take between an hour and a half and two hours.

2. Voluntary participation

Your participation is completely free, individually determined, and voluntary. At any moment in the study, you have the ability to refuse to answer any question or to leave the study entirely. Whether you choose to participate in the study, answer any particular question, or decide to leave the study, you will not face any negative sanctions from anyone.

3. Confidentiality

The researcher will follow strict confidentiality guidelines and will not publicly reveal any personal information collected before, during, or after the study. Your name will not be used in any report once the results of the study are published. What you say during the interview may be cited in reports or publications resulting from the study, but the quotation will be anonymously cited and not be attributed to your name. The interview will be audio recorded, solely for the purpose of the study, with the goal of using the audio to take notes /after/ the discussion and not having to disrupt the conversational flow of the interview. Once the audio recording is transcribed to text by the researcher, the recording will be destroyed.

Appendix III

List and Professions and Institutions of Primary Data Sources

No.	Primary Source	Code	Profession	Date of Interview	Institution
1	Key Informant 01	KII-01	Lead Researcher	9 th May,2023	Institute for Peace and Security Studies (IPSS),Addis Ababa University
2	Key Informant 02	KII-02	Research Coordinator	11 th May,2023	Africa Peace and Security Program, Institute for Peace and Security Studies (IPSS), Addis Ababa University
3	Key Informant 03	KII-03	Researcher	15 th May,2023	Institute for Security Studies (ISS), Africa Security Governance
4	Key Informant 04	KII-04	Researcher	18 th May, 2023	Institute for Security Studies (ISS), Africa Security Governance
5	Key Informant 05	KII-05	Senior Researcher	21 May,2023	Amani Africa Media and Research Services
6	Guest Speaker 01	GS-01	AU Staff at the CEWS	19 th May,2023	African Union- Continental Early Warning System (AU-CEWS)
7	Guest Speaker 02	GS-02	Coordinator Of Peace and Security Council of the African Union	22 nd May,2023	AU Peace and Security Council Secretariat
8	Guest Speaker 03	GS-03	Researcher	22 nd May,2023	Institute for Security Studies (ISS),

Declaration

I, participant _____, have fully read this one pager consent form and understood its goals and objectives and accordingly agreed to freely participate in the interview as a participant.

Participant

Name: _____

Signature: _____

Date: _____

Investigator

Name: _____

Signature: _____

Date: _____

DECLARATION

Here, I confirm that this thesis is original work that I have submitted to the Institute for Peace and Security Studies for the partial fulfilment of a Master's Degree at Addis Ababa University. This paper has not yet been submitted by any other individuals for the degree awards at any University and at any stage of the class.

Name: Ftsum Hailu

Signature: _____ Date: _____