



# ASSN Quarterly

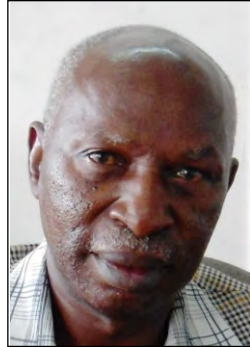
Newsletter of the African Security Sector Network

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## Welcome to the July 2012 Issue

**ASSN Quarterly** is published by the African Security Sector Network. It highlights the activities of the network, as well as other developments in the fields of Security and Justice Reform, both in Africa and beyond.



I wish to take this opportunity - on behalf of the entire membership, Executive Committee and Secretariat of the African Security Sector Network (ASSN) - to welcome all new and existing readers to this edition of our quarterly newsletter.

As always, our aim in publishing this newsletter is to update you on current news, developments and trends in the African Security, Governance and Justice (SG&J) sector, and more instructively, from an African perspective.

The past three months have been a busy period for the ASSN. One of the key highlights from this period was a stakeholders meeting on the development of a National Security Policy for the Republic of South Sudan (RSS), held in Juba on June 16. The consultative meeting offered a much-needed platform for the Government of South Sudan (GOSS) to launch its effort to develop a National Security Policy that will in the long run underwrite the peace and development agenda of the new state, which seceded from the greater Sudan one year ago in July 2011.

The ASSN has been instrumental in facilitating dialogue between the Government of South Sudan and the African Union (AU) Commission. The ASSN is represented on the Advisory Group of the ongoing process and we are looking forward to providing technical support to the project, as enshrined in a Memorandum of Understanding signed earlier this year between the Ministry of National Security in the GOSS and the ASSN. The June 16 meeting brought together officials from the South Sudan Government, representatives from AU, the United Nations Mission in the Republic of South Sudan (UNMISS), the United Nations Office to the African Union (UNOAU), the ASSN, the Centre for Policy Research and Dialogue (CPRD) and Adam Smith International (ASI). The meeting was a great success as it culminated in discussions on a draft road map for the development of a National Security Policy and Strategy.

On the continental front, the ASSN has been invited to join the Advisory Group of the newly-formed pan-African 'Security Sector Capacity-Building Network for CSOs', and is looking forward to providing technical support to the project. The ASSN had also been invited earlier to act as capacity-building support for the pan-African network of CSOs that work under the umbrella of the AU's Economic, Social and Cultural Council (ECOSOCC) and African Citizens Directorate (CIDO) organs, and officially as part of the African Peace and Security Architecture (APSA) structure.'

The ASSN's North-South links were also strengthened when it was appointed one of the Africa representatives to the coordinating committee of the Association for Security Sector Reform Education and Training (ASSET). This development was among the resolutions reached during the fourth ASSET Annual General meeting (AGM) on 23-25 April, themed on the link between peacekeeping and SSR, as well as how to integrate SSR into peacekeeping training. At the ASSET AGM, held in Geneva, Switzerland, the ASSN was represented by its Chair, Professor Eboe Hutchful, while several institutional members such as the Southern African Defence and Security Management Network (SADSEM), Prisoners Rehabilitation and Welfare Action (PRAWA) and the Security Research and Information Centre (SRIC) also sent representatives. Another important decision made at the Geneva meeting was for the ASSN to co-host the fifth ASSET AGM - scheduled for 2013 in Accra, Ghana, - in collaboration with the Kofi Annan International Peacekeeping Training Centre (KAIPTC).

In addition to reporting these exciting developments, the newsletter also contains various feature articles written by ASSN members. These include Boubacar N'Diaye's analysis of the March 2012 military coup in Mali, Len le Roux's examination of the draft *South African Defence Review 2012*, and Jeff Isima's feature on the role of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) in combating the financing of terrorism in West Africa. In other incisive features, David Chuter dissects the conceptualisation of the "The Rule of Law", Ali Kamal-Deen ponders the extent to which African States have benefited from the United Nations Convention on the Law of Sea (LOSC), while Robin Luckham summarises an Evidence Paper on Security prepared for the Research Partnership Consortium (RPC) led by the London School of Economics (LSE) and funded by DFID, scrutinising the concept of 'security' from an 'end-user' perspective. I also wish to mention the project that is currently being implemented in Kenya by SRIC, which has over the past nine months been instrumental in spearheading a national campaign to track and support efforts towards the full implementation of key Security, Justice and Governance reforms in the East African country.

We hope you will enjoy this issue of *The ASSN Quarterly* and will be looking forward to receiving your feedback, suggestions - and hopefully - offers to contribute more information and other material for future editions. You can do this by writing to our Information and Communications Officer via [communications@africansecuritynetwork.org](mailto:communications@africansecuritynetwork.org).

To all the newly admitted members of the network, we welcome you to the ASSN family. To our steadfast membership and committed secretariat, we say congratulations for the remarkable synergy that you have built and for continually taking the network to greater highs. To the general readership, we hope that you will find the articles presented in this edition engaging.

Our regards to all of you as you enjoy reading through your favourite newsletter.

With warm wishes,

Col. J.A.W. Kitiku

ASSN Regional Coordinator for East Africa & the Great Lakes Region

**The views expressed in the articles published in this newsletter are those of the individual authors and do not necessarily represent the views of the African Security Sector Network.**

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## ASSN People



**BOUBACAR N'DIAYE** accepted a temporary assignment as Senior Security Sector Reform (SSR) Advisor with the United Nations Operation in Côte d'Ivoire (ONUCI) in Abidjan. Boubacar joins the SSR Division being set up to accompany Côte d'Ivoire in its post-electoral crisis SSR process. Among other assignments, he will assist the presidential Working Group tasked with designing a National SSR Strategy by 30 July 2012. Boubacar is a member of the ASSN Executive Committee.

**UJU AGOMOH** was part of training team at a Security and Justice Training Course at the University of Birmingham from the 11 - 14 June. The course sought to provide a practical case study-orientated introduction to Security and Justice for practitioners, particularly exploring the linkages between the Security and Justice sectors and the benefits and challenges of a coherent approach.



**LAURIE NATHAN** has been appointed Extraordinary Professor and Director of the new Centre for Mediation in Africa (CMA) at the University of Pretoria in South Africa. The Centre's mission is to contribute to enhancing the effectiveness of mediation in major conflicts in Africa through teaching, training, research and supporting the UN, the AU, subregional organisations and African governments.

On a different note, Laurie's new book, *Community of Insecurity: SADC's Struggle for Peace and Security in Southern Africa*, was recently published by Ashgate.

**MPAKO FOALENG** was deployed to Guinea, where she is providing support to the UN-appointed Senior Security Sector Advisor to the President of Guinea. Her role is to assist the Senior SSR Advisor articulate strategic objectives and action plans, as well as to help operationalise his SSR Advisory Team, created in response to a request by the Guinean government to the UN.



**LEN LE ROUX** was on mission in Burundi as the ASSN Consultant to the Executive Permanent Committee for the development of the Burundian Defence Review. Len facilitated two workshops in Bujumbura, the first on 6 - 8 June and the second on 25 - 29 June. Funded by the Stabilisation Unit of the UK Department for International Development (DFID), both workshops were aimed at supporting the development of strategic options for the ongoing Burundi Defence Review process.

**ALI KAMAL-DEEN** has published a new book, *The Concept Of Collective Ownership In Ship: A Policy Instrument for Maritime Transport*. Ali is the Legal Director of the Ghana Navy. His feature article on African States and the Law of Sea Convention (LOSC) is published on Page 10 of this newsletter.



**MBAYE FAYE** participated in the Haiti Colloquium of Francopol on April 11-12. Mbaye delivered a presentation on Security Sector Reform (SSR) perspectives for Haiti, focusing on SSR conceptualisation, design, approaches and best practices from Francophone Africa, with Burundi and Côte d'Ivoire as case studies.

**LINA IMRAN** attended the second phase of the Peace and Security in Africa (PASA) Programme, held between May 14 and June 1 in Uppsala, Sweden. The entire duration of the programme is 15 months, spanning 2012 and 2013. The programme is sponsored by the Swedish International Development Cooperation Agency (SIDA) and conducted at the University of Uppsala, in cooperation with the African Centre for the Constructive Resolution of (ACCORD) and the Swedish consultancy company Indevelop.



**ELOM KHAUNBIOW** represented the ASSN at the eighth Conference of Civil Society Organisations (CSOs) and Non-Governmental Organisations (NGO) accredited with the International Organisation of La Francophonie (OIF). The conference, held in Paris on 7-9 June, was to allow the CSO and NGOs to elaborate on recommendations to be submitted to the next OIF Summit of Head of States and Governments, slated for October 2012 in Kinshasa, DR Congo. Elom is a Senior Programme Assistant at the ASSN secretariat in Accra.

## South Sudan Launches Development of a National Security Policy



*South Sudan's Deputy Defence Minister, Majak D'Agot, speaks at the meeting in Juba.*

A consultative meeting on the development of a National Security Policy for the Republic of South Sudan (RSS) was held at the Juba Grand Hotel on 16 June 2012.

This meeting, the first of its kind, was attended by officials from a number of South Sudan Government ministries and institutions, representatives from the African Union (AU), the United Nations Mission in the Republic of South Sudan (UNMISS), the United Nations Office to the African Union (UNOAU), the African Security Sector Network (ASSN), the Centre for Policy Research and Dialogue (CPRD) and Adam Smith International (ASI).

The meeting was facilitated by the African Union based on a request by the Government of South Sudan to the African Union Commission and the ASSN, seeking their support in the development of its National Security Policy. The ASSN has been instrumental in facilitating dialogue between the Government of South Sudan and the AU Commission.

The meeting opened with welcoming remarks from Dr. Majak D'Agot, Deputy Defence Minister of the RSS, on behalf of General Oyay Deng Ajak, Minister for National Security.

The Deputy Minister stressed the high importance of the meeting and expressed his delight to all who had made the effort to be present. He said the objective of the meeting was to assist in the development of a National Security Policy document for South Sudan through the sharing of information, practices and lessons on strategies and activities in the area of security. He invited participants to deliberate

openly, share views and chart a way forward that would enable South Sudan to develop a solid National Security Policy, which would enhance the country's developmental goals and its determination to become a peaceful and prosperous nation.

A presentation by Dr. Norman Mlambo from the AU Peace and Security Department (PSD) highlighted the emerging African Union approach to Security Sector Reform (SSR) as elaborated in the African Union's Draft Policy Framework on SSR. The South Sudanese side briefed the gathering on the current status of the policy process in South Sudan.

On behalf of the Drafting Committee, Mr. Peter Ajak provided an update on the needs and priorities of the policy drafting process. He underscored the need for local ownership of the process, stressing that the process has to be for South Sudan, led by South Sudan and for the benefit of the people of South Sudan.

The meeting focussed on the broad-based and consultative nature of the process rather than on technicalities, and it was noted that timelines should not compromise the quality of the document. The meeting resolved on the need for a participatory, legitimate and credible outcome. It then concluded with discussions on a draft road map for the development of the National Security Policy and Strategy, and identified the necessity of further training, as well as consultations with internal and external stakeholders. The concluding section also deliberated on resource mobilisation, the role of the African Union, the United Nations, the ASSN and all the other partners and stakeholders involved in the process of developing a National Security Strategy for the Republic of South Sudan.

The meeting ended with closing remarks from South Sudan's Deputy Minister for Defence, Dr. Majak D'Agot.



*Participants pose for a group photo during the consultative meeting in Juba, South Sudan.*

## ASSN to Co-host the 2013 ASSET AGM

The African Security Sector Network (ASSN) has been appointed one of the Africa representatives to the coordinating committee of the Association for Security Sector Reform Education and Training (ASSET) and will co-host the next ASSET Annual General Meeting (AGM) in the spring of 2013. The ASSN will co-host the AGM with the Kofi Annan International Peacekeeping Training Centre (KAIPTC) in Accra, Ghana.

These decisions were taken during ASSET's Fourth AGM, held between 23-25 April 2012 in Geneva, Switzerland. The meeting was jointly hosted by the Geneva Centre for Democratic Control of Armed Forces (DCAF) and the Geneva Centre for Security Policy (GCSP) and brought together approximately 40 participants from 25 member organizations around the world.

ASSET is an open and voluntary association of organisations and networks engaged in Security Sector Reform (SSR) education and training. Established in 2008, ASSET brings together over 40 members, including ASSN, with the common goal of supporting the development and delivery of high quality SSR trainings and teaching materials in order to meet the increasing demand for qualified SSR practitioners, policymakers and trainers. The ASSN was represented at the meeting by its Chair, Professor Eboe Hutchful. Other institutional members of the ASSN, including the Southern African Defence and Security Management Network (SADSEM), Prisoners Rehabilitation and Welfare Action (PRAWA) and Security Research and Information Centre (SRIC) also sent representatives.



ASSN Chair, Professor Eboe Hutchful (right), at the 2012 ASSET AGM in Geneva.

The main focus of this year's AGM was the link between peacekeeping and SSR and how to integrate SSR into peacekeeping training. Specific challenges related to SSR training - including integrating gender into SSR training and measuring the impact of these training activities - were also discussed.

The AGM also served as a platform for sharing information on the latest member activities and exploring various possibilities for joint collaboration. Members agreed on a plan of action for the coming year, giving priority to collaborative regional activities and supporting international and regional actors such as the United Nations and the African Union.

## Global Week of Action Against Small Arms Marked in Kenya

In early June, the Kenya Action Network on Small Arms (KANSAs) and the Security Research and Information Centre (SRIC) collaborated in marking the Global Week of Action Against Small Arms in Kenya under the rallying theme, "Say No to Illicit Arms; Say Yes to the Arms Trade Treaty."

The week's events began with a press conference on June 11, followed by grassroots activities in some of the most crime-afflicted parts of the Kenyan capital.

The main objective of the press conference, held at the Nairobi Hilton Hotel, was to lobby for the ratification of a global Arms Trade Treaty (ATT) at a major United Nations conference scheduled for July 2012. The Director of SRIC and ASSN's Regional Coordinator for East Africa and the Great Lakes Region, Col. (Rtd.) Jerry Kitiku, was one of the three panellists at the press conference, alongside Ambassador Ochieng Adala, Director of the Africa Peace Forum (APFO), and Amnesty International's Kenya Director, Justus Nyang'aya.

The idea of a global arms treaty has been under formal discussion at the UN level since 2006, but for it to be legally binding; it has to be ratified by all the 193 UN member countries. The three panellists expounded on the relevance of the proposed global arms treaty to Kenya and suggested ways in which the public could actively help lobby the Kenyan government to sign it, mainly using signed petitions.

The press conference also sought to redraw focus towards the continuing challenge posed by the proliferation of illegal SALWs both in Kenya and globally, with KANSAs and SRIC appealing to the Kenyan government to exercise more vigilance and to institute more deterrent laws and policies against the availability and use of illegal SALWs. The press conference was successful, attracting coverage by 27 journalists and subsequently being reported by various national television and newspapers.

KANSAs is the Kenya affiliate of the International Action Network on Small Arms (IANSA). It is a network of 30 Kenyan Civil Society Organisations (CSOs) working in the areas of peace, security and conflict prevention. SRIC is a founder member of KANSAs, and SRIC's programmes coordinator, Leonard Kyalo, is KANSAs's current national coordinator.

Other activities held to mark the Global Week of Action included a community forum at the Huruma Social Hall on June 15, also organised by KANSAs and SRIC in collaboration with Youth Initiatives Kenya (YIKE) and 24 other grassroots organisations from Eastlands, a sprawling Nairobi district where the majority of the city's low-income earners dwell. Eastlands has several slum areas that experience high levels of crime, various forms of juvenile delinquency and a high number of illegal SALWs in criminal hands.



SRIC's Director, Col. Jerry Kitiku (right), with fellow panellists Ochieng Adala (centre) and Justus Nyang'aya (left) at the press conference in Nairobi.

The main goal of the community forum was to sensitise the youth - often cited as the main perpetrators of crimes owing to high levels of unemployment within their demographic - about the threat posed by these illegal SALWs and their negative consequences for both individuals and entire communities. Some of the activities used to pass this message included skits performed by local theatre groups, poetic recitations and short videos on the campaign for a peaceful, cohesive and arms-free society, with an emphatic reference to politically-motivated violence.

Kenya is due to hold elections in a few months time. The last elections in 2007 ended in deadly post election violence and the loss of an estimated 1,300 lives following a dispute over the presidential final vote tally. SRIC and the ASSN are currently implementing a joint project titled "Leveraging Political Space in the New Kenyan Constitutionalism: Enhancing Civil Society and Community Engagement with the 'Agenda Four Reforms'". The project seeks to facilitate dialogue towards the full implementation of the "Agenda Four Reforms", a series of reforms identified by the Kenyan government as central towards addressing the historical grievances that led to the 2007/2008 post-election violence.

SRIC's collaboration with KANSAs and various other CSOs and grassroots organisations in marking the Global Week of Action Against Small Arms resonates with one of the key objectives of the joint SRIC-ASSN project, which is to build a coalition of Kenyan CSOs and NGOs working in the Security, Justice and Governance sectors, with SRIC as the focal point.

## Balawani Kassara (Catastrophe and Calamity)! Reflections on the Putsch in Mali

By Boubacar N'Diaye



**“Not again, not Mali!”** This was, doubtless, the anguish and the desperate prayer that gripped members of the African Security Sector Network (ASSN) and all those who have invested in the continued democratisation process and the related improvement of Security Sector Governance (SSG) in (West) Africa, as the news of yet another military intervention spread on 22 March 2012.

But the dreaded coup unexpectedly did come to pass. Up in smoke with it went the hopes that Mali, rightly or wrongly considered the embodiment of the laborious but steady toil toward democratisation and better SSG in West Africa, had been spared a return of the military in politics. The after-effect and significance of this coup will be devastating to Mali and West Africa. As the sub-region strenuously attempted to dig itself out of that hole, much more expectedly, the military in Guinea-Bissau, once again, resumed its antics. Enough to make one cry: “What is the matter with West Africa”? Not just a rhetorical question of course, but the answer to such a question will have to wait for now. It is ambitious enough (in a newsletter format) to try to make sense of the dramatic evolution in Mali just a short month away from presidential elections in which the ousted President, Amadou Toumani Touré (ATT) was not even eligible to participate in. And it is tough enough to try to confront the insidious feeling that we must forget about genuine SSG and democratisation ever taking hold in West Africa because, ‘if it could happen in Mali, it could happen anywhere.’

Progress in any democratisation experiment in a post-authoritarian and formerly praetorian state such as Mali is essentially reversible. While cognisant of this fact, and not naïve about the political vulnerabilities and flaws in the civil-military relations despite the reforms carried out in the governance of the security sector (in particular the code of Conduct of the Armed and Security Forces), some of us did hedge our cautious bet that, maybe, Mali could be considered to have significantly reduced its vulnerability to a military takeover. Mali’s was certainly a remarkable itinerary since the civilian and military coalition carried out what, in retrospect, was the “Spring” revolution of the Malian people on March 26, 1991. In a country of an ancient civilisation, based on the social and political compact of circa 1235 (the *Kurukan Fuga Charter*), a remarkable, civil-military co-managed, smooth transition led to a vibrant democratic project. Mali’s pluralistic, and mostly tolerant ancient political culture offered a fertile ground for such a project.

As the democratisation process slowly but firmly took hold, and open elections became routine, the security apparatus, once fierce and omnipresent, slid into the background, preferring to have all forget its role in a cycle of bloody repression that led to the 1991 revolution/coup. ATT, author of the 1991 coup, now a retired army general and role model for militaries in praetorian countries, after stints in other troubled African spots as a peacemaker, had regained power fairly and squarely through the ballot box in 2002. He was to hand power to a third elected president at the end of his second term, reinforcing the widespread notion that indeed, Mali was a good ‘Exhibit A’ for the doubters that a poor country with a chequered praetorian past could ever consolidate its fledgling democracy.

**So, what went wrong then?** Why did this scheme not work? And what will the consequences of this coup be for all of us? These are a few questions that need the beginning of an answer. In calmer times, a resolutely anti-coup president ATT used to say that whenever there is coup d’état, it was because civilian politicians screwed up, and that the accusatory finger cannot simply be pointed at the military, which is a fair enough argument. No doubt that, while by no means perfect, Mali’s civil-military relations seemed to have crossed the critical psychological threshold that removed the country from the category of West Africa countries where the military establishment was either (indirectly) in power or “a government in waiting.” This was unflinching reflected in

every conversation I had with both Malian politicians and military officers of all ranks, prior to the most recent conversations I had in January 2012 of this year. By then, some military officers, none of whom are (visible) members of the junta, were willing to “make the case” for a military coup, for the usual reasons always given for coups: threats to the state, the incompetence of the leadership, widespread corruption, etc. And no elaborate arguments centred around the effects of coups on the military itself, the dangers of the “after coup dynamics,” and the treacherous uncertainties coups create were going anywhere with them. “Something” had definitely gone amiss in Mali over the past several years.

The first thing that possibly went wrong is that the label of “exemplary democracy” and other praise heaped on Mali by self designated “democratisation watchdogs” such as donor countries, their NGOs and scholars may very well have lulled Mali’s political class into the illusion that they had “arrived” and “turned the corner,” when it comes to democratic consolidation. Mali and its self-satisfied political class could do no wrong. On occasions, the cockiness - and indeed hubris - displayed blinded the staunchest democrat and stifled constructive criticism. Even friendly criticisms or warnings were dismissed as unwarranted, even suspicious. It is ironic that a portion of that class was apparently in a hurry to back the coup and elaborate ludicrous arguments to justify it (some argue, to actually instrumentalise the discontent among the troops and, in effect, push for the coup).

ATT returned to power in a country still facing so many challenges, including intractable poverty and youth unemployment, a recurring rebellion in the North - a region moreover infested with terrorists and traffickers of all sorts (dealing in cigarettes, drugs, weapons and even human beings). Nevertheless, and maybe because of that, his political agenda was reduced to no more than a dull and stultifying slogan: “consensus politics.” It amounted to little more than “admire me, I am he who gave Mali its democracy, I am the peace-making military officer who has seen what war can do to a country and who will go to any length to avoid it. Join in with me until I complete my two terms, and meanwhile do as you please, thank you.” With very few exceptions, Mali’s political class aligned itself obligingly behind this empty programme (for a country facing so many challenges), and suspended its collective critical judgment. Additionally, seeming to take “a revenge” of sorts for the *régime militaire* mindset that General Moussa Traoré had foisted on Mali during his reign and almost made part of Mali’s post-1968 political culture and polity, the military seemed to make a “comeback.” For example, in every ministry, there was a high-ranking military officer “advising” the minister on “security and defence” matters. As in the good old days of the *régime militaire* many regional governors (and not just in “security sensitive” regions) were military officers. Another sign that seemed to blur the “civil-military divide.”

Another legacy of ATT’s rule was the disproportional number of generals in the Malian army. Under General Moussa Traoré, Mali had nine generals. Under ATT’s immediate predecessor Alpha Oumar Konaré, there were eight promotions. For the ten years his tenure lasted, no less than 30 officers were promoted to the rank of general in a relatively small army and air force. While there is a limit to this comparison, it is revealing of the relevant background to the March 26 coup. ATT himself never shied away from reminding all that he is a retired general. As a consequence, a top-heavy military, with an increasing chasm between the top ranking officers on the one hand, and the Non-commissioned Officers (NCO), junior officers, and troops on the other hand who felt neglected while senior officers were seemingly pampered and were growing more and more corrupt (just as the civilians) and detached from them and their struggles. Putsch leader Captain Amadou Sanogo’s first rant was about this situation, immediately after (an almost passing) reference to the crisis in the North.

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The deleterious atmosphere extended to the civilians, of course. With virtually no (principled) opposition to speak of, a completely demobilised political class whose leaders were more interested in waiting impatiently for the end of ATT's second term so that each could have a chance to contest for his office, the main political goal was to partake in the systematic looting of the meagre resources of the country. By 2011, such looting seemed to accelerate with astonishing corruption scandals (involving funds allocated to fighting Malaria and AIDS, with no serious accountability) multiplying. Understandably, this made the Malian public grow ever more cynical and disabused about politics and politicians. (Well, wasn't there a "consensus" among them on how to go about running the country?) That's your explanation of why the Malian people did not lift a finger to oppose and try to reverse this coup, which its constitution qualifies "an unforgivable crime against the Malian people".

Then, of course, came the Libyan crisis. Here again, regardless of the mischief of the departed Libyan leader, Col. Muammar Gaddafi, the Malian president seemed to drop the ball big time. While no one can fault him for adopting a decidedly conciliatory stance on the recurring Tuareg rebellion, or even to have refused to engage the elusive Al Qaeda in the Islamic Maghreb (AQIM) without a concerted regional strategy and plan of action, there is no doubt that his mishandling of the aftermath of the violent end of Gaddafi regime was the nail in the coffin of an exhausted experiment. With a personality averse to making the tough decisions that governing is all about, and in particular determined not to engage in yet another Tuareg rebellion-ending effort through a combination of fighting and concessions, he opted for appeasement at all costs, including apparently leaving the army woefully unprepared. Without even seeking to disarm them, ATT sent delegations loaded with gifts and cash to welcome returning armed Tuareg (formerly used by Col. Gaddafi in his mercenary foreign legions) for whom Libya had become inhospitable since the fall of their protector. The reputed volume and quality of the armament in their possession and the insistent rumours of secession threats by some Tuareg leaders in December of 2011 did not seem to alarm ATT in the least. By March, utterly drained mentally, he was seemingly counting down the days until he could leave this conundrum to someone else. Not even the slaughter of dozens of ill-equipped, demoralised troops in the North could prick him into realising the danger his attitude constituted for the country's stability and very existence.

It would not be exaggerated to say that ATT's approach to governing may well have emasculated Mali's civilians and military alike and in

the end, destroyed its democracy. The March 22 putsch was not a coup d'état 'by the book.' It was a mutiny that degenerated into a full-blown coup in search of a leader, much in contrast to Guinea's 2008 coup and quite similar to Cote d'Ivoire's 1999 coup.

The coup's toll? Simply a calamity, an unqualified calamity! Perhaps faster than any other coup in the rich history of coups in Africa, it wreaked havoc on the country. No sooner was it consummated than Tuareg rebels - the irredentist National Movement for the Liberation of Azawad (MNLA) and Islamist Ansar Dine - and their AQIM allies pushed South to occupy the main cities and nominally control more than half of the territory. The coup fractured Mali's body politic as never before, led to a counter coup that pitted army units one against the other, resulting in dozens of dead soldiers, none having confronted those who occupy their land. Like all coups, it rapidly transformed the agendas and priorities of both institutions and individual actors. The rebels and AQMI have consolidated their positions, and are strategising and preparing for the battles to come. They now enjoy the covert support of Mauritania and Algeria in a bizarre 'light skin solidarity' of sorts. Meanwhile, the struggle for power has become the only game in town in Bamako, as the country descends with lightning speed into chaos and uncertainty. It is this mindless struggle that led to the as-of-yet unheard of molestation of the interim president in his office by a mob supporting the coup, as his security stood by. For Captain Sanogo, negotiating a future with the status of a former head of state seems to have trumped his feigned burning desire to liberate the North.

From 'Exhibit A' as an exemplar for the possibility of democratisation, Mali has indeed become 'Exhibit A' for the devastation a military coup can bring to a country, and what not to do to avoid one. Mali also became another test for the Economic Community of West African States (ECOWAS) 'Zero Tolerance' policy towards unconstitutional change of power. The consequence of granting Captain Sanogo this undeserved honour will undoubtedly come back to haunt the regional organisation. It had better start designing a better strategy to truly enforce its policy on unconstitutional changes of power (and for that matter, on good governance) in the sub-region. Mali (and Guinea Bissau) painfully showed the limits of both policies.

**Boubacar N'Diaye is a member of the ASSN Executive Committee and an Associate Professor of Political Science and Pan-African Studies at The College of Wooster in Ohio, USA..**

## The New Draft South African Defence Review 2012

By Len le Roux

On 12 April 2012, the South African Minister of Defence and Military Veterans, Lindiwe Sisulu, released the draft South African Defence Review 2012, entitled Defence, Security and Development, for public comment. This draft Defence Review (DR) is the result of the work of the Defence Review Committee that was constituted by the minister in July 2011 to review current SA defence policy.



The Committee is chaired by Roelf Meyer, a previous South African Minister of Defence, and the deputy chairperson of the Committee is Premier Thandi Modise, who was a member of the Parliamentary Defence Committee in 1996 -1998, when the previous defence review was done. At the same time, the minister announced a public participation programme that would run from April to June 2012.

The current SA defence policy is premised on the White Paper on Defence (1996) and the Defence Review (1998). These policy documents were developed in very participative processes in the early post-apartheid years and were internationally acclaimed for their transparency and comprehensive coverage of the subject of defence policy. Despite this it soon became apparent that some of the premises on which these policies were based were overly optimistic and had not fully materialised. Internal developments related to law and order in South Africa and regional developments related to peace and stability on the African continent have challenged some of the premises of these policies and placed stress on their implementation, as well as on the functioning of the South African National Defence Force (SANDF).

Due to this, various actors have been calling for an update of defence policy for some years but this has been slow in coming. Therefore this new draft has been widely welcomed despite its lateness.

# Features

There has also been some criticism about the lateness of the public participation and consultation process in the development of this new policy framework. Whereas in the 1996/1998 era, defence policy was developed in a very open and consultative manner throughout the process, the 2012 version was developed within the DR Committee and official structures with limited public consultation. The public was thus deprived of the opportunity to present inputs at the start of the process and to help identify issues that needed to be addressed and were then confronted on April 12 with a 423-page draft document, with little time to study it and deliver well developed inputs and comments.

One of the issues of concern in the current draft is the basic logic of the resulting policy framework itself. The draft defines the defence mandate and the goals and tasks of the SANDF and identifies the required capabilities for the long-term (20 to 30 years in the future) but fails to address the financial implication of this. It also fails to identify shorter-term priorities and their budgetary implications. This means that the draft does not address the current dilemma of the SANDF, namely that of a gross mismatch between defence policy (as it is being practised) and defence funding. This draft policy therefore does not serve to solve the SANDF's short to medium-term problems. Neither does it contain the required financial data to allow for meaningful decision-making at the level of Cabinet and Parliament within the Medium-Term Expenditure Framework of Government.

The process of the development of this draft policy is stated to be a 'mandate driven approach' with fiscal considerations not being taken into account. This is very unrealistic as any mandate that is not affordable is simply a pipe dream. It would have been far better to have used a 'mandate driven but cost constrained' approach to policy development as this would have resulted in implementable policy and an affordable and sustainable force design and force structure.

On the positive side, the draft takes cognisance of some of the major changes in the strategic environment since 1998 especially as concerns the development of the new African Peace and Security Architecture (APSA). At continental level this includes the African Union Peace and Security Council, the Common African Defence and Security Policy, the Continental Early Warning System, the African Standby Force and at the sub-regional (SADC) level, the Organ on Politics Defence and Security, the Mutual Defence Pact and the

Regional Standby Brigade. These are all well argued in the draft, as are the importance of confidence and security building measures and defence diplomacy. The draft commits South Africa to multi-lateral defence options and restates the SA defence strategy of (i) co-operation, (ii) prevention and (iii) use of force as a last option as defined in the 1996 White Paper on Defence. There is however some concern that these considerations are not brought to their logical conclusion by including conflict prevention, management and resolution within the primary mission of the SANDF.

On the issue of civil control, the draft proposes a change in the top management of the Department of Defence. It proposes the moving of the Defence Secretariat from the Department to the Ministry. This is a significant deviation from the current situation where the Secretary for Defence is the Head of Department and the Accounting Officer to one where the Chief of the SANDF will have to perform these duties. This will require substantial re-engineering of the DOD. It is however considered to be a workable model within the concepts of civil-military relations, with the new defence secretariat and audit committee providing the Minister with the capacity to execute civil control and oversight over the SANDF.

The draft SA Defence Review 2012 is still a work in progress and it has not yet been presented to Parliament and Cabinet for approval. It is anticipated that Parliament will also still call for public submissions before final consideration of the draft policy. The short period of public consultation that the review has been subject to has raised many issues and generated much discussion. It is not yet clear which of these issues have been taken up in the review in some manner. It will be interesting to continue following this debate and it is hoped that the end result will live up to the high expectations set during the 1996 and 1998 defence policy development processes.

The full draft SA Defence Review 2012 and corresponding documentation is available at [www.sadefencereview2012.org](http://www.sadefencereview2012.org).

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## Combating the Financing of Terrorism in West Africa

### *The Role of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA)*

By Jeffrey Isima

#### Introduction

It is now generally accepted that West Africa is the new entrant into the expanding global axes of terror. While such names as *Al Qaeda*, *the Taliban*, *Abu Sayyaf*, *Al Shabaab*, *PKK* (the Kurdistan Workers' Party), etc, easily resonate in discourses of global terrorism, as well as in their



local roots and offshoots mainly in Central and Far East Asia – places like Yemen, Afghanistan, Pakistan, Somalia, Indonesia, and the Philippines – new groups operating in West Africa's Sahelian belt have now made a bold entry onto this list. Islamist groups such as *Al Qaeda in the Maghreb* (AQIM) and *Ansar Dine* now control large swathes of territory and impose extreme disorder and fear in the hitherto ungoverned space that the North of Mali has been. In the North of Nigeria, the dreaded *Boko Haram* is now able to boldly confront the combined fire of the armed forces, the intelligence and the police, and sometimes make some fearsome battle gains. The pointed questions that have been provoked by this spreading anarchy are: how are these terror organisations funded and what efforts are being made to disrupt their financial life-wires?

In both countries cited above, terror groups have proved that they have a guaranteed financial basis to sustain their deadly operations. That they are able to mount multiple attacks simultaneously and launch high-profile kidnappings on a constant basis indicate that they enjoy a constant inflow of funds.

Undertaking mass, indiscriminate killings (through the use of deadly explosives in crowded places), destruction of public symbols of state authority, killing of military and security officials, and kidnapping of Western expatriates, no doubt, require a systematic, albeit disguised, funding strategy.

Curiously, financial crimes are no more mere criminal issues relating to questions of morality and integrity in the public and corporate sectors; they are now at the core of state and human security. When the proceeds of illicit wealth are successfully laundered into the legitimate financial system, the clean money is very likely to fall into the hands of terrorist groups, appearing as income from legitimate enterprise and escaping the tracking eyes of security agents.

This scenario has led to strident calls for greater openness in the somewhat opaque global financial system.

# Features

This call has become increasingly relevant in West Africa, where terrorist groups appear to be expanding in tactical capability. Terrorist groups now have the capability to establish linkages with one another across the region and with other older and more experienced groups across the globe. While providing evidence has been difficult, there is emerging knowledge that the groups in Mali have blood origins in Pakistan/Afghanistan, at least in part, and are a creation of *Al Qaeda*. Boko Haram spokespersons have severally affirmed their open support for *Al Qaeda*, and the group is thought to be linked to the Somali *Al Shabaab* in the areas of training and planning. What all these mean is that West Africa has become a critical node in the global network of terrorism. Beyond Nigeria and Mali, terror groups in Sahel West Africa are also beginning to expand their operations to neighbouring countries such as Niger, Burkina Faso, Mauritania and Senegal. Given the weak capacity of state institutions, the possible spread of radical Islamism is most likely to turn the entire Sahel belt of West Africa into one of the most dangerous terrorist havens of our time. As the case of Mali demonstrates, terrorism and its financing are beginning to cripple the vital institutions of the state and precipitate deep crises of governance in an already fragile region.

## **GIABA and the regional counter-measures against terrorist financing in West Africa**

Since the shocking events of September 11, 2001, there has been a growing realisation of the vulnerability of the global financial system to misuse by transnational organised criminals and terrorist groups. This has led world powers and their major allies around the world to prioritise Anti-Money Laundering (AML) and Counter-Financing of Terrorism (CFT) as a major twin-plank of domestic and foreign policy over the past decade. Consequently, the international community and regional blocs have increasingly intensified global coalitions against terrorism by constructing and strengthening international and regional bulwarks of AML/CFT regimes.

West Africa has very much been active in this burgeoning global coalition. In the year 2000, the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) established the *Inter-Governmental Action Group against Money Laundering in West Africa* (GIABA) as a specialised institution. As the name implies, its original mandate was restricted to confronting the challenge of money laundering (ML). However, with the global awareness of the linkages between ML and terrorist financing (TF), combating the financing of terrorism was added to the mandate of the institution in 2005.

Apart from being an institution of ECOWAS, GIABA also functions as the Financial Action Task Force (FATF) Style Regional Body (FSRB) in West Africa, and therefore has an additional mandate to facilitate the adoption and implementation of international Anti-Money Laundering (AML) and Counter-Financing Of Terrorism (CFT) standards in the region. To this effect, GIABA's mandate include to:

- Ensure the adoption of standards against ML/TF in accordance with acceptable international standards and practices, including the FATF 40 Recommendations;
- Facilitate the adoption and implementation by member States of measures against ML/TF, taking into account specific regional peculiarities and conditions;
- Function as a Forum where members can discuss matters of regional interest and share experiences;
- Organise self-evaluations and mutual evaluations for member States to determine the efficacy of national measures adopted, including their conformity to acceptable international standards; and
- Coordinate and provide support to member States to establish and implement AML/CFT regimes, including the implementation of laws against the proceeds of crime through mutual legal assistance, and also in the establishment and maintenance of Financial Intelligence Units (FIUs).

Owing to a host of resource and organisational challenges, GIABA could not muster the capacity to function prominently until 2006. Since then, GIABA has made important progress in supporting member States to combat terrorist financing. Some of the major efforts are itemised below:

- Most member states have enacted national CFT legislations, which provide the basis for official policy and action against TF. While these legislations require serious review and updating, Cape Verde, Guinea, and Liberia are yet to enact such laws.

- Apart from Guinea and Liberia, member States now have functional FIUs for processing Suspicious Transaction Reports (STRs) provided by banks, Non-Bank Financial Institutions (NBFIs) and designated Non-Financial Businesses and Professions (DNFBPs). STRs are generated on the basis of Customer Due Diligence (CDD) conducted on clients, including Politically Exposed Persons (PEPs). The FIU then transmits their analysis to appropriate law enforcement agencies for investigation and prosecution. Four of the FIUs (Cote d'Ivoire, Mali, Nigeria and Senegal) are now members of the Egmont Group.

- A core area of GIABA's work is the delivery of continuous bespoke training to various stakeholders: to officials of financial institutions, as well as regulatory and supervisory agencies on compliance with FATF Standards; FIUs on financial analysis; law enforcement agencies on investigation and prosecution; court judges on the difficult nature of TF cases, assets freeze, seizure and recovery; and DNFBPs on ensuring due diligence with their clients. Other important elements of technical assistance include the provision of body scanners and equipment for detecting cash movement through airports, as well as analytical software to FIUs.

- In collaboration with the FATF, GIABA is currently conducting a typologies study on terrorist financing in the five most affected member States, namely Nigeria, Mali, Niger, Burkina Faso, and Senegal. The objective of this study is to understand the methods used by those who finance terrorism to raise/move/use funds. The findings are expected to reveal implications for policy intervention at national and regional levels.

## **Challenges and next steps**

While the above areas of technical assistance to member States are considered to be critical, the enduring obstacle that CFT actors face has been the informal nature of West Africa's economies and their financial systems. Most financial transactions take place in the parallel universe outside the official channels of regulated financial institutions, thus making nonsense of CDD, STRs and compliance with other tested international standards that *simply don't work here*, and that exclude *the poor and the weak from the core of financial service provision*.

The more financial activities are allowed to occur outside official channels, the more difficult it is to keep track of the movement of funds that may end up in the hands of terrorists. To address this vulnerability, GIABA is in the process of commissioning a regional study on 'financial inclusion' in West Africa. The study is expected to address the following questions: to what extent has financial coverage been achieved in West Africa? What efforts are being made by financial authorities to broaden the financial system to reach out to the unbanked? What are the existing international risk-based standards that inhibit financial inclusion and how much room exists for flexibility? How can such flexibility be achieved, given the specific peculiarities of the region? The study is designed to result in the production of a Strategy Paper that will guide policy interventions in favour of financial inclusion and more effective financial surveillance.

**Dr. Jeffrey Isima is the Principal Officer for Research and Planning at GIABA and is a member of the African Security Sector Network (ASSN).**



## Rethinking Security from an End-User Perspective

By Robin Luckham



*This article summarises an Evidence Paper on Security prepared for DFID by a research team led by Robin Luckham on behalf of the Justice and Security Research Programme at the London School of Economics (LSE) and co-authored by Tom Kirk at LSE. The Evidence Paper is based on a comprehensive literature review as well as a 'peer search' in which several experts from both Northern and Southern institutions were asked to identify the most influential literature scrutinising security from the point of view of 'end-users'.*

The relationship between security and development has become a commonplace of development analysis and practice. This relationship is stamped with the official imprimatur of the United Nations (UN), the Organisation for Economic Cooperation and Development (OECD), the European Union (EU) and bilateral aid agencies. The UK Department for International Development (DFID) has been influential in bringing it in from the cold and in linking it to Security Sector Reform (SSR) and to post-conflict stabilisation. It is the centrepiece of the World Bank's 2011 comprehensive World Development Report on 'Conflict, Security and Development' (WDR 2011). This marks a significant departure from the situation that prevailed 20 years ago, when the development community largely ignored security issues, despite the enormously damaging impacts of violent conflicts on development and human welfare during the Cold War era.

A recent evidence paper prepared for the Justice and Security Research Programme at the London School of Economics (LSE) in collaboration with the Global Consortium on Security Transformation (GCST) found very little consensus about the definition, practice or study of security. Despite a rapidly growing research literature, security's relationships to development and poverty-reduction remain poorly understood. Critiques of 'securitisation' by Duffield (2001) and others voice the unease that many feel about the tendency of security priorities to trump development and humanitarian goals. Indeed framing issues as 'security' rather than development or humanitarian issues may have profound consequences for both analysis and policy practice. Yet almost nowhere in the large security and development literature is security properly defined. WDR 2011, for instance, skirts around it by defining 'citizen security' in terms very similar to human development plus an added dimension of citizenship.

Security has many meanings concealed under its capacious umbrella. It is morally ambiguous and politically contested. Everything depends on who speaks in the name of security, whose security is in question, from whom or what they are secured, and how their security is protected or not as the case may be. An understandable response to this conceptual confusion would be to wash one's hands of security altogether and say it should be of no concern to those who have an interest in development or in peace. But security is too important to be left in the hands of securocrats and politicians. One cannot wish away the violence and insecurity in Africa and many other parts of the world, which have destroyed lives and livelihoods, brought famine and disease and entrenched bad governance.

Our paper argues that the moral and political confusion about security stems from a deep duality in the theory and practice of security itself. We distinguish two competing yet interlinked visions or definitions of security. The first of these is on the 'supply-side' having long historical roots in the theory and practice of the modern nation state. According to this view, **security is a process of political and social ordering established and maintained through authoritative discourses and practises of power.** That is, security involves 'seeing like a state'; although in the modern world the state also comprises a wide array of global and national power structures including international bureaucracies, global corporations etc as well as nation states. Security in this view is achieved through the exercise of power, especially but not solely military power (in an information-rich world it also depends on

surveillance and the control of new media). Post-conflict 'stabilisation' and 'state-building' in countries like Sierra Leone, the Democratic Republic of Congo (DRC) or Afghanistan are consequently premised upon the creation of security and political order in order for development to take place.

The alternative 'demand side' conception of security is more recent and stems from international development, humanitarian and human rights concerns. According to this vision, **security is an entitlement of citizens and more widely human beings to protection from violence and other forms of existential risk.** Similar conceptions of security are found in WDR 2011's formulation of citizen security and in the UN's endorsement of human security and of the 'responsibility to protect'. Re-conceptualising security as an entitlement rather than an attribute of the state opens the way to challenges to the state's power and monopoly of security provision in cases where it fails to protect or indeed actively harms its own citizens. The irony is that this conceptual shift has also helped to shape a new and more interventionist policy consensus around forcible international intervention in the affairs of fragile and conflict-torn states held to be unable or unwilling to protect their own citizens.

Our starting point has been the second of these two faces of security. What does security look like 'from below', i.e. from the perspective of 'end users' be these citizens of states, members of local communities or those who are marginalised and insecure in conflict situations? What are their own vernacular understandings of security and how do these reflect the hybrid and contested nature of political authority at a local level? What connects their particular and local experiences to wider conceptions of citizen and human security?

Yet although end-users remain our priority, the analytical trail has also led back to the first (and more state-centred) approach to security. For even when security and insecurity are experienced and decided locally, they tend at the same time to be determined nationally and globally. It is at the interfaces between local agency, state power and global order that the most politically salient and analytically challenging issues tend to arise.

This duality has been reflected in the survey of the literature made in the evidence paper. Both our search terms and the terms of reference given to respondents in a survey in which experts in the field were asked to identify key literature sources highlighted the perceptions and experience of end users. Yet in practice, many of the references generated by these literature searches are studies of national level security issues or of donor policies and programmes. Although they refer to the security of poor and vulnerable people they tend to do so through the top down gaze of social researchers, national decision-makers, policy activists and international donors.

It is best to see these two conceptions of security not as rivals but as mutually interconnected (and contradictory) faces of security. Both conceptions address the problems of power and the use of force, but from different directions. For both, how and by whom force is controlled, disciplined and held accountable is the key issue. Thus, for instance, the SSR policy literature prioritises the democratic accountability of security decision-makers and the capacity of Security and Justice institutions to address the day-to-day concerns of poor and vulnerable people.

Yet despite the rhetoric about citizen and human security, powerful states and international institutions continue to dominate the security landscape. How convincing is all the talk about the responsibility to protect when those who are supposedly protected have few if any means of redress? This lack of accountability extends not only to repressive and violent states like Syria, Sudan or Zimbabwe, but also to armed jihadists, militias and criminal mafias, and even indeed to intervening external powers, peacekeepers and humanitarian agencies, when they condone abuses or fail to deliver security.

# Features

Our literature survey highlights the shortage of robust empirical analyses of **how security looks 'from below'** (see also IDS Bulletin March 2009); of the strategies and weapons available to the weak; and of how the powerful can be held accountable for abuse of power and failure to deliver security to the weak and vulnerable. Filling these gaps in empirical analysis is a priority so as to bring into focus the agency of those who are insecure, including their survival strategies and their capacity to challenge dominant social orders, as during the Arab springs.

Another major gap revealed by the literature survey is the shortage of empirical analysis of the **hybrid security arrangements**, which determine the security of end-users, including the relationships between formal and informal security provision. In the real world the formal security institutions of the state may not protect and indeed may sometimes trample on the rights of ordinary people, leading them to seek protection elsewhere, even from otherwise malign and violent bodies such as paramilitaries and criminal mafias. A scattering of recent analyses highlight the varied ways in which policy interventions in conflict situations can reinforce hybrid power structures and local interests, and be in turn co-opted or diverted by these interests. Nevertheless, the emphasis still tends to be placed upon why policy interventions are ineffective or counterproductive, with less consideration of how international and national decision-makers can be influenced and held accountable by end users themselves.

Fortunately, however, our searches suggest that a modest body of research is emerging on which future inquiries can build. This includes studies of local-level security provision as well as of the ways poor and vulnerable groups themselves navigate the terrains of war and insecurity.

But we argue that an end-user perspective needs to complement in-depth local-level understanding with a **multilevel analysis** of local, national, regional and global power relations and security architectures. There remains a distinct shortage of studies which turn an end-user lens upon how these security architectures actually work and for whom – and of how they might be transformed to benefit those most at risk from insecurity in Africa and other regions of the developing world.

**Professor Robin Luckham is an established authority on the politics, security and political economy of Sub-Saharan Africa. A political sociologist with over four and a half decades of experience, he is a post-retirement Research Associate at the Institute of Development Studies (IDS), University of Sussex (UK), and a member of the African Security Sector Network (ASSN) Executive Committee.**

## African States and the Law of Sea Convention *Have the Benefits been Realised?*



By Ali Kamal-Deen

This year marks three decades of the adoption of the United Nations Convention on the Law of Sea (LOS). The Convention is an instrument for securing vital political, economic and security interests as well as global peace and harmony. African States, regional organisations, civil society groups and expert

institutions should be undertaking an audit of the opportunities that the LOSC presented, as against the gains that have accrued to the continent. In an insightful publication "*African States and the Law of the Sea Convention: Have the benefits been realised?*" Ocean Yearbook Volume 26, 2012, available at <http://www.brill.nl/ocean-yearbook-26>, this writer and Professor Martin Tsamenyi evaluate how African States have fared in the existing law of sea regime. We argued that the continent has benefitted marginally largely due to poor ocean governance, institutional weaknesses and lack of enforcement capacity.

### The African Agenda at the Law of the Sea Conference

African negotiators at the third UN Conference on the Law of Sea (UNCLOS III) appreciated the implications of the emerging oceans framework for development, peace and security. Prior to the LOSC, the governing regime for the sea was the four Geneva Conventions of 1958. The 1958 Conventions failed to specify the breath of the territorial sea of coastal States and also did not endorse the agitation of developing States for the recognition of their exclusive rights to the living resources contiguous to their coasts. On the contrary, the Conventions guarantee the freedom of the high seas and the right to a continental shelf depending on the ability of States to explore and exploit the resources in the seabed.

Following independence, African leaders and diplomats sought major changes in the law of sea regime. They were quick to realise that access to the economic underpinnings of the sea was inextricably linked to changes in the international legal order. For example, adherence to the principle of freedom of the high seas and by extension the freedom of fisheries rewarded States that had the requisite vessels and gear to engage in long distant fishing. Equally, only States with modern technology could access the vastly deep seabed resources – minerals, oil and gas. In total sum, the

principles that were paraded as international law were in practice hegemonic tools that confer benefits on a few States.

The now defunct Organisation of African Unity (OAU) was used as a platform to press for changes that were informed by African interests and peculiarities. This culminated in declarations of the right of African States to establish an Exclusive Economic Zone (EEZ) of 200 nautical miles by the OAU Council of Ministers in 1973. Earlier in 1972, African States led by Kenya presented Draft Articles on an EEZ Concept to the UN Seabed Committee. As expected, there was fierce opposition to the EEZ proposal from developed Western States. Nonetheless, the African position was supported by developing States largely from Latin America and small coastal States. Thus by the time UNCLOS III convened in Caracas in 1974, the EEZ concept had virtually crystallised into a rule of customary international law. The concept as well as other African proposals was incorporated into the 1982 LOSC.

### Significance of the LOSC and Challenges facing African States

As at the time of the publication of this article, 45 African States were Parties to the LOSC, nine of them landlocked. For purposes of this article, only two aspects of the significance of the LOSC and the challenges that confront African States will be discussed.

### Socio-economic Development

The EEZ is considered a fulfilment of the "New International Economic Order" that was fought for by newly independent African States throughout the 1970s. Fishery resources of the EEZ are making substantial impact on the socio-economic development of African States. It is a means of employment for coastal communities, thus contributing to the alleviation of poverty and improved food security. However many African States are unable to efficiently manage their EEZs.

Illegal Unreported Unregulated (IUU) Fishing is on the increase on the African coastline, with an estimated loss of over \$1 billion annually. Policies and institutional capacity for conservation of living resources are inadequate. It is noteworthy that some of the Millennium Development Goals adopted by the UN: eradicating poverty and hunger; reducing infant mortality; and improving maternal care, cannot be achieved without an enduring fishing industry.

# Features

In addition to living resources, offshore oil and gas reserves of the EEZ offer African coastal States great potential for development. Many African States are already mature oil and gas producers and newer discoveries are being made in the Gulf of Guinea region. But there are concerns that similar to extractive minerals on land, exploitation of offshore oil will foster elite looting and insecurity. There is also the ancillary issue that the scramble for oil resources by vested foreign interest may turn the continent into a theatre of negative geopolitical power politics.

## Peace and Security

The LOSC unequivocally states that it will contribute to the "maintenance of peace and justice" and "promote peaceful uses of the oceans." These statements fundamentally make the LOSC an instrument of peace and security. To prevent conflicts among States, the Convention has guidelines for determining the limits of national maritime boundaries. At the national level, African coastal States can declare territorial sea and contiguous zones and take enforcement measures for the protection of national security. To ensure good order at sea, the LOSC creates jurisdiction, rights and obligations on all States to combat insecurity at sea, including piracy.

There is however a growing web of insecurity in Africa's maritime domain. Piracy off the coast of Somalia is now an established enterprise, whilst the Gulf of Guinea presents a cocktail of piracy, sea insurgency and narcotic transshipment. These have affected the peace and security of most States and in some instances destabilised the State.

## Way Forward – Changing the tide

In essence, the visionary effort of the early African leadership to strategically command and exploit the resources off their coastlines for development has not fully materialised. It is necessary for African States to pursue national and collective initiatives to enhance their ocean stewardship and reap the full benefits of their coastal space.

## Integrated Ocean Governance

Most African States do not have ocean policies upon which systematic ocean governance measures can be pursued. Durable ocean governance can only be achieved through deliberate policies with clear timelines, benchmarks and progress indicators. In this case, there will be transparency of management efforts and successive governments and administrators would ensure continuity of programmes.

## Security Sector Reform

The challenges that African States face are exacerbated by the lack of enforcement capability across the region. Enhancing benefits in the maritime domain will require a retooling of the existing security architecture at national and regional levels. In the African context,

however, Security Sector Reform (SSR) is seen chiefly as a post-conflict initiative. This misses the opportunity to use the process to ensure civil oversight and control of Maritime Forces. Thus Navies and Maritime Forces are left to treat maritime policy-making as their exclusive preserve. African States will have to reform their Maritime Forces so that they serve as tools for development. This reformation processes will entail an assessment of capabilities and gaps in the maritime sector and an improvement of coordination and collaboration. Regional mechanisms for peace and security should also include piracy and other maritime security threats in their early warning systems.

## Access to Technology

It had always been anticipated that lack of technology will hinder the ability of developing countries to maximise ocean benefits. Thus, a regime of transfer of technology was embedded in the framework of the LOSC: Article 62 to make the transfer of technology one of the possible conditions that a coastal State can impose in fishing access agreements. Article 202 also requires States to cooperate directly or through international organisations to promote technical assistance to developing States to enhance their capacity to protect and monitor the marine environment. However, this negotiated framework for the transfer of technology has completely collapsed in the face of corporate and private ownership of technology rights. Thus African States would have to devise innovative arrangements with private sector institutions so that they can access technology to efficiently exercise jurisdiction over their vast maritime zones.

## Continental and Regional Cooperation

Finally, African regional and continental organisations have a key role to play in managing the maritime commons. Ironically, though these bodies were pivotal in ensuring the African agenda at UNCLOS III, they have subsequently played little role in fostering the dividends of the oceans space. It is however gratifying to note that continental and regional initiatives are re-emerging. The OAU's successor organisation, the African Union (AU), in April 2008 reviewed the African Maritime Transport Charter of 1994. The Maritime Safety and Security Ministerial Conference of the Gulf of Guinea in March 2009 also emphasised the need for continental and sub-regional approaches to maritime issues whilst the Southern African Development Community (SADC), led by South Africa, adopted cooperative measures to maritime security in 2011. The AU has recently (in April 2012) put together a draft Maritime Strategy for Africa. These efforts are commendable and will have to be sustained. An incremental approach to maritime security cooperation on the basis of regions is advocated; starting with exchange of Incidents at Sea reports through information sharing. This will build the necessary synergies for greater cooperation.

**Commander Ali Kamal-Deen is the Legal Director of the Ghana Navy and his PhD research is focused on maritime security in the Gulf of Guinea.**

## The Rule of Law

### What is it Good For?

By David Chuter

### The same only different

In the twenty years since the Rule of Law became a preoccupation of international organisations and donors, it has become a tradition to begin every study of it by saying that, whilst it is essential for Security and Development, nobody really knows what it means.

In respecting that tradition, I would add simply that this puts it in the same category as many other impressive but ill-defined concepts promoted to Africans (Development, Security Sector Reform, Democratisation, Governance) and many other allegedly more technical skills, such as state-building or capacity development.



All such ideas are promoted in wildly varying forms by different organisations, whose definitions of them are alike only in that they are all different from each other. This is entirely understandable, of course: organisations try to define problems as ones they believe they have the capability to solve, so that they can influence governments, or access funding. Yet, even so, the Rule of Law is an extreme case.

The claims made for it are enormously sweeping. In the words of Thomas Carothers, it is "the solution to the world's troubles". The UN Security Council used words like "indispensable" and "crucial" in a 2004 report, and international organisations from the United Nations itself, to the African Union and the European Union have issued ringing declarations of its importance, and set up special offices to promote it. All post-conflict international missions now include the Rule of Law as a mandatory element.

# Features

Yet few current political issues display such intellectual confusion. Some legal theorists define the Rule of Law as adherence to a set of principles of formal procedural correctness. Others reject formal definitions entirely, and see only the content as important. Development experts see the Rule of Law as a subset of development theory. Human rights activists believe that the Rule of Law is essentially about human rights. An influential historical tradition, especially powerful today, sees the Rule of Law as essentially about personal economic freedom and the safeguarding of property.

## What donors do.

This mixture of ambition and confusion has major consequences for donors, especially those working with the security sector. Since the more philosophical outputs of the Rule of Law are essentially impossible to measure, and since the long-term effects on development are precisely that – long term – harassed programme officers and their local partners, with a budget to spend, wind up defining the Rule of Law in terms of activities they can carry out. Such individuals (and the author has taught a number) often arrive in their jobs with no preparation or prior knowledge, but are expected to produce results. This often means projects whose financial input can be programmed (seminars, training, legal texts, studies) or whose output, if not necessarily of much actual use, can at least be measured (provision of computers and software for example). This means that the Rule of Law then comes to be defined essentially as a series of short-term projects, linked to piecemeal reforms of the Security and Justice Sector. This is not what the Rule of Law is about.

The confusion and incoherence of these definitions and approaches naturally make people wonder whether the Rule of Law as a concept, however defined, has anything to recommend it, in spite of its overwhelming political support. The answer is actually yes, provided we lift our gaze from the problems of definitions and programmes, and try to think through what the issues are. Before doing so, we need to be clear about what the issues are not.

## What it is not

First, much Rule of Law thinking has its origin in Anglo-Saxon liberal political theory, whose highest good is the freedom of the individual, especially in their economic activities. In this tradition, the state is the main enemy, the security sector is there only to provide protection for private property and security for businesses, and the individual has no loyalties, and no relationships, except economic ones. All rights are individual, rather than collective. Whatever the abstract attractions of this approach, it obviously has little relevance for most of the world, where people think of themselves as primarily members of groups, and where loyalties are more social than economic.

Second, there are therefore great difficulties with the version of the Rule of Law peddled by organisations like the World Bank. The latter sees it primarily as about the confidence of economic actors in “the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence,” thus confusing a range of issues in one sentence. The objective of the Rule of Law, by this logic, is to encourage foreign investment and so economic growth and development. Here, unusually, there is historical evidence to fall back on, and it provides no support at all for these assertions. Rather, inward investment has played effectively no role in the classic examples of economic growth and development, from England in the 18th century to China over the last few generations. In any case, investment tends to go where quick profits are most likely, as we see from the cases of western investment in Angola, the Democratic Republic of Congo (DRC) and Sudan, none of which is a model of the Rule of Law. Moreover, whilst it is possible so to manipulate

definitions of the Rule of Law and development that one can be argued to cause the other, in reality there seems to be no causal connection, except for a moderate tendency for development to produce improvements in the Rule of Law.

Thirdly, we should not get too excited about the potential of the Rule of Law (however defined) for preventing and resolving conflict. Once more, one can manipulate these definitions to produce tautologous causal connections, but they generally do not work in real life. There is some evidence that systematic persecution or neglect of certain groups can help to promote conflict, but that is a different issue. Likewise, conflict tends to damage the Rule of Law, but there is no evidence that the lack of the Rule of Law (if we could define it) promotes conflict.

Thus, the Rule of Law has no agreed meaning, is based on fundamental assumptions that much of the world does not recognise, and seems unlikely to have the positive effects often claimed for it in the real world. So should we continue to take the idea seriously, especially in the security sector?

## What it is

We can do so if we realise that we are dealing not with a legal concept, but a political one. The Rule of Law is about the strategic relationship between the citizen and the state, mediated through the security sector. It has nothing to do with shopping lists of technical features, or inductive normative content. Indeed, it is not an inductive concept at all, but a deductive one, because it proceeds from peoples' own ideas about how they want their society to be correctly governed, which vary from place to place, are culturally derived and socially enforced. Nor is it binary (one day you have it, the next day you do not): it is a matter of degree. Simply put, the Rule of Law is healthy when the reciprocal power relationships between the state, outside actors like parliament and the courts, and the people themselves, are effectively managed according to rules that are generally accepted, and widely respected in practice.

This means, of course, that we have to accept that concepts of the Rule of Law differ over time and between places, and also that there may be a huge difference between normative Rule of Law frameworks, and how people actually think. We have to accept also that, whilst we may believe that some value associated with the Rule of Law (equality of treatment for example) is better than its opposite, we cannot prove it. Two contrasted examples may make this clearer. The decision of President Obama's government to carry out extra-judicial killings of those it considers a danger to national security offends in theory against the most important item on everyone's Rule of Law laundry list: protection from arbitrary acts by government. But there is no sign of widespread popular disagreement with it. Likewise, in Africa and elsewhere, much of the population has the same attitudes to sexual minorities that were prevalent in the developed West fifty years ago, and do not wish to accord them full equality before the law.

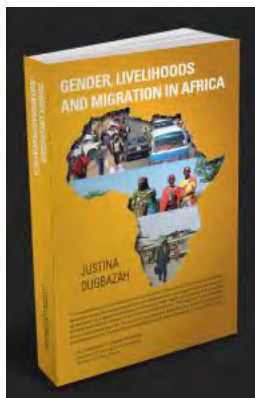
More money has probably been wasted promoting the Rule of Law in Africa than promoting any other concept (though the judgment is not an easy one). It will continue to be wasted until we realise that the Rule of Law is not the (usually pointless) imposition of abstract norms and mundane skills from outside, but rather the writing down of the unwritten rules by which societies govern themselves, together with procedures to make sure these rules are observed by all, and that they change over time in response to new circumstances.

**David Chuter is a former British government official, now an independent author, lecturer and consultant based in Paris. He has been involved in issues relating to the African security sector for twenty years, and his most recent book is *Governing and Managing the Defence Sector* (2011).**

## **PUBLICATION REVIEW: Gender, Livelihoods and Migration in Africa**

**AUTHOR: Justina Dugbazah**

**Published by Xlibris, 2012**



*In this edition of the ASSN newsletter, we depart from the norm and instead of the usual book review, we bring you a Question and Answer interview with Justina Dugbazah, author of the new book, **Gender, Livelihoods and Migration in Africa**.*

*Unlike our typical publication review, the book does not focus centrally on Security and Justice issues. We however felt the close relevance of its themes to these two pertinent fields and decided to have a Q&A with Justina in our quest to explore the link between migration, gender and human security. Below are her responses to our questions.*

### **How is migration to be understood as 'gendered'?**

Scholarly research on migration has changed considerably in the past decade, with women-centred research shifting more toward the analysis of gender. This change in focus means that migration is now viewed as a gendered phenomenon that requires more sophisticated theoretical and analytical tools than sex as a dichotomous variable. Gender is a social construction that organises relations between males and females can greatly differentiate the causes, processes and impacts of migration between the two sexes. Knowing how these differences play out can be important to promote gender equality and empower women, as a way of enhancing economic growth. A gender analysis of migration looks beyond simple differences in migration behaviour between men and women and examines the inequalities underlying those differences. It looks at how these are shaped by the social and cultural contexts of the individual, and the influence that membership of social groups and economic and political conditions can have on the migration experience.

Gender is an integral part of the migration process. The research undertaken for my recently published book *Gender, Livelihoods and Migration in Africa*, shows that migration affects women and men differently depending on the context (economic, social, cultural and political) of the migration decision, the migration journey itself, as well as the impact of migration. Not only does gender differentiate the physical movements of women and men, but additionally gender relations are reaffirmed, negotiated, and reconfigured in the receiving contexts. The impacts of migration for women and men depend on many factors, all of which have gender implications. These include: the type of migration such as temporary, permanent, irregular, regular, labour, natural disaster- or conflict-induced; or whether the migrant is independent or a dependent spouse. Migration as a transforming experience, can improve or worsen the position of women in families and society. It can also do that for men, but often not in a way that is as gender-specific.

### **Statistically, how often do women (mothers, wives, daughters etc.) migrate relative to men (husbands, fathers, sons etc.)?**

The gendered migration process, how often men migrate compared to women varies from one geographical regional region to another. The general perception of migration is that it was predominantly a male phenomenon during the large labour movements of the 1960s and 1970s, with women and children following in secondary waves of family reunification in the 1980s and 1990s. But by the 1990s, women were migrating in far higher numbers, both as family members and independently, voluntarily or involuntarily. The gender distribution among migrants today is reasonably balanced, with almost 50 per cent of the global migrant population today being female, although the increase has been mainly in the developed world. Between 1970 and 2000, the numbers declined in Asia (46.6% to 43.3%) and North America (51.1% to 50.3%), but rose in Africa (42.7% to 46.7%), Oceania (46.5% to 50.5%), Latin America and the Caribbean (46.8% to 50.2%) and Europe (48% to 51%). But these statistics on recorded migrant populations do not reveal the true numbers of movements, particularly within countries and regions.

We do know that in most developing regions, more females are migrating independently, and more are making a difference for development. In Sub-Saharan Africa, research shows that more men migrate compared to women. In the Philippines, Indonesia and Sri Lanka, female migrants account for 60-80 percent of their labour migrants. In Ethiopia, where permanent migration of women seems to be greater than for men, women are now also migrating temporarily for work-related reasons. Migration provides women with employment opportunities and the ability to improve their living standards. This has resulted in changing gender roles as more female migrants participate as principal wage earners and heads of household. The growing number of female migrants, known as the feminisation of migrant populations and/or refugees is becoming a key development issue in migration in recent years.

### **What are the imperatives (push/pull) driving women's migration—or (not to assume homogeneity in the experience) various classes/groups of women/girls?**

Most decisions to migrate are made in response to a combination of economic, social and political pressures and incentives. Seeking to get a good employment and make money is one important motivator of migration for both women and men. Inequalities within and between sending and receiving communities create incentives to move. The increase in female migration has several explanations, among them the continuing, and increasingly high levels of global poverty, and; the desire of women to better their lives and those of their children. In many developed countries, the combination of demographic change, growing participation of women in the workforce and reduced social services for child and aged care has led to a dependency by rich countries on the care offered by people from poor countries. As employment opportunities have opened up in such service sectors as domestic work, nursing and teaching in Europe, North America and parts of Asia, these have become female migrant niches for women from poorer regions in Africa, Latin America, Southeast/Central/Eastern Europe and Asia. At the internal level, they have offered an important opportunity to reduce the risks that subsistence agriculture poses for many poor families

However, economic motivations are only one among many factors influencing decisions. Another motivation may be to join a spouse who has migrated (family reunification) or to escape gender discrimination and constraining gender norms. Yet migration may also be forced by traffickers or displacement due to natural disaster or conflict. As gender attributes are usually assigned by cultures, the migration choices and constraints for females can vary vastly depending on their socio-cultural origins. Conversely, cultural constraints and gendered immigration policies may limit women's ability to migrate.

### **How does gender influence the conditions of migration? For instance, do women face different and distinctive experiences, risks, opportunities, in migration etc?**

Many factors exist that shape the decision to migrate and make migration more or less possible for women. These include both systemic and macro factors, such as the state of the national economy, and individual or micro factors, such as gender-specific stages in the life-cycle. These factors are further divided into the following three areas: 1) gender relations and hierarchies; 2) status and roles; and 3) structural characteristics of the country of origin. Gender relations and hierarchies within the family context affect the migration of women because it is usually within the family that female subordination to male authority plays it out. The family both defines and assigns the roles of women, which determine their relative motivation and incentive to migrate, and controls the distribution of resources and information that can support, discourage, or prevent migration.

The interaction of women's roles, status, and age within a particular socio-cultural context affects the ability of women to migrate. A United Nations report on women and migration argues that the impact of women's status and roles on their propensity to migrate must be considered at three levels: individual, familial, and societal.

# Features

Individual factors include age, birth order, race/ethnicity, urban/rural origins, marital status (single, married, divorced, widowed), reproductive status (children or no children), role in the family (wife, daughter, mother), position in the family (authoritative or subordinate), educational status, occupational skills/training, labour force experience, and class position. Family factors include size, age/sex composition, life-cycle stage, structure (nuclear, extended, etc.), status (single parent, both parents, etc.), and class standing. Societal factors include those community norms and cultural values that determine whether or not women can migrate.

Finally, certain macro characteristics of the country of origin can also influence gender-specific migration propensities. These characteristics can interact with the gender relations and the position of women in the sending society and affect decisions about who moves and when. These characteristics include: the state of the economy; the types of economies present within various communities; the level of displacement caused by economic changes and shifts in production technologies; land tenure laws; labour market conditions and conditions of work; the ability of the economy to provide jobs and the type of jobs available; the ability of the national government to provide related infrastructure; the relation and integration of the national economy into the world economy; the supply and demand conditions for the factors of production in sending and related receiving communities; and the presence or absence of established migration systems with other areas.

For many poor women, migration has strengthened their agency within structures that normally offer them few opportunities. Migration increasingly offers women education and career opportunities that may not be available, or be denied them, at home, as well as alternatives to marriage, the traditional role of homemaker and some of the more negative cultural practices regarding women such as Female Genital Mutilation (FGM). There are also a number of negative characteristics about female migration including lower opportunities to migrate for lack of resources (money, network, language etc) that are generally more available to males in many societies. In some traditional societies, the subordinate role of women has remained intact, despite their new earning power abroad.

## **How much of this migration is 'legal' and how much is occurring through the lens of human trafficking?**

Migration and trafficking are separate but inter-related issues. Migration may take place through regular or irregular channels and may be freely chosen or forced upon the migrant as a means of survival (for instance during a conflict, an economic crisis or an environmental disaster). Trafficking is fundamentally different as it involves the movement of people for purposes of exploiting their labour or services. The lack of regular migration opportunities to take up work in other countries and the fact that many migrants are looking for work abroad as a means of survival, rather than an opportunity to improve their standard of living, has left migrants with little choice but to rely on smugglers or traffickers in order to access these jobs.

Migration, therefore, often occurs outside legal channels, leading to clandestine movement, heightened vulnerability, abuse, and exploitation. An accurate calculation of the total number of people trafficked is difficult because of the clandestine nature of trafficking and the problems involved in detecting and documenting trafficking cases. The United States Government estimates that currently between 800,000 -900,000 people are trafficked across borders annually. Research carried out by the International Labour Organisation (ILO) estimated that in 2000, 1.2 million children had been trafficked for sexual or labour exploitation internationally. In the subsistence economies of Sub Saharan Africa, children are enlisted into the family labour pool as critical production assets. Child trafficking is demand-driven where there is a huge market for cheap labour and sex, and insufficient legal frameworks or trained authorities to prevent it.

Part of the reason that trafficking has flourished in recent years is because it has been a high profit, low-risk enterprise. Trafficking in human beings is estimated to create net profits of between \$7 - 10 billion a year worldwide for those involved. The risks of getting caught are low because traffickers use a combination of coercive mechanisms in order to retain control over the migrant and thereby ensure that they are either unable or unwilling to contact or co-operate with the authorities.

The root causes of migration and trafficking greatly overlap. The lack of rights afforded to women serves as the primary causative factor at the root of both women's migrations and trafficking in women. While such rights inevitably find expression in constitutions, laws and policies, women nevertheless continue to be denied full citizenship because governments fail to protect and promote the rights of women. By failing to protect and promote women's civil, political, economic and social rights, governments create situations in which trafficking flourishes. There are an estimated two million people, mainly women and girls, trafficked annually. Accurately quantifying the extent of trafficking is a challenging task. However there is increasing recognition that both women and men, boys and girls, may be trafficked for either sex work or other exploitative labour purposes, although women are at particular risk.

On the migration journey, women may suffer specific risks. Particularly if women have been illegally recruited or trafficked, the actual journey to the country of destination could be in appalling conditions – very risky and dangerous, possibly subject to sexual or physical violence from transporters, fellow male travellers, or border guards. False documents mean they may also be more likely to be caught by the authorities in the country of origin or destination.

Like smuggling, trafficking in persons re-directs the benefits of migration from the migrant, his/her family, community, government or legitimate employer to the traffickers and their associates. Trafficking can deplete a developing country of its human capital, reduce the returns to the home country through remittances and in many cases lead to the breakdown of families through neglect of children. It can reduce the availability of family members to care for the elderly, and force children to work, denying them education and reinforcing the illiteracy and poverty cycles that hinder development efforts. It can also pose a threat and cost to public health, particularly when victims of trafficking return home. The human and economic costs of trafficking of vulnerable and marginal groups can also perpetuate social inequalities within developing societies between men and women and between rich and poor countries.

## **Are there any other general issues you have raised in the book, that relate to the topic of human security?**

The book, *Gender Migration and Livelihoods in Africa*, does not discuss conflict, disaster and persecution because that is not its focus. I would therefore like to use this platform to share a few ideas on human security. International thinking and concern about security in general are at historically high levels. Security, moreover, is now being thought about in increasingly broad terms. Within policy circles human security in particular has emerged as a new concept to address the persistent problems and vulnerabilities with which the world has long been familiar. The extent to which an individual is free, and secure, from problems such as ill-health, violence, lack of employment opportunities and homelessness profoundly affects the modes and patterns of migration.

Gender is one of the nine dimensions that constitute human security as identified by the United Nations Development Programme (UNDP), which first introduced this concept in its 1994 Human Development Report. Since then this concept has been elaborated by the Commission for Human Security (CHS) as well as by the International Labour Organisation (ILO), albeit with a slant towards economic security. The objective of the CHS was to generate a dialogue between the human development and human security communities in order to develop a practical policy agenda examining how building human security is an essential contribution to the development process. As a consequence, the debate has shifted in recent years. Both security and development actors have been strongly encouraged, and some have actually begun to incorporate a human dimension into their policies in order to expand the debate from a near-exclusive focus on economic growth to incorporate issues such as social and human aspects of development and political governance.

Forced displacement, which is on the increase in sub-Saharan Africa, is a human security issue and a development concern. People have often been uprooted from their homelands due to political, religious, cultural and/or ethnic persecution during conflict in many sub-Saharan African countries. Women and children constitute some 80 percent of the world's millions of refugees and other displaced persons, including internally displaced persons. Many of these suffer gender-specific problems at a number of levels, including sexual abuse.

# Features

Despite strong UN Resolutions in 2000 on women's full participation in peace processes, females have still been largely excluded as active players in conflict prevention and peacekeeping. Yet this is a critical area where females can be key resources for development and poverty alleviation in the post conflict environment.

Displacement disproportionately disadvantages women, because it results in reduced access to resources to cope with their household responsibilities, and increased physical and emotional violence. They are threatened by the deprivation of property, goods and services, and the right to return to their homes of origin as well as by violence and insecurity. Similarly, in cases of displacement due to conflict or flight from natural disasters, people are unprepared and ill-informed about how to reach a safer destination for themselves and their family. Women are particularly vulnerable to sexual violence during the journey and in displacement or refugee camps, from militias but also from hostile local populations as women and girls go about their roles in water and firewood collection or small market commerce. Particular attention should be paid to sexual violence against uprooted women and girls employed as a method of persecution in systematic campaigns of terror, intimidation and the act of forcing members of a particular ethnic, cultural or religious group to flee their homes.

This also shows that inadequate social policy and social welfare provisioning is an important source of insecurity which easily translates into a push to migrate. A team of development, social policy, and (internal and international) migration experts needs to collaborate on a research project that maps and analyses various forms of migration to investigate the gendered patterns and to establish indicators of insecurity causing migratory movements of vulnerable men and women. This could yield data and indicators on the worst forms of trafficking that would inform policy making, as well as help to address other precarious scenarios of migration.

## In conclusion...

The links between gender, migration and human security are complex; and there is an immense paucity of information, data and analysis on all the three topics and their linkages. New statistics and impact analyses are needed to

identify the mixed gender aspects of migration, and under which circumstances these can have a natural equalising effect either during settlement in the country of destination or for the family back home. More information is needed on the insertion of women migrants into host labour markets, even where they may have migrated for family reunification purposes, or for other non work-related reasons (Carling, 2005), and their remittance patterns and impacts.

There is an urgent need generally, at both ends of the migration spectrum, for gender disaggregated statistics on migrants, and for more systematic research on the consumption and investment patterns of the family with regard to female remitters and recipients. Without this, governments will continue to have emigration and immigration policies that are blind to the needs and benefits of gendered migration, particularly for poverty-stricken societies. Some key first steps would be to include gendered migration in all relevant national censuses and household and labour surveys, both in the origin and destination countries.

There is growing evidence that female migrants can play a crucial role both in steering and using remittances towards poverty reduction through food security, education and health. There is less evidence, however, that the reconfigurations of gender roles that migration and remittances bring necessarily lead to sustained gender equilibrium as an important factor for poverty reduction. More empirical evidence of these effects and on the regulatory frameworks to empower women in these directions would guide policy makers in both the migration and development areas.

Giving regard to the economic rights of women, more evidence is needed of the detrimental impact of clandestine - particularly trafficked - forms of female migration on earnings and remittance for poor families, as well as the lack of access to financial support systems (lending, credit, and banking) by women and their families, both in the countries of origin and destination. The insertion of migration and gender concerns into country Poverty Reduction Strategy Papers (PRSPs) may well secure the appropriate attention of policy makers and donors. The more evidence we have of the benefits of migration for poverty reduction, and the specific contributions of females and males, the more policies are likely to naturally cohere around these three related issues.

## MEMBER SPOTLIGHT: Paul Yao Ahiave

In this edition of *The ASSN Quarterly* we feature Paul Yao Ahiave, a Security and Governance researcher from Togo.



Paul has been a member of the ASSN for three years and is the current head of the Democratic Governance Programme at the Centre for Democracy and Development (CDD) in Abuja, Nigeria.

Paul's focus in his early career was on Small Arms and Security Programming. He worked for an Arms Control Programme undertaken by the African Strategic and Peace Research Group (AFSTRAG) in the Niger Delta region of Nigeria, playing a leading role that saw him recognised in the 2004 *Who Is Who in Small Arms Directory*, published by the International Action Network on Small Arms (IANSA).

From 2001-2007, Paul played an active part in the civil society's contribution to the ECOWAS Small Arms Process that culminated in the establishment of a Small Arms Unit at the ECOWAS Commission, as well as the development of the ECOWAS Moratorium and subsequent Convention on Light Weapons.

He has over the past three years however paid closer attention to issues of Governance, motivated mainly by his current role as head of the CDD's Democratic Governance Programme. The CDD is an institutional member of the ASSN and its director, Jibrin Ibrahim, sits on the ASSN Executive committee.

Beyond his core duties at the CDD, Paul has served as Consultant and Resource Person on several platforms including the following: A trainer for the European Union observer mission to the 2010 Togolese Presidential elections; Resource Person to the Briefing of International Republican Institute (IRI) and National Democratic Institute (NDI) delegation to the 2011 Nigerian General Elections; Partner in the UNDP Democratic Governance for Development (DGD) programme in Nigeria; Resource Person to the AU Panel of the Wise on Strengthening Political Governance for Peace, Security and Stability in Africa; and a Consultant to the ECOWAS 2012-2015 Conflict Risk Assessment Study.

In 2011 - 2012, he also had speaking roles at the African Union's Thematic Workshops of the Panel of the Wise, including at forums with such high profile

panellists as former South African President Thabo Mbeki and Burundi's former President, Pierre Buyoya. He is also a member of the Consortium for Development Partnership (CDP), coordinated in Africa by CODESRIA, where he currently anchors a book research on "West Africa and Preventive Diplomacy."

Initially trained as a linguist and educationist, Paul holds a Bachelor's degree in International Languages and Translation and a Post Graduate Certificate in Education and Training, both from the University of Benin in Lomé, Togo (now the University of Lomé). He has over the years completed a series of specialised trainings in the fields of Security and Governance from various institutions including the United Nations, the World Bank, UN Women, the National Defence College in Nigeria, Cranfield University and Energy Markets International among others. These include respective Certificates in Fiscal Responsibility; Defence and the Security Sector; Horizon Scanning and Trend Monitoring Training; Defence and Security Management; Gender Programming and Mainstreaming; Strategic Gas Management; and a UN Certificate in Small Arms and Light Weapons.

Paul expresses pride in the ASSN's mission to champion African Security and Justice Sector work from an indigenous African perspective and the chance it has given him to interact with and learn from long-established Security and Justice practitioners who are members of the network.

"The ASSN has given me a chance to interact with and learn from senior members of the network. The ASSN newsletter, regular updates and information from both the secretariat and my fellow ASSN members, and the collaborative implementation of projects have all given me further exposure to the regional and international security environment," he says.

"The ASSN has become an admirable brand within the Africa security sector sphere and even beyond. My membership has boosted my profile, as evidenced by my work with the AU Panel of the Wise and the ECOWAS Commission," he adds.

A writer of many seminar papers, articles and study reports, Paul currently writes monthly for the *West Africa Insight*, a regional publication supported by the Rockefeller Foundation and anchors. He is fluent in English, French, German and several African languages.

# Call to Action

## Support our Work



The African Security Sector Network (ASSN) was founded in 2003 to help harmonise the various African organisations carrying out activities in the broad areas of Security Sector Reform (SSR), Security Sector Transformation (SST) and Security Sector Governance (SSG).

Our fundamental objective is to facilitate progress towards the achievement of Effective and Democratically-Governed Security Sectors across the African continent. We pursue this mission by spearheading and implementing programmes aimed at strengthening the capacities of African governments, National Security institutions, Parliaments, Intergovernmental Organisations and Civil Society groups to undertake and own SSR programmes. The ASSN also strives to expand the concept of African SSR through sustained research, publication and training.

The driving vision of the ASSN is that of an African Security Sector that is Democratically Governed, People-Centred, Well Managed, Accountable and Effective in supporting and sustaining Human Security.

### OUR PRIMARY TOOLS ARE:

- Advocacy and facilitation of emerging SSR and SSG networks;
- Promotion of inclusive dialogue and informed debate around issues of Security and Justice, designed to influence decision-makers and policy processes;
- Enhancement of Security literacy among the continent's policy- and decision-makers and the general public, through training, education, and dissemination of resource materials;
- Support for policy and institutional development, via applied research and provision of advisory and consultancy services;
- Building of capacity within the Security Sector, as well as relevant policy and oversight organs;
- Promotion of an African-centred focus through dissemination of African 'best practices' in the areas of SSR/SSG; and
- Functioning as a continental information repository on SSR/SSG.

### ASSN STRATEGIC PRIORITIES

In the short to medium term, the bulk of the ASSN's efforts will be channelled towards the following strategic priorities:

1. Assisting the African Union (AU) and various Regional Economic Communities (RECs) to develop and deliver on their SSR/SSG agenda, in accordance with the ASSN's MOU with the AU, and a related tripartite agreement between the AU Commission, the UN and the ASSN;

2. Assisting African countries (particularly those undertaking SSR as intrinsic part of their transition from situations of conflict to peace) to plan and implement SSR programmes, and to better comply with AU/REC SSR frameworks and standards;

2b. Addressing current gaps in SSR and integrating excluded programmatic elements, particularly those that strengthen Governance and improve Security and Justice for the poor and vulnerable such as the following:

*(i) Strengthening the Gender dimensions of SSR/SSG:*

*(ii) Forging closer links between SSR, Justice and the Rule of Law:*

*(iii) Integrating private, informal and customary Security and Justice institutions into SSR, in recognition of the often crucial roles they play in providing Security for the poor and ensuring social peace and stability;*

*(iv) Engaging Intelligence organs and facilitating Intelligence reforms.*

3. Building the capacity of National Legislatures and Civil Society Organisations (CSOs) to engage with SSR/SSG and to better conduct their Security Oversight responsibilities;

4. Running a 'Next Generation of Security Analysts' Programme, which entails building the capacities of young professionals in policy, research and advocacy around SSR/G.

If you are interested in supporting our work in any of these areas, or generally in collaborating with the ASSN on related projects, please contact our Donor Liaison Officer on [info@africansecurityreview.org](mailto:info@africansecurityreview.org).



# The African Security Sector Network

Striving for Democratically Governed and Effective Security for the Peoples Of Africa.



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### In West Africa



**African Security Dialogue and Research (ASDR)**  
Accra, Ghana  
Website: [www.africansecurity.org](http://www.africansecurity.org)  
Regional Coordinator: Dr 'Funmi Olonisakin

### In East Africa and the Great Lakes Region



**Security Research and Information Centre (SRIC)**  
Nairobi, Kenya  
Website: [www.srickenya.org](http://www.srickenya.org)  
Regional Coordinator: Lt Col Jerry Kitiku

### In the Horn of Africa



**Centre for Policy Research and Dialogue (CPRD)**  
Juba, South Sudan  
Website: [www.cprdhorn.org](http://www.cprdhorn.org)  
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### In Southern Africa



**Southern African Defence & Security Management Network (SADSEM)**  
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