

## A Week in the Horn

### 18<sup>th</sup> October 2013

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#### News in brief

##### African Union

The African Union held its 15<sup>th</sup> Extraordinary Summit of Heads of State and Government on Saturday (October 12) and an Extraordinary meeting of the Executive Council (October 11) to discuss Africa's relations with the ICC. **(See article)**

The Executive Council on Friday (October 11) endorsed a call by the AU's Peace and Security Council to increase the size of AMISOM by a further 6,235 soldiers and police for a limited period of 18 to 24 months and ensure it was equipped with force multipliers and enablers including helicopters. **(See article)**

##### Ethiopia

On Thursday, (October 17), Prime Minister Hailemariam Desalegn responded to an opposition amendment and questions by MPs in the debate on the President's speech at the opening of the new Parliamentary session last week. **(See article)**

Opening the three day 12<sup>th</sup> annual conference of African Microfinance Networks held in Addis Ababa on Wednesday (October 16), Prime Minister Hailemariam said expanding and strengthening microfinance institutions was a major way to help reduce unemployment.

Prime Minister Hailemariam opened the 2<sup>nd</sup> annual conference of the National Anti-Corruption Coalition on Thursday (October 17). The two-day conference is discussing the 2004 and 2005 E.C. budget year performance report of the federal and regional anti-corruption commissions. It will look at the 2006 and 2007 E.C. budget year national anti-corruption strategy.

President of the Federal Democratic Republic of Ethiopia, Dr. Mulatu Teshome held talks on Saturday (October 12) with the Vice-Minister of the International Department of the Communist Party of China, Ai Ping.

Foreign Minister, Dr. Tedros met with a group of senior executives from General Electric on a tour of Ethiopia, Kenya and Tanzania to explore market opportunities. The delegation affirmed the company's commitment to partner with Ethiopia and invest in the country's priority sectors.

An Italian business delegation representing 24 companies from Brescia, Italy, met with Foreign Minister, Dr Tedros, on Monday (October 14). The Italian Ambassador to Ethiopia, Mr. Renzo Mario Rosso was also present. The delegation confirmed their readiness to invest in Ethiopia.

U.N. Secretary-General Ban Ki-moon has appointed Purdue World Food Prize laureate Professor Gebisa Ejeta of Ethiopia to his newly created Scientific Advisory Board.

Ministers from Ethiopia, Kenya, South Sudan and Uganda, meeting in Kampala this week agreed to set up a cross-border platform that aims to promote border security and peace in the 'Karamoja Cluster' region and "launch a ministerial forum on harmonizing cross-border peace, security and development."

Ethiopia's Ministry of Water, Irrigation and Energy has said Ethiopia, Sudan and Egypt will hold discussions next week on October 22 in Khartoum on ways to implement the recommendations put forth by the International Panel of Experts who submitted a report on the impact of the Grand Ethiopian Renaissance Dam.

The African Development Bank's publication, **AfDB and Ethiopia - Partnering for Inclusive Growth**, praises the Government's development policy for achieving broad-based growth and a considerable reduction in poverty. Investment in infrastructure and commercialization of agriculture were major causes for the average 11% annual growth for the last nine years. The Bank's country strategy principles align with the Growth and Transformation Plan, prioritizing infrastructure, regional integration, governance and private sector development and supporting the East African Integration strategy.

The annual Ibrahim Index of African Governance, the most comprehensive collection of quantitative data on governance in Africa, was published on Monday (October 14). Ethiopia was ranked 33<sup>rd</sup> out of 52 in the 2013 Index, showing an overall improvement of 5.1 since 2000. Its biggest improvement over the last year was in Human Development which measures welfare, education, and health. Its highest ranking category was Sustainable Economic Opportunity where it was 15<sup>th</sup> out of 52; the lowest category was Participation and Human Rights (38/52).

The Gibe III Hydro-electric dam is expected to start generating power in the first months of next year according to the Project Coordinator. The first of ten turbines is scheduled to start generating 187 MW power in the first months of 2007 E.C [Sep/Oct 2014]

Two Somali nationals died when a bomb they were making detonated in a house in Addis Ababa on Sunday (October 13). They were apparently planning to try to disrupt the Nigeria/Ethiopia football match. Three other people have been arrested.

## **Djibouti**

Djibouti President Ismail Omar Guelleh met with President Hassan Sheikh Mohamud before the weekend's AU Extraordinary summit in Addis Ababa. The two presidents talked about the ties between the two countries and the security of Somalia where Djiboutian troops provide a battalion for AMISOM.

Djibouti's President Ismail Omar Guelleh has re-affirmed that Djibouti troops will carry on their peacekeeping operations in Somalia. Troops from Djibouti are working under the African Union's Mission in Somalia (AMISOM), operating in Belet Weyne and the region of Hiiraan.

Djibouti's Minister of Economy and Industrial Finance, Ilyas Moussa Dawaleh, and World Bank Vice President for the Middle East and North Africa, Inger Andersen, signed a 1.1 billion franc (US\$6.1 million) agreement to finance geothermal energy exploration on Sunday (October 13). The project is intended to allow Djibouti to ascertain the commercial viability of its geothermal resources in Lake Assal. The 5.5 billion franc (US\$30.6 million) project will also be funded by the Organization of the Petroleum Exporting Countries Fund for International Development, the African Development Bank, the Danish Fund for Sustainable Energy for Africa and the French Development Agency as well as the Djibouti government.

## Eritrea

According to this year's Global Hunger Index, released on Monday, (ahead of the World Food Day on October 16) nineteen countries have alarming levels of hunger, with Burundi being the worst affected for the second year in a row, followed by the Comoros and Eritrea.

## Kenya

The extraordinary session that the AU Assembly held on 12 October, dedicated to Africa's relationship with the ICC, decided that, 'no charges shall be commenced or continued before an international court or tribunal against a serving president or senior member of a government in power. It called for the UN Security Council to defer the cases against the leaders of Kenya and Sudan for an initial period of 12 months. **(See article)**

Kenya's Deputy President William Ruto said he will continue to attend his trial at the International Criminal Court and cooperate with the Court until the UN Security Council rules on the resolution passed by the African Union last Sunday

## Somalia

Somali President Hassan Sheikh Mohamud met with Prime Minister Hailemariam in Addis Ababa on Saturday (October 12) on the sidelines of the AU Extraordinary Summit to discuss strengthening bilateral relations, security and stability in the region as well as the war on al Shabaab.

Somali Prime Minister Abdi Farah Shirdon on Saturday (October 12) led the celebrations for Somali Flag Day, calling on all "Somalis to come together in the spirit of national unity and brotherhood, leaving behind tribal divisions and rallying behind our great country."

The British government is planning to create "a safe corridor for payments" to Somalia money transfer companies in the UK that face closure. The UK Department for International Development, the UK Treasury, the UK regulator and the National Crime Agency have announced plans for a scheme to track payments made from the UK to Somalia, though the process may take a year.

The Puntland administration held a one-day conference on the future of Puntland's natural resources in Garowe on Tuesday (October 15). Participants stressed Somalia's Provisional Federal Constitution allowed Somali states to sign agreements with foreign companies. Last week, the Somali Federal Government Minister of Natural Resources said the oil exploration licenses granted by Puntland or the Government of Somaliland were invalid and said any such deals must be negotiated with Mogadishu.

Somaliland's Minister of Air Transport and Aviation, Mohamud Hashi Abdi, said last week's agreement between International Civil Aviation Organization and Somalia's Federal Government on airspace management contradicted the agreement signed between the two governments in Istanbul on July 9. He said the Federal Government would not be allowed to manage Somaliland national airspace.

A delegation of officials from the Somali Regional State of Ethiopia was on an official visit to Somaliland last weekend for discussions on the security situation along the common border. The delegation also met with Ethiopia's Consul-General in Hargeisa, Brigadier-General Berhe Tesfaye.

## South Sudan

South Sudan Vice-President James Wani Igga said over the weekend that South Sudan remained in full support of a referendum to determine the final status of Abyei. The two sides have failed to agree on who should participate in the vote. The Minister of Foreign Affairs and International Cooperation, Dr. Barnaba Marial Benjamin said that South Sudan had requested that the African Union hold an extraordinary summit on the Abyei referendum.

South Sudan's Foreign Minister, Dr. Benjamin, said that President Al-Bashir had confirmed that he would be coming to Juba in accordance with an invitation extended to him by President Salva Kiir next week, October 22.

A high-level delegation, led by Cyril Ramaphosa, Vice-Chairman of South Africa's ruling African National Congress, arrived in South Sudan last week to share knowledge and experience with the ruling Sudan People's Liberation Movement. The SPLM National Liberation Council is meeting on October 22 to discuss the structure of the party in advance of general elections due in 2015.

## **Sudan**

The UN Security Council issued a statement on Monday (October 14) condemning

attacks by unidentified armed assailants on a UNAMID convoy near El Geneina, in West Darfur, on Sunday, in which three Senegalese peacekeepers were killed and one was wounded, and the earlier killing of an UNAMID military observer from Zambia.

Sudan's Minister of Finance and National Economy, Ali Mahmood Abdel-Rasool, described the 2013 annual meetings of the International Monetary Fund and the World Bank that took place in Washington this month as "good" and "positive".

The government of Khartoum state has announced that the finance ministry will allocate 20 million Sudanese pounds monthly to subsidize public transport, and the mayor of Khartoum has said it will inaugurate eight [markets] to sell basic commodities at reduced prices to help cushion the effects of recent economic measures.

Sudan Trade Minister Osman Omer Al-Sharif said this week that Sudan and South Sudan had finalized a draft agreement aiming at simplifying cross-border trade, eliminating tariff and non-tariff barriers, and recognizing each other's standards. A delegation from the Ministry of Trade will visit the border states with South Sudan after the Eid holiday.

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## **Prime Minister Hailemariam responds to questions in Parliament**

Last week, on Monday (October 7) the joint session of the House of People's Representatives and the House of Federations elected Ambassador Dr. Mulatu Teshome as President of the Federal Democratic Republic of Ethiopia. After his election, President Teshome outlined the priorities of the government for the current fiscal year and on Thursday this week (October 17) Prime Minister Hailemariam responded to a motion of amendment and to questions from MPs on the President's Speech. These covered the performance of the Growth and Transformation Plan, problems in the agriculture sector, the development of micro and small enterprises and the role of the private sector, infrastructure development, finance for the Great Ethiopian Renaissance Dam and other projects as well as relations with the Ethiopian Diaspora, the problem of jobs, questions on the conduct of the next elections, mechanisms for supporting and strengthening the country's multi-party system, issues of governance, the release of prisoners and religious issues including fundamentalism and radicalism. Other questions were raised over housing developments and what the government was doing to promote capacity of management, improve trade linkages, solve structural challenges and attract foreign direct investment.

Prime Minister Hailemariam emphasized that the economy was dependent on agriculture and the Government believed that the private sector had a major role to play in the free market economy and should be deeply involved in the Government's focus on agriculture. He underlined its focus for the role of industry and its importance in improving trade, investment, services and particularly, manufacturing. This needed capital as well as land and other incentives all of which the Government was making available. He pointed out that the private sector could make use of the special economic zones being set up and noted the Government's recognition of the more lucrative sectors. He underlined the importance of dealing with corruption and rent-seeking, pointing out that genuine competitive development would lead to industrialization and the appearance of a genuine middle class. He also underlined the Government's

commitment to implement the major projects and the details of the Growth and Transformation Plan. While the country had achieved an impressive average economic growth of 10.6% over a decade, he also noted that the Government had now identified gaps limiting implementation of the plan in various areas including agriculture and industry, particularly in micro and small scale enterprises. This was the result of limitations of institutional capacity as well as related factors and attitudinal difficulties.

On urban development, the Prime Minister emphasized that the government was prioritizing micro and small entities as the bases for urbanization and industrialization. He said many citizens were now engaged in such areas but the results were still not as impressive as hoped. The Government was exploring best practices and would scale these up to achieving the required result. On housing, he underlined that the Government was committed to providing loans and had allocated 10 billion Birr for housing development and people had saved another 2.5 billion birr themselves. Three quarters of the government's provision had gone to supporting infrastructure development, land lease and materials bought in bulk for construction. It was also supporting project management and encouraging skills and experience. A total of 280,000 houses had been built so far and the Government was drawing best practice experience from the process.

The Prime Minister said the objective of engaging the Diaspora was to build and strengthen the country's capacity, knowledge, skill exposure and technological transfer as well as improve the flow of foreign direct investment. All this was vital for development. Equally, of course, the Diaspora as citizens could develop their citizenship and engage fully in all the development and democratization processes in the country.

The Prime Minister said the country had planned to earn US \$4 billion dollars from exports in 2005 EC. However it had only managed to obtain US\$3 billion. This was mainly due to international situations that were beyond the nation's control, he said. The drop in the price of coffee on the international market was one major reason. He said that the Government was working to get US\$5 billion from exports in the current budget year through expanding export varieties.

The Prime Minister pointed out that Ethiopia has been known for poverty in the past, but the numbers of people under the poverty line had now been halved, falling to 22% as a result of a decade of double-digit growth. Nevertheless, poverty remained an issue and that was why the Government's vision remained the reduction of poverty. The Prime Minister said past achievements in social and economic changes "had not only checked the country's downward spiral, but had more importantly set Ethiopia on a path of renewal and development." He commended the works undertaken in areas of environmental protection through popular participation in rural and urban areas and emphasized that infrastructure development would continue as an engine of growth. This, he said, would help to bring illegal migration to an end though it was also important to change people's mentality. The Government had established a National Committee to prevent illegal migration and this was now working to create awareness of the dangers of the problem. The Government was also giving more emphasis to accelerating development activities in the agricultural sector that encourage it to play a major role in economic growth in the coming years and help persuade people to keep away from human traffickers. Overall, Federal and Regional governments planned to give full consideration to the micro and small entities, and the private sector, in order to achieve the goals to ensure that all benefit from development efforts.

The Prime Minister underlined the efforts being made to expedite infrastructure developments in provision of safe water, roads, rural electrification and similar areas. Efforts were being made to ameliorate problem in production and service departments. The Government was working out long-term and short-term solutions to improve accessibility and quality of service. He recognized there was much to be done to improve efficiency and effectiveness and underlined that the Government planned to establish proper institutions and provide technological applications shortly. The Prime Minister said GERD was on schedule, but noted that mobilization and bond-selling to sustain it needed to be strengthened.

On the issue of governance, the Prime Minister said that popular participation, the commitment of leadership and the consultative processes that had been established at all levels would be strengthened. He said Government and people were working effectively together in discussion to deal with any problems over governance and other related issues. There had been impressive progress but again more remained to be done. To ensure transparency and accountability, people should strengthen their popular participation through dialogue and forums. Concerning the upcoming elections, he noted that the Government was already making appropriate preparation including the encouragement of dialogue with all opposition parties

which are participating in an organized and legal manner. The Prime Minister emphasized that improving the capacity of democratic institutions and the rule of law would have the effect of improving the capacity, knowledge and skills of other bodies.

He expressed the Government's readiness to work with legal political parties who want to come to power through election, but he made it clear the Government did not negotiate with those who wish to take power through violence on the street. Referring to religious extremism, the Prime Minister said the Government would continue to take legal actions against those behind it. It understood the global, regional and local behavior of extremism and was ready to withstand it, he said, noting that IGAD members had agreed to fight Al-Shabaab and were in discussion on ways to deploy additional peacekeeping forces in Somalia through AMISOM to help do this.

### **The tenth year threshold of Ethiopia's rapid growth**

Ethiopia's economy is continuing on its recent path of fast growth with the 2012/2013 fiscal year marking the tenth year of the country's impressive performance according to the Ministry of Finance and Economic Development. In a "Brief Note on Last Year's Macro-Economic Performance" the Ministry described the year-on-year changes in the major sectors as strong, with agriculture growing by 7.1%, industry by 18.5% and services by 9.9%. The overall GDP growth rate over the previous budget year was 9.7%.

The Ministry of Finance and Economic Development noted that in response to the Growth and Transformation Plan's central aim of making a structural transition from the traditional agriculture based economy into an industrial driven one, the government had made huge investments in infrastructure expansion. It had also incentivized investment in the manufacturing sector. That policy had produced a significant increase in the rate of growth of the industry sector. The 2012/2013 fiscal year period registered increased growth in industrial output of 18.5%, improving from the previous year's growth rate of 13.6%. The rates of investment and export performance have also shown a significant increase. The year saw an improvement in the volume and variety of export items and a dramatic increase in investment as a share of GDP in the previous year. For the just ended fiscal year, exports accounted for 12.7% of GDP, and rate of investment stood at 33% of the total GDP.

The historic low saving rate of the country also saw a significant improvement over the last budget year. The just ended budget year registered a 1.2% increase in total domestic savings, from 16.5% in 2011/2012 to 17.7% of GDP in the 2012/2013 fiscal year. The increase in saving was also coupled with a dramatic increase in Foreign Direct Investment. As one of the Growth and Transformation Plan's main focus areas, FDI influx into the country during the year under review increased by more than three times over the amount two years ago. With FDI now reaching a billion US dollars, foreign direct investment to Ethiopia is currently the second highest in Africa.

The Ministry says improved agricultural market mechanisms and a focus on improving agricultural productivity are expected to keep up the robust growth in the agricultural sector for a number of years to come. Its strong performance is also credited for making Ethiopia's significant economic growth broad-based. With 84% of the population dependent on the sector for employment, the performance has a substantial and positive impact on the distribution of the impressive economic gains of the last decade, with nominal per capita GDP reaching 550 USD during the 2012/2013 fiscal year.

The Ministry of Finance and Economic Development also notes that Ethiopia's pro-poor policy has translated the significant economic expansion into a largely equitable and socially just development. The government policy of making poverty-reduction a central element in its public expenditure regime has provided significant gains in expanding basic services and reducing the percentage of the population living under the poverty line. Meeting one of the Millennium Development Goals, reducing the child mortality rate, three years earlier than the target period, Ethiopia is one of the few countries in the world believed to be on track to achieve all of the MDGs.

This positive outlook on the state of Ethiopia's economy is also shared to a large extent by the International Monetary Fund. The IMF has called Ethiopia's macro-economic performance encouraging. In a press release on October 17, concerning the Executive Board's Article IV Consultation with Ethiopia's government, the Fund's Executive Directors "commended the authorities for the Federal Democratic Republic of Ethiopia's

strong growth performance and impressive progress in decreasing poverty and inequality under the Growth and Transformation Plan (GTP)".

The IMF's press release noted the significant drop in the inflation rate from a high of 40% in June 2011 to 7% in June of 2013. The Fund credited the Government's prudent monetary policy and budgetary discipline for this improvement. Noting the government's commitment towards the country's pro-poor policies, the Fund acknowledged "the ratio of poverty-reducing expenditure to GDP is being maintained." It added that there was a need for more domestic sources of public finance: "Sustaining pro-poor expenditures will require increased domestic revenue, and Directors therefore encouraged the authorities to continue the momentum of revenue administration and tax policy reforms".

The IMF painted a largely positive picture of the Government's public finance performance, citing the very low budget deficit. It advised on the need to continue the Government's current tight monetary and fiscal policy and suggested that more "public financial management reforms as well as a medium-term debt management strategy would also help maintain fiscal sustainability and achieve the fiscal objectives under the Growth and Transformation Plan". Regarding the commercial financial sector, the Fund noted that this remained in a healthy state saying "the banking sector remains well-capitalized and profitable".

Ethiopia has recently changed the base year from 1999/2000 to 2011/2012 to better capture an accurate estimate of the national economic output. The IMF Executive Board Directors welcomed Ethiopia's recent gains in macro-economic data quality and improved GDP statistics and expressed the Fund's commitment to continue its technical assistance.

### **Extraordinary Session of the AU Assembly of the Heads of State and Government**

The African Union held its 15<sup>th</sup> Extraordinary Session of the Heads of State and Government on Saturday (October 12). The meeting, which was called at the request of Kenya, convened after it secured the endorsement of two-thirds of member states. The main theme of the Session was "Africa's relationship with the International Criminal Court (ICC)" though the Session also endorsed the election of Smail Chergui of Algeria as the new Peace and Security Commissioner, issued a declaration of solidarity with Libya with regard to the recent kidnapping of its Prime Minister, condemned Al-Shabaab attacks in Nairobi and Mogadishu and offered its condolences on the tragic loss of life of Eritrean refugees in the sinking of the boat at Lampedusa.

The Summit itself was preceded by the Extraordinary Session of the Executive Council of the Union on Friday (October 11). This was opened by the Chairperson of the African Union Commission, Dr. Dlamini Zuma, who thanked those for taking part in the Extraordinary Session, noting that the AU had a policy of non-indifference and that "meant that whatever concerns our citizens have in any part of our continent should be our collective concern." Dr. Tedros Adhanom, Ethiopia's Minister of Foreign Affairs and Chairperson of the Executive Council, in his opening speech noted that the continent was highly committed to fighting impunity and promoting democracy, the rule of law and good governance. However, he added, the International Criminal Court's way of operating, particularly its unfair treatment of Africa and Africans, left much to be desired. Dr. Tedros said that even though Kenya had given its full cooperation to the ICC over the trials of Kenya's President and Deputy President, the Court had refused to entertain even simple technical requests. The Foreign Minister said: "The search for justice should be pursued in a way that does not impede or jeopardize efforts aimed at promoting lasting peace." Thirty-four of Africa's 54 nations are signatories to the Rome Statute which was established the International Court in 2002. Since then the Court has launched eight investigations in Africa: Uganda, Democratic Republic of the Congo (DRC), and Central African Republic (CAR), the Darfur region of Sudan, Kenya, Libya, Côte d'Ivoire and Mali. This had led to claims that the Court was biased against Africans and unresponsive to requests from the continent.

The Assembly of the Heads of State and Government convened the following day, Saturday (October 12) to deliberate on the Declarations of the Executive Council. Among those attending the Assembly were Ethiopia's Prime Minister Hailemariam Desalegn, the Chairperson of the African Union, Presidents Ismail Omar Guelleh of Djibouti, Yahya Jame of Gambia, Uhuru Kenyatta of Kenya, Goodluck Jonathan of Nigeria, Paul Kagame of Rwanda, Hassan Sheikh Mahmoud of Somalia, Jacob Zuma of South Africa, Omar Al-Bashir of Sudan, Jakaya Kikwete of Tanzania and Yoweri Museveni of Uganda.

In his opening remarks, Prime Minister Hailemariam, Chairperson of the African Union, singled out the AU's right of intervention "in the internal affairs of member States in grave circumstances of human rights violations such as genocide and crimes against humanity." This, he stressed, was a paradigmatic shift in the continent's resolve to fight impunity. He then underlined Africa's concerns over the conduct of the ICC, noting the Court's disregard of the Africa Union's appeals for the need to reconcile the pursuit of justice with reconciliation, stability and the peace of the continent. He said "Past experiences in our continent and elsewhere amply demonstrate the need to balance justice and reconciliation in complex conflict situations." Specifically referring to the case against the Kenyan leaders he said that the adoption of a new Constitution in Kenya, the reform of Kenya's judiciary and the holding of successful legislative and presidential elections had "certainly opened a new chapter in the country's political dispensation." Prime Minister Hailemariam regretted the fact that ICC had neither been ready nor willing to even entertain simple requests made on technical issues of the proceedings, aside from the major requests of referring the case back to Kenya based on the principle of complementarity, despite Kenya's continued cooperation. He emphasized that the Court's decision that the Kenyan leaders should attend all trial sessions did "not only undermine the ability of the Kenyan leaders to discharge their constitutional responsibilities but also poses significant threats against the country's sovereignty." The Prime Minister concluded by emphasizing that "it should be underscored that our goal is not, and should not be, a crusade against the ICC, but a solemn call for the organization to take Africa's concerns seriously."

Dr. Dlamini Zuma, Chairperson of the Commission, agreed with Prime Minister Hailemariam noting in her remarks that the AU was the only continental body that had inscribed its commitment to fight impunity in its Constitutive Act, and had done this in no uncertain terms. She said the continental body's transformation from non-interference to non-indifference was a testimony to its resolve not to tolerate grave human rights violations including genocide, war crimes or crimes against humanity.

Following a day-long deliberation, the Assembly reaffirmed previous decisions on the abuse of the principles of Universal Jurisdiction adopted at Sharma-El-Sheikh in July 2008. It also reiterated previous resolutions regarding the International Criminal Court, adopted in January and July 2009, January and July 2010, January and July 2011, January and July 2012, and May 2013, in which the Assembly of the Union had expressed its strong conviction that the search for justice should be pursued in a way that did not impede or jeopardize efforts aimed at promoting lasting peace. It further reiterated its concern at the politicization and misuse of indictments against African leaders by the ICC as well as the unprecedented indictments of and proceedings against the sitting Kenyan leaders in light of the recent developments in that country. The Assembly stressed the gravity of the situation, noting that the trial of President Uhuru Kenyatta and Deputy President William Ruto could undermine the sovereignty, stability and peace in Kenya, as well as in other member states, and affect the processes of reconciliation and reconstruction and the normal functioning of constitutional institutions.

The Assembly recognized that Kenya was a frontline state in the fight against terrorism at regional, continental and international levels and it stressed the threat that the menace of terrorism posed to the region in particular and to the continent in general. It said that the proceedings against the President and his Deputy would distract and prevent them from fulfilling their constitutional responsibilities, responsibilities which included national and regional security affairs. It expressed concern that the ongoing process before the ICC might pose a threat to the full implementation of Kenya's National Accord of 2008 and prevent the process of addressing the challenges that had led to the post-election violence. In this context, the Assembly expressed its deep appreciation of the full cooperation that the President and Deputy President of Kenya had shown for the ICC process. It called upon the ICC to show the same level of cooperation in the process.

The Assembly reaffirmed that principles deriving from national laws and international customary law granted immunity to sitting Heads of State and other senior state officials during their tenure of office. It decided that no charges should be commenced or continued before any International Court or Tribunal against any serving AU Head of State or Government or anybody acting or entitled to act in such a capacity during their term of office. It called for the trials of President Uhuru Kenyatta and Deputy President William Ruto to be suspended until they had completed their terms of office. The Assembly therefore decided to set up a Contact Group of the Executive Council to be led by the Chairperson of the Council. This is to be composed of five members, one per region, to undertake consultations with the members of the United Nations Security Council and in particular its five Permanent Members. The Contact group is to engage with the Security Council on all areas of AU concern over its relationship with the ICC, including the issue of

deferral of the Kenyan and the Sudan cases. The Contact group is to obtain feedback before the beginning of the trial of President Kenyatta on November 12.

The Assembly decided to fast track the process of expanding the mandate of the African Court on Human and Peoples' Rights to try such crimes, such as genocide, crimes against humanity and war crimes. The African Court's adjudicatory mandate currently extends to all cases and disputes concerning the interpretation and application of the cases submitted under the African Human and Peoples' Rights Charter, the Protocol and other relevant human rights instruments ratified by the states concerned. The Assembly decided to assign the African Union Commission to expedite the expansion of the African Court's mandate in line with the decision of the policy organs of the AU and requested member states to support the process.

With respect to the relationship between the ICC and the African State parties to the Court, the Assembly decided the African State parties should request the necessary amendments to the Rome Statute as per Article 121. In addition, it decided African States Parties, in particular the members of the Bureau of the Assembly of States Parties, should inscribe in the agenda of the forthcoming sessions of the ASP the issue of indictment of African sitting Heads of State and Government by the ICC and the consequences for peace, stability and reconciliation in African Union Member States. The Assembly of States Parties will hold its annual meeting November 20-28. It has the mandate to effect amendments to the Statute but this requires a consensus of state parties or 2/3 votes for the adoption of any proposed amendments.

The Assembly of the African Union also decided that any AU Member State that wished to refer a case to the ICC should inform and seek the advice of the African Union. It said Kenya should send a letter to the United Nations Security Council formally requesting deferral, in conformity with Article 16 of the Rome Statute, of the proceedings against the President and Deputy President of Kenya. This should be endorsed by all African States Parties. It also agreed that President Uhuru Kenyatta should not appear before the ICC until such time as the concerns raised by the AU and its Member States have been adequately addressed by the UN Security Council and by the ICC. Pursuant to that decision, it also requested that the ICC postpone the trial of President Kenyatta, scheduled for November 12, and to suspend the proceedings against Deputy President William Ruto until such time as the UN Security Council had considered the request by Kenya, supported by the AU, for deferral.

### **The AU calls for an increase in AMISOM forces in Somalia.....**

The African Union Mission in Somalia (AMISOM) was first deployed in Somalia in 2007; it is an active, regional peacekeeping mission operated by the African Union with the approval of the United Nations. It is mandated to support governmental structures, implement a national security plan, train the Somali security forces, and to assist in creating a secure environment for the delivery of humanitarian aid. As part of its duties, AMISOM alongside Ethiopian troops supports the Federal Government of Somalia's (FGS) forces in their battle against Al-Shabaab militants. Currently, AMISOM has military contingents from Uganda, Burundi, Kenya, Djibouti, Sierra Leone as well as two Police Units from Uganda and Nigeria. The force has since grown to over 17,000 troops since its deployment. Over the past years, African forces have driven al-Shabaab out of Somalia's main cities, Mogadishu and Kismayo.

The Peace and Security Council of the African Union (PSC) and the members of the United Nations Security Council held their 7<sup>th</sup> annual joint consultative meeting, in Addis Ababa, on Tuesday October 8, last week. The meeting discussed the situation in the Great Lakes Region, Sudan, South Sudan, Somalia, Central African Republic and Sahel Region, and the enhancement of the partnership between the AU-PSC and UN Security Council. It reviewed matters of common interest, in particular conflict and crisis situations in Africa. On Somalia's situation, the PSC and the UNSC welcomed the crucial role of the AMISOM and its troop and police-contributing countries in furthering stabilization in Somalia. It welcomed the establishment of the new United Nations Assistance Mission in Somalia (UNSON), and noted with satisfaction the close coordination of efforts and collaboration between AMISOM and UNSON. According to the joint communiqué issued at the end of the meeting, the two organizations acknowledged the need to enhance the capacity of AMISOM and the Somali Security Forces, to enable them to consolidate the gains made and expand the areas under the control of the FGS. Furthermore, they commended the support provided by the UN, the EU, and other international partners to AMISOM, and stressed the urgent need for new donors to come forward and support AMISOM. Additionally, the meeting strongly condemned the terrorist attack of 21 September 2013, in Nairobi, Kenya and reiterated its determination to continue cooperative efforts in Somalia in order to rid

the country and the region of terrorist and criminal groups, and bring about lasting peace, security and stability in Somalia and the region.

The AU Peace and Security Council held its 399<sup>th</sup> meeting on Thursday October 10, to discuss the Joint AU-UN Review of AMISOM. The review noted that the number of Al-Shabaab fighters was currently estimated in thousands and indicated that numbers were increasing through forced recruitment. It suggests that if it was able to revive, Al-Shabaab was likely to expand its targets beyond Somalia, as had been the case in the past and most recently in Nairobi on September 21. It noted that a significant drop in Al-Shabaab's income had been initially observed and securing the ports and towns that it had controlled would decrease its opportunities for revenue generation through taxation of illegal exports. The review pointed out that with a lack of force enablers, including helicopters, AMISOM military operations had stagnated following the securing of some strategic towns and ports. This, the review said, when coupled with Al-Shabaab's deliberate shift toward asymmetrical warfare since May 2013, had led to some deterioration in the security situation, as evidenced by the increased frequency of attacks against AMISOM and Federal Somali Government positions.

The review therefore identified a set of benchmarks and affirmed that conditions for re-hatting AMISOM as a UN peacekeeping operation did not exist at present. It said a change in the military posture to a UN peacekeeping operation might inadvertently provide the insurgents with the opportunity for continuing or escalating armed conflict and also trigger additional attacks. According to the review, the time needed for conversion into a UN peacekeeping operation would further challenge the current political process and would also allow time and space for Al-Shabaab the opportunity to possibly increase its capabilities to pose a renewed conventional threat. The review therefore underlined the need to provide additional support to AMISOM and emphasized the urgency of resuming the military campaign against Al-Shabaab. It said it was imperative to increase AMISOM's capabilities, to provide greater troop numbers, force multipliers, enablers and Formed Police Units. AMISOM should be expected to launch operations into areas that are currently providing Al-Shabaab with economic resources. The report said increased support to AMISOM should be available through UN assessed contributions. The review proposed an overall increase in AMISOM force levels of 6,235, out of which 3 battalions could be deployed for a limited period and considered as a force asset under the control of the AMISOM Force Commander. It added that increased support to AMISOM must be concurrent with the provision of additional non-lethal support to the Somali National Security Forces (SNSF), thus increasing the Federal Government of Somalia's footprint in the country.

The Peace and Security Council endorsed the recommendations of the Joint AU-United Nations Review. In its communiqué, the PSC welcomed the close collaboration between the AU, the UN and the Troop Contributing Countries. It stressed the need for renewed efforts to continue to degrade the capabilities of Al-Shabaab in view of the continued threat it posed both within Somalia and in the region in order to create conditions for the successful conclusion of the political process in Somalia. It expressed its deep appreciation to the Troop and Police Contributing Countries for their commitment and sacrifices, as well as to the UN, the EU and the international community as a whole for their support to AMISOM. The communiqué stated that the council endorsed the recommendations made by the Joint Review, of increasing AMISOM strength to a total of 23,966 uniformed personnel. It also agreed the provision of the required force multipliers and enablers to AMISOM, and the provision of non-lethal support to the SNSF, to enable them to hold the areas currently cleared of Al-Shabaab presence and to expand into and recover new areas.

### **...while President Mohamud spells out the way to win the war against Al-Shabaab**

President Hassan Sheikh Mohamud of Somalia last week told Al Jazeera how he believed the war against Al-Shabaab could be won. He underlined the importance of information, education, development, and international support for defeating "an extremist enemy in retreat". President Mohamud said that much of the commentary in the aftermath of the Westgate atrocity suggested the attack would now embolden Al-Shabaab. He disagreed, arguing rather that it demonstrated precisely the opposite.

He said it was often suggested that the media had a short attention span, but it was only a couple of years earlier before 2011 that Al-Shabaab controlled much of Mogadishu, in addition to the strategic port cities of Merka and Kismayo, which served as their financial and logistical hub, as well as "whole swathes of Somalia". Most of the country was the victim of its perverted form of "governance," including beatings, beheadings,

amputations, extortion, and a complete betrayal of Islamic practice. Their rule was human rights abuse plain and simple and they never had any such thing as a legitimate Al-Shabaab government.

Those who did not know Somalia might have been fooled, both by Al-Shabaab's bombastic propaganda and the terrible events at Westgate, into thinking that the extremist group was more powerful than ever. Yet even the most cursory glance across the country would show that the Government had driven them out of Mogadishu, expelled them from Kismayo and degraded their capabilities so extensively that they have only dwindling supplies of men, materiel and funding. They have been forced underground.

The President said Al-Shabaab were now on their knees. Had they been eradicated completely? Not yet. He said "We now need the tools to finish the job and we must strike while the momentum is with us, as our American partners did at Barawe on October 4." He noted the powerful argument of the UN's Special Representative recently that "paying a small price now to increase the capacity of Somali and African Union forces will save us all paying a much higher price later." He pointed out that the fact that neither AMISOM nor the Somali National Army had a single helicopter in a country the size of Afghanistan was simply not good enough. It was important to continue to ruthlessly deny territory to the enemy.

Military action was essential but, the President added, "let no one think we believe for a minute there can be a military solution. We know we have to go right back to the start of the terrorist production line to halt the supply of innocent young men into the arms of unscrupulous militants for whom they are used as nothing more than cannon fodder." He said the government had not backed up its military success with sufficient progress in the information war. It must now do much better in the battle of ideas. Equally, he said, since the enemy's ideology was now seen as completely redundant by 99 percent of the population, it began with an important advantage. He said the comment from the Shabaab leadership that the Westgate slaughter of innocent and unarmed men, women and children was one of the "epic battles" in the history of Islam, showed how badly educated they were, how divorced from reality, and how utterly irrelevant to Somali aspirations for a better future. The struggle against extremism, he said, needs to take place on the broadest possible front, from mosques to internet chat forums. It must be prosecuted on digital and social media, on the airwaves and in the newspapers, in schools and universities. Extremist ideology must meet with innovative strategies, cutting-edge technologies, comprehensive education and vigorous communications.

The President said that now the military campaign was almost over, education must become the new frontline. Two decades of fighting have denied a generation of Somalis even the most basic education. Education must be a national priority. The government's recently announced "back to school" campaign aimed to get one million young girls and boys into the classroom where they would learn the skills needed to build productive careers and fulfilled lives. That would be another blow to the extremists' ability to recruit vulnerable youth.

Extremism, he said, is like a cancer that needs treatment. International cooperation was essential. Somalia needed the US and UK governments, for example, to work directly with its government, take advantage of the pool of highly educated Diaspora Somalis, and collaborate on de-radicalization and countering violent extremism programs. Somalia's most distinguished religious leaders should be sent to educate young Somalis abroad, to ensure they could be protected intellectually against attempts of brainwashing. Last month, the President noted, more than 160 distinguished clerics in Mogadishu issued a landmark *fatwa* against Al-Shabaab, forcefully declaring they had strayed from Islam. The scholars stated it was a religious obligation to turn the terrorists over to the authorities and offering them sanctuary was prohibited. This was a body blow to Al-Shabaab - Islamic authorities publicly rejecting its perversion of Islam.

Economic recovery would be another nail in the coffin of extremism. The Government faced great development challenges. It was driving Somalia from emergency to recovery and from recovery to development and reconstruction. He said "we are making progress every day through improved security, and judicial and public financial management reform." Tax collection would, he pointed out, in time allow Somalia to stand on its own feet and wean itself off international support. Somalia was, he said, grateful to its partners for enabling international support, but it was only too aware of the difficulty in maintaining it. He mentioned the recent decision to close money transfer accounts, a move that affected remittances, which were worth double the amount of aid flows coming into Somalia. At a stroke, he said, this was a single decision which undermined the international community's support for Somalia. It should be possible to do better than that.

He concluded by assuring Somalia's partners that the Government was on the right path. Security, he said, was improving, new political institutions were taking root, a new constitution and democratic elections were on the horizon, and enemies were on the decline. "The triumph of the many Somalis will be the defeat of the few. Our success will be their failure."

### **The 50<sup>th</sup> anniversary of the OAU/AU celebrated in Geneva, Switzerland**

The 50<sup>th</sup> anniversary of the OAU/AU was celebrated in Geneva, Switzerland on Monday, (October 14) by the African Civil Society in Geneva, and on Wednesday, (October 16) by the entire diplomatic corps. Civil Society events included Panel Discussions on Pan-Africanism and the African Renaissance and cultural events with African dishes and music from different corners of Africa. On Wednesday, the celebration started with a High-Level Panel on Development in Africa, followed by an art exhibition entitled 'Memories of Africa' and an African cultural event with African dishes offered by the African Ambassadors Spouses Association and African Music. The celebration was inaugurated by Dr. Dlamini Zuma, the Chairperson of the African Union Commission. Mr. Olusengun Obasanjo, former President of Nigeria, delivered a keynote address at the High-Level of Panel on Good Governance, Development and Peace and Security which was followed by a Panel Discussion with Ms. Navanethem Pillay, UN High Commissioner for Human Rights. Mr. Makhisa Kituyi, Secretary-General of the United Nations Conference on Trade and Development, delivered a keynote address at the High-Level Panel on Development in Africa which was moderated by Mr. Michel Sidibe, Executive Secretary of UNAIDS, where the panelists included Mr. Martin Khor, Director of the South Center and Ms. Angeliqe Kidjo, the African International Star. At the opening session, messages from the Director General of the United Nations Office in Geneva and the host country, Switzerland were delivered. The events were attended by African Ambassadors and the diplomatic community in Geneva. Members of African civil society and the Diaspora were also in attendance and took an active part in the various events of the celebrations.

Ambassador Minelik Alemu Getahun, Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Ethiopia to the UN office at Geneva and Other International Organizations in Switzerland and chairperson of the Organizing Committee, welcomed all the participants on behalf of the current Presidency of the African Union and the African Ambassadorial Group in Geneva. He conveyed the warm greetings and best wishes of Dr. Tedros Adhanom, the Minister of Foreign Affairs of Ethiopia and Chairperson of the Executive Council of the African Union. The Minister regretted he was unable to attend the events due to prior engagements. Highlighting the significance of the event, Ambassador Minelik read out excerpts of the message delivered by Prime Minister Hailemariam of Ethiopia, the Chairperson of the African Union, at the 50<sup>th</sup> Anniversary of the OAU/AU in Addis Ababa on 25<sup>th</sup> May 2013.

Ambassador Minelik underscored the importance of celebrating the Golden Jubilee celebrations in Geneva as [it is] an important hub of multilateral diplomacy. It allowed the African diplomatic community, African civil society and the Diaspora to mark the historical milestone with reflection on Africa's 50 year journey and its future. He stated that the celebration would provide an excellent opportunity to reflect on the many areas covered in African engagements in Geneva, including trade, human rights, labor, intellectual property, investment, information technology, health and disarmament. He noted the African Ambassadorial Group in Geneva had continued to strive to ensure that an inclusive and sustainable development agenda that responded to the aspirations of the people of Africa was placed at the center of activities of the international organizations.

In her inaugural statement, Dr. Dlamini Zuma, said that the 50<sup>th</sup> anniversary of the OAU/AU was a moment of reflection on Africa's past and future with the purpose of reclaiming Africa's rightful position at global level by defining the path of the African Renaissance based on the principle of Pan-Africanism. She added that, because of its rich resources, Africa was well-positioned to break the vicious cycle of dependence and become a dynamic global force. She emphasized the importance of ensuring that the multilateral negotiations undertaken in Geneva reflect the development priorities of Africa. Mr. Olusengun Obasanjo spoke of the need to ensure peace and security and good governance as a means of achieving development and well-being for all Africans. He said that, due to over-dependence on primary commodities, lack of leadership experience and democratic governance, Africa had not fulfilled the high expectations generated after the end of colonialism. Recognizing the role of the OAU in ending colonialism, he stated that the shift from OAU to AU had brought a shift in focus from political to economic and social issues. He emphasized that

“Africa is now rising and open for business.” He indicated that the African development path should follow the principle of political and economic inclusiveness as it is the continent of diversity.

Mr. Makhisa Kituyi, Secretary-General of the United Nations Conference on Trade and Development, said that since 2000, African countries had achieved high economic growth; continued to attract investment; and were on track to achieve several of the MDGs. He underscored that “though this is good news, there is no reason for complacency.” He stated that African countries should continue to sustain economic growth capable of poverty reduction and job creation. Ms. Navanethem Pillay, UN High Commissioner for Human Rights said that human rights, peace and development were interrelated and African countries should put human rights at the center of their development endeavors. She added that the post 2015 development agenda should include human rights. Mr. Martin Khor, Director of South Center, elaborated on the importance of refashioning the role of the **developmental state** in African’s development, as the philosophy of market fundamentalism and structural adjustment were the main reasons for the underdevelopment of Africa in the 1980s and 1990s. He also underlined the need for policy space so that Africa could pursue its own development path based on its own realities. Representatives of civil society, the Diaspora, development partners and international organizations spoke on the need to ensure peace and stability, good governance and human rights, food security, productive capacity and sustainable and inclusive development and Africa’s integration.

M. Jean Marie Ehouzou, Ambassador and Permanent Representatives of the African Union to the United Nations in Geneva delivered the vote of thanks. He expressed his appreciation to the Chairperson of the Preparatory Committee, the African Ambassadors, the African Ambassadors Spouses Association, the African Civil Society and the Diaspora for their active and meaningful contributions in all the events of the Celebration.