

---

## Advancing Our Institutions: “Deepening the AUBP”

Valentin Schuetz

### Abstract

This paper is submitted as a requirement for Module 6, one of the assignments in the Master's programme of Managing Peace and Security in Africa. The assignment needed participants to critically evaluate their current institutions and work contexts using new insights gained from the module. Utilising the lessons learned, the paper's author, as a project manager in the GIZ Support to the AUBP, makes concrete and actionable recommendations toward its improvement. The AUBP does not need a fundamental reform but evolution and *deepening* to adapt to new circumstances. The paper recommends how labour division within the cooperation system, the institutions analytic and responsive capacities, its reactive approach toward border-related conflicts, and its compliance with human rights and the human security agenda can be addressed and improved.

### Table of contents

1. Practices, gaps and needs for improvement..... **Error! Bookmark not defined.**
2. Interventions toward change ..... **Error! Bookmark not defined.**
3. Strengths, weaknesses, opportunities and threats..... **Error! Bookmark not defined.**
4. Change project: “Deepening the AUBP” ..... **Error! Bookmark not defined.**

## **1. Practices, gaps and needs for improvement**

The project *GIZ Support to the African Union Border Programme (AUBP)* works together with the AUBP-Unit in the Conflict Prevention and Early Warning Division (CPEWD) of the Peace and Security Department (PSD) in the African Union Commission (AUC) as well as various Regional Economic Communities (REC) and AU-Member States (MS). Its primary goal is to promote the prevention of conflicts related to Africa's international boundaries (core problem) by promoting border governance as outlined by the African Union. This essay will look at the *cooperation system* set up for the AUBP, encompassing project structures both at the AUC and GIZ<sup>1</sup> within the institutional arrangement and practices.

### **1.1 Political and institutional challenges**

One key lesson I learned from MPSA is the high degree of scepticism with which course participants view all kinds of involvement of non-African actors (including GIZ) in the continental policy-scape. While the AUBP has a peculiar history – the Berlin Conference – which could call into question the general benefit of boundaries between nation-states, I believe it is fair to say that the GIZ project fully aligns with the current AU policies with no other agenda behind it. Yet, vigilance against attempts of securitising development or serving European-dominated agendas will remain important. Even projects with good intentions may at times undermine African ownership, and I believe a healthy degree of scrutiny is an essential ingredient to ensure solutions are truly African-centred. Moreover, the AU's capabilities and resources will remain limited in the medium term. Therefore, the AUC must prioritise its interventions to concentrate on its political role rather than a sheer concern with implementation and work with REC and other stakeholders. Within this scenario, the GIZ project should avoid “going fast” at the cost of “going far” and find better ways to enhance AU ownership, steering and visibility for the implementation of the AUBP. It goes without saying that this includes all elements of the proposed change agenda.

### **1.2 Analysis of and approach to conflict**

The emerging global conflict of the 21<sup>st</sup> century is more and more technology-centred (cyberwar etc.). Still, control of resources, territory, markets and identity groups matter, and Africa is being drawn into a complex international conflict system. Global megatrends such as

---

<sup>1</sup>Both institutions also have larger issues related to funding staffing, capacity and politics vis-à-vis their respective objectives that lay outside the scope of this paper. Some of the lessons personally learned during MPSA 14 also surpass the scope of my current working context. I will start focusing on the issues at reach and expect that even these evolve with the discussions and the formulation of the change plan.

resource scarcity, climate change, global political competition, and mobility will increase transboundary conflict. The AUBP's principal undertaking – the peaceful demarcation and delimitation of boundaries – is rooted in the old but still relevant inter-state security predicament (dating back to a decision of 1964!). But borders also become the centre stage for newer challenges such as transnational organised crime (ToC), political violence and population displacement. State-centric approaches to conflict-prevention and marginalised and securitised (Weaver) borders pose risks to the human security of border populations, leading to the negation of Human Rights and creating new grievances and conflicts. I think the AUBP narrative is partly under-complex and border conflict *also* remains an intellectual challenge. The context and repository of the AUBP require analysis and updating; the dimension of human security must be addressed more clearly, and a human-rights based approach to borders should be envisaged.

### **1.3 Institutional responses**

The AUBP has focused chiefly on *structural* conflict prevention and should not jettison that role. But, to turn Vision 2030 into reality and fully materialise the APSA, it could do more and better. Firstly, while all AU-MS have committed to implementing the AUBP, the AUC (and GIZ, by extension) only support states upon their request. Consequently, support often goes to boundaries that are not the most vulnerable to conflict and the most ardent risks may remain undressed (or unknown); or, conflicts come to AU's attention too late - when disputes are already so heated that the "technical" solutions AUBP have to offer no longer suffice. The double challenge is thus for the AUBP to more actively engage in vulnerable boundaries and more solidly integrate into the general structures and mechanism of the APSA, PSD protocol and AU Charter. Nevertheless, MPSA's in-depth treatment of the organs and mechanisms of the AU and RECs did provide me with some ideas that I explore further on the coming pages. They include: (1) A structural border vulnerability mapping with a clear methodology, which would allow for early awareness and be developed as part of the CEWS Structural Vulnerability Assessment Instrument. (2) A better methodology for early action, for example, using the methodology of the Continental Structural Conflict Prevention Framework (CSCPF) and Country Structural Resilience and Vulnerability Assessment (CSRVA), piloting sensitisation missions by PanWise/ AUC, perhaps giving priority to RECs in a subsidiary way to "keep a low profile". (3) Increased capacity for a border specific dispute and conflict resolution at local and national levels – perhaps making use of the existing legal instruments but providing negotiation support beyond mere questions on the position of the boundary line.

## **2. Interventions towards change**

As the GIZ-AUBP is working on a new project phase (2020 – 2022), the inspirations from MPESA come timely. I already started integrating some ideas into the new project proposal and will continue to leverage my new insights and connections. While some changes are a question of project design, others require incentives to trigger discussions and must be allowed to evolve in gradual processes. Advice from the online conversations regarding change projects, such as identifying allies and spoilers, will be addressed in chapter 3's SWOT analysis.

### **2.1 Changes to the cooperation system**

Due to the continental ambition of the programme, the existing policies, the sensitive nature of borders, and the AUC's role in the AUBP remain indispensable. However, the challenges identified concerning the AUC's ownership, visibility and capability to implement and meet the expectation of the AU MS must urgently be addressed. Given the current bottlenecks in the AUBP Unit, the political nature of large change in the AU, and experience with previous attempts at reform, a rapid increase in capacities is unrealistic. Hence, the project should inscribe more consistently to the AU-RECs subsidiarity principles, which are currently on the broader AU reform agenda and broaden its alliance to cooperate more closely with the RECs. Thanks to the geographical expansion of the project, all EAC, ECOWAS, ECCAS, IGAD and SADC will be involved in the programme. To do this and not overburden RECs with additional demands beyond their focus, the project must partly reverse its top-down approach (revolving around the implementation of AU policy) and align more closely with the REC agendas related to borders. There is a risk that this will face resistance from the AUC regarding the AUBP as one of its flagship projects since it has been achieving tangible results in the past years. Still, it is vital to concentrate on roles where it has a comparative advantage and added value. Globally, the role ought to be streamlined to focus on the political level, act as a cooperation platform between RECs and a platform for good practices. As proposed in our online discussion, this will require a clear communication strategy to enhance the visibility of the AUBP and the dissemination of messages to the target audiences. The AUC also remains relevant for intricate conflicts due to the legitimacy and pressure it can exert but needs to be strengthened to respond at an operational/technical level meaningfully. Making this change to the cooperation system work requires a feasible plan with the RECs and their support in re-negotiation cooperation with the AUC.

## **2.2 Changes to the analysis of and approach to conflict**

The challenges identified for the AUBP include the changing environments in which border conflicts materialise, possible human rights infractions and the limited repository at the AUC's disposal to address this situation. There is a clear role for the AUC to improve the dissemination of and compliance with existing AU Human Rights instruments at a normative level. When it comes to borders, Human Rights infractions and insensitive conflict approaches do not only originate in governance deficits, political priorities (for instance, security vs. trade) or a lack of means but also in lack of awareness, complex laws and difficult trade-offs on the side of communities and governments. This is where we must develop clear guidelines and training materials and relevant AU and RECs bodies that can be used in sensitisation campaigns with boundary commissions and border populations. Unfortunately, compliance enforcement and recourse to legal means remain outside of the reach of most border communities, and the nascent AU institutions are unlikely to play a proactive role here. However, collaboration with RECs and NGOs could partially redress this lacuna by making Human Rights part and parcel of local fact-finding or conflict assessment missions. Hopefully, this would enable GIZ, AU, and RECs to engage in more sensitive areas while adhering to compliance standards.

## **2.3 Changes to the institutional response**

A relatively reactive approach and a concentration on less complicated borders have been identified as weaknesses in the current institutional response to border issues. While at the project level, this is addressed by expanding to more vulnerable regions, including Central Africa and the Horn of Africa, *tackling* these issues requires a considerable re-vamp in the project design and approach with and within the responsible supra-regional institutions. (1) Reliance on the standard CEWS instruments has proven insufficient for several reasons. The project, therefore, recently started the development of a pilot border conflict vulnerability mapping tool. Based on identified vulnerabilities or conflict lines and in collaboration with the RECs, we plan then to collaborate with African research institutions to undertake more comprehensive research into the boundary conflicts of Sub-Saharan Africa; (2) This would, in turn, justify and enable assessment missions of the RECs EW departments and bilateral boundary commission to undertake on-the-ground assessments, increase the understanding of issues at hand and trigger a more pro-active approach to addressing conflicts. At the AU level, the conflict mapping and research should trigger interventions based on the PSC protocol, such as good offices, fact-finding missions and preventive diplomacy. It is important to enable low key interventions that fall short of a full PSC involvement since discussions

therein tend to become politicised and grind to a halt before designing a useful course of action. (3) To address conflict risk, in some cases, sensitisation of MS and border communities or the usual technical instruments of the AUBP may be adequate; other cases will require community-based approaches, for instance, through CSO; yet others might require a massive investment of the kind only states or multilateral institutions can undertake. Lastly, REC and AU would have to address some of the more high-level conflicts and disputes, urging states to resolve this problem.

### **3. Strengths, weaknesses, opportunities and threats**

Before jumping into the design of a change project, it is important to systematically consider some of the features of the existing cooperation system around the AUBP. SWOT Analysis is an analysis of internal strengths and weaknesses and external threats and opportunities to identify the need for reform and change. Considering that change is required at organisational (AUBP) and contextual (AU, Africa) levels, both are considered. Appreciative Inquiry (AI) focuses on success factors rather than deficiencies as the starting point for positive and sustainable change. AI typically follows the four steps: Discover, Dream, Design and Deliver (DDDD)<sup>2</sup>. This element is included in the sections of strengths and opportunities (“focus on them”).

#### **3.1 Strengths**

- The AUBP is based on an existing policy framework; the norm of intangibility of borders (Cairo Declaration) is almost universally recognised; a specific Unit in the AUC exists.
- The AUBP is part of the AU, PSC Protocol and APSA, including the RECs, and conceptually and structurally well placed to use all these mechanisms to achieve its goals.
- The multi-level approach and learning cycle of the project has enabled the production and dissemination of technically and contextually sound policies and standards recognised and widely used by the African States.
- The African Union Border Governance Strategy (AUBGS) is a comprehensive tool addressing the persisting and many of the new challenges facing borders in Africa.

---

<sup>2</sup> 1. DISCOVER: What gives life? What is the best? Appreciating and identifying processes that work well.  
2. DREAM: What might be? What is the world calling for? Envisioning results, and how things might work well in the future.  
3. DESIGN: What should be--the ideal? Co-constructing - planning and prioritizing processes that would work well.  
4. DESTINY (or DELIVER): How to empower, learn and adjust/improvise? Sustaining the change

- There is a long-standing commitment from external partners; for example, the German Government has supported the implementation of the AUBP and the AUBP-Unit since 2008.
- The cooperation systems that evolved between AUC and GIZ utilised the strengths of both organisations: policy and coordination vs implementation and support to MS.

### **3.2 Weaknesses**

- AU Member States are slow to ratify the Niamey Convention; the AUC does not follow a coherent lobbying campaign, and the much-discussed AU norm-implementation gap fully applies.
- The mechanisms for the elaboration and adoption of the AUBGS are slow and politicised; the secretarial support process and capacities of the AUC are weak.
- Implementation of the AUBP focuses on “technical” aspects (technical tools, structures, and processes) and principles (intangibility, cooperation) while the political dimension of border conflicts is not sufficiently addressed.
- Due to a lack of funding, limitations in political space, heavy administrative procedures, and a lack of focus and insufficient staffing, the AUBP only delivers fractions of its mandate, and the impact is often unsatisfactory.
- The cooperation and role sharing between AU and RECs is weak and partly coined by competition or mutual disenchantment, despite a coordination mechanism.
- The de-facto cooperation between PSD and other AUC departments remains weak, even though borders by nature are multilateral issues and new external (ToC) and internal developments (AfCFTA) require mutual analysis and approaches.
- The link between early warning and early response and the collaboration between the different instruments of the PSC/APSA does not sufficiently function.

### **3.3 Opportunities**

- There is increased African ownership for conflict resolution and political solutions and increased global recognition for Africa’s role; the AUBP enjoys high visibility among the decision-makers in the AUC, in MS and internationally.
- The AU Reform Process, which started in 2017, addresses key weaknesses such as the lack of prioritisation, lack of MS’ funding and deficient division of labour with the RECs. It also encompasses the merger of Peace and Security with Political Affairs, enabling the AUC to address governance deficits better behind and political dimensions of conflict.

- New developments such as the African Continental Free Trade Area (AfCFTA), the Free Movement Protocol (FMP) as well as adverse trends such as ToC require a renewed focus on borders that could trigger elevated interest by member states, stakeholders and even donors.
- New tools such as the CSRVA and the increasing consolidation of the APSA provide better opportunities for collaboration and the inclusion of borders.

### 3.4 Threats

- The evolution and globalisation of conflict and security trends, including Climate Change as a threat multiplier, exacerbate security trends in member states, including many fragile states and post-conflict countries relapsing into violent conflict.
- Military-driven approaches address new developments such as transboundary violent extremism to the neglect of addressing root causes and risking further escalations through the creation of conflict dynamics and human rights violations.
- The high dependency of the AUC on external resources creates dependencies, leads to external influence, and creates tensions, for example, due to donor's transparency and accountability standards.
- Competing priorities of the MS and REC will limit political and financial resources.
- The larger AU-Reform Process and approaches to change management at the organisational level (GIZ-AUBP) will be politically challenging.

## 4. Change project: Deepening the AUBP

The ABUP and the *cooperation system* with the GIZ project have been working on African Borders since 2008. While progress falls short of the political objectives, many elements of the system, specifically the normative aspects, function well and have been improved in previous project cycles. Drawing on the scope for change identified in the previous chapters, the following three practical proposals outline change projects that would assist the AUBP to evolve, deepen and adapt to changing context rather than radical reform. The proposals consider a principal tenet of appreciative inquiry: energy for change is not generated when exclusively focusing on deficiencies. I also try to keep it realistic, to what can be achieved in 12 months and lay the foundations for further steps that can be applied in a 3-year project cycle. Most measures will only be successful if adopted by actors on the broader cooperation system beyond the projects immediate control. It goes without saying that a common conception or planning by key stakeholders is paramount and remains the first step.



#### **4.1 Review the priorities and division of labour**

The ambition of the AUBP<sup>3</sup> is considerable and requires the collaboration between MS, REC and AU/AUC in the application of the principle of subsidiarity. While the primary responsibility of MS for border governance is acknowledged, the development of an *effective* division of labour between AUC and REC is at its beginning. This is a cross-sectional task running through the AUBP and also other elements of the APSA. In the past years, the AUC had a federating role for all MS regarding all border-related issues; this was important for policy development and gaining legitimacy but has lost much momentum lately. The AUC also has a mandate to technically assist its MS in implementing the AUBP: a role that it always found much harder to fill.

Given that the resources of the AUC, its operational options and its technical expertise will remain very limited, it is time to seek improved coordination, harness the REC and prioritise the actions of the AUBP-Unit toward political action. The transfer of responsibility for cross-border cooperation to the REC would allow them to federate their MS and apply their expertise, for example, through the regionalisation of meetings. Furthermore, there is a need to develop a clear communication strategy for the AUBP to advocate for the adoption/ratification of both the Niamey convention and the AUBGS and allow the AUC to retain high profile and visibility. The AUC, in turn, should focus on federating the RECs, supporting their knowledge management and guaranteeing that AU policies and guidelines remain grounded in the needs and experiences of MS and border communities (existing strength). Change products would entail: (1) communication strategy for the AUBP, developed with PSD Communications Department; (2) AUBP-RECs knowledge platform on border issues: development.; (3) Regionalisation of AUBP, planning meetings in 5 Regions.

#### **4.2 Improve border conflict analysis to facilitate action**

The AUCs current approach on border conflicts is dual: (1) structural prevention through the instruments of the AUBP, often at the request of an MS and by underlining the principles of intangibility and peaceful cooperation; and (2) treatment of escalating border conflicts through the legal instruments of the PSC Protocol and AU Charter. There is, however, currently no systematic capability for the prediction, prevention, response and adaptation beyond the boundary-unspecific CEWS and APSA systems that would allow the collective-security actors targeted, timely and well-conceived interventions at boundaries with high conflict *potential*.

---

<sup>3</sup>Vision statement of the AUBGS “A continent of peaceful, prosperous and integrated borders that enables effective peace, security, stability and economic and social development”

To increase the relevance and effectiveness of AUC/REC interventions or create a sound basis for decision-making by the relevant organs, I propose a multi-pronged approach. (1) Development of a border conflict vulnerability mapping for all borders in Africa, including both structural and proximate factors that *can* lead to boundary related conflicts; then joint elaboration with AUBP and CEWS to assess the utility and possible incorporation into the CEWS. (2) Conducting regional studies on boundary conflicts in all five intervention regions in collaboration with the RECs and regional research institutes (such as IPSS, ISS etc.) and piloting for the Horn of Africa- (3) Conducting micro-integrated peace and conflict analyses at boundary segments identified either in (1) or (2) or areas selected as project sites, ideally in joint missions with CSO and RECs and checking integration into CSCPF, or CSRVA approaches. (4) Evaluating data jointly with responsible actors (TBD!) to update the applied knowledge on border conflicts and enabling relevant interventions (See below.) (This includes the allocation of resources from donors and the peace funds).

#### **4.3 Improve AUBP interventions and alliances**

Better information is a necessary but not a sufficient condition for *relevant* or *good* action. The APSA provides the institutional mechanisms for preventing, managing, and resolving conflict through early warning, mediation, diplomacy, and other means. Other legal instruments such as Human Rights and AGA address structural factors of conflict. The mechanics within the APSA organs and the coherence with other AU instruments are often not very well developed beyond paper and are subject to scarce resources, know-how, personal initiative and politics. Concerning the AUBP, three issues are to be tackled. (1) AUBP needs a more straightforward “menu of interventions” describing which scenarios are amenable to which kind of solutions and instruments, such as mediation, good-office, fact-finding missions, political dialogue, technical support, etc. and should suggest standard procedures (SoP). The menu also needs to specify the appropriate levels of intervention and actors, including REC and CSO at the community level. It is, for example, not productive to look away if something is considered “too local”, or because options for action are not readily available or vice versa, to bring a local conflict to a conference in Addis Ababa, where there is neither an understanding of the issues at hand nor any capability to follow up on possible solutions. This is not a small task, but collaboration within the AU conflict prevention working group will start. (2) The links between AGA, specifically in the area of human rights compliance and APSA, are to be improved. The merger of PA and PSD as part of the AU reform provides the medium-term scenario for this. In the short run, the development and dissemination of guidelines for human rights in border governance should be undertaken to limit the risk that current practices of border management lead to human rights violations which might cause new grievances and

trigger conflict. Draft guidelines for the discussion with relevant AU organs are available (3)

The capacity for border dispute and conflict resolution at the community level, as well as the ability to intervene in the fields of human rights where the AU's room for manoeuvre is politically and operationally restricted needs to be strengthened. This is a long-term task, but pilots are possible as part of 36 months project.