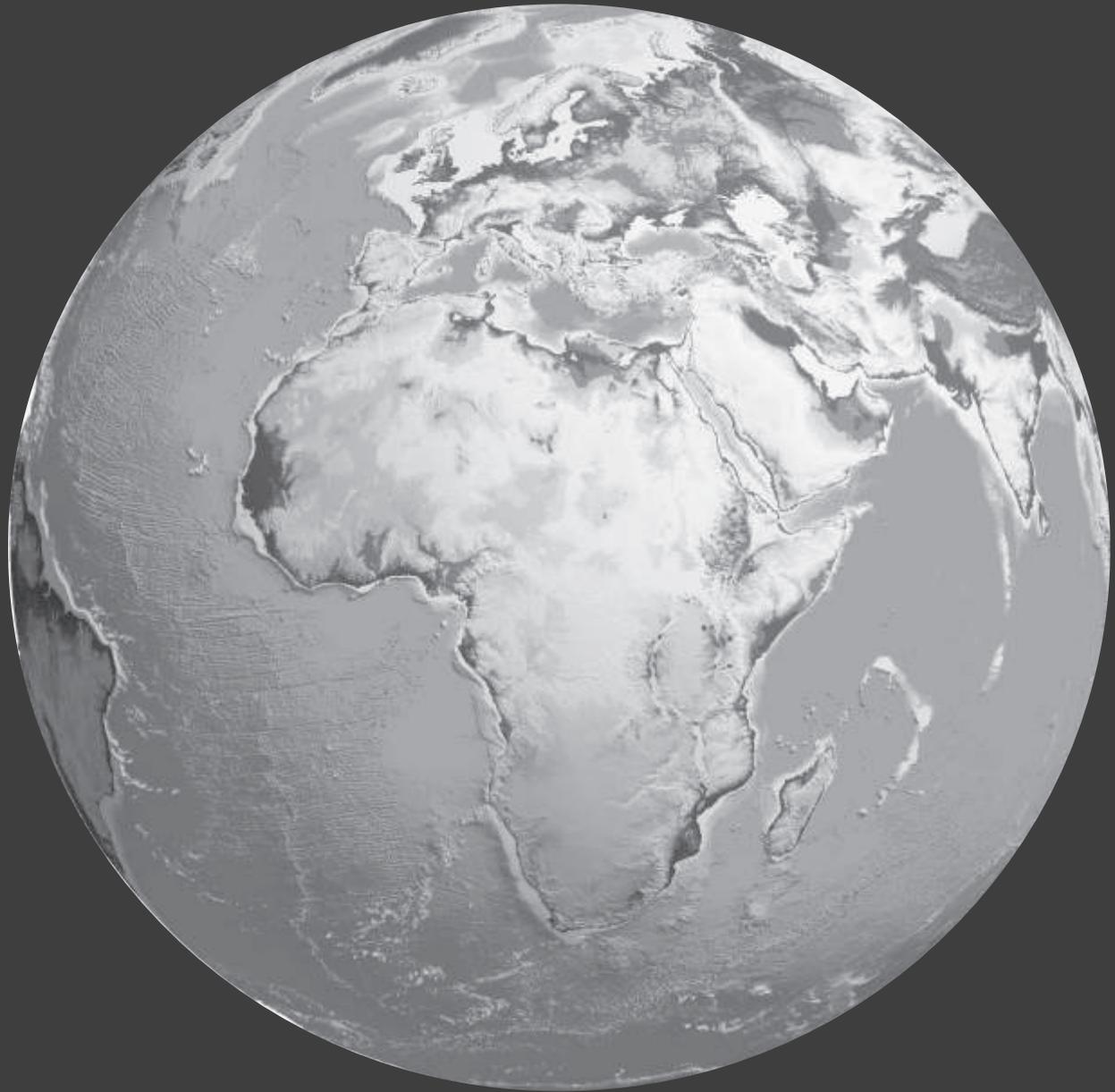


# Africa Trends

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## Editor's Note

Greetings!

In this issue, we have the privilege of carrying the views of His Excellency Mbuya Isaac G. Munlo, High Commissioner of the Republic of Malawi to India, on areas of cooperation between India and Africa that could further African integration. The Indian Prime Minister's visit to four African countries and the new vistas of cooperation they opened up are the subject of the commentary by Ms. Ruchita Beri. Another commentary by Mr. Nachiket Khadkiwala dwells on the militarisation of EU's policy of dealing with the crisis of migration from Libya and points to its probable negative consequences for the migrants' security. Based on his experience as a peacekeeper in the strife-ridden South Sudan, Colonel Adarsha Verma, in the viewpoint, points to the limitations of the UN Mission in South Sudan and the need for stronger international commitment to make the political leaders adhere to the terms of the peace agreement. Dr. Saurabh Mishra reviews Kurt Mills' International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate and finds that it succinctly brings out the challenges in implementing humanitarian intentions.

The News track for this quarter brings out that Burundi, Mozambique and South Sudan continue to face turmoil due to their respective face-offs between the government and opposition forces. The authority of International Criminal Court came to be challenged in Djibouti, Rwanda and Uganda, who refused to arrest the Sudanese President for crimes against humanity as he traversed through these countries. Kenya, Rwanda and Uganda agreed to sign the East African Community-EU Economic Partnership Agreement as EU warned Burundi not to join the pact due to the turmoil in the country. Turkey has established a base in the capital of Somalia to train Somali forces to fight the Al Shabaab.

Clarifying the status of its presence in Djibouti, China said that its naval base will be merely a logistic support base for its peacekeeping troops and anti-piracy operations and is being readied for 2017. China also got engaged in a natural gas project that would benefit both Ethiopia and Djibouti. A mega railway project connecting the two countries has also been completed by China Railway Engineering Corporation and China Civil Engineering Construction with finances from the Chinese EXIM Bank.

India delivered a fast patrol ship to the Mauritian Coast Guard. Prime Minister Narendra Modi's visit to Kenya, Mozambique, Tanzania, and South Africa resulted in the signing of several agreements between India and these countries. Several MoUs were inked during the visit of the Mauritian Minister of Finance Pravind Jagnauth's visit to India.

We hope you enjoy this edition and look forward to your contributions and feedback.

## Diplomat's Corner

### INDIA-AFRICA COOPERATION<sup>1</sup>

MBUYA ISAAC G. MUNLO\*

India and Africa may be at different levels of development but the similarities in their social and economic structures, lay strong foundations for a solid partnership. India has always offered a hand up to Africa since the days of Jawaharlal Nehru.

Africa has gone through a number of experiments like structural adjustment programmes, privatisation, land liberalisation and expropriation. In almost all cases, it has ended up worse-off. Africa is therefore looking for partnerships grounded in alternative and authentic theories.

When we look at trade with India, there are some innovative ideas like the Duty Free Tariff Preference Scheme providing tariff lines duty free, the Lines of Credit, but still the greater picture is that of trade imbalances, due to mainly focusing on single items of extractive industries. In the 2014 – 2015 period Africa contributed less than 9 percent of India's imports and trade imbalance with India is in billions of dollars.

Considering the special relationship Africa has with India, the question that comes to mind is - (I)s it not possible to come up with a paradigm shift that looks at long term sustainability issues, with respect to trade; not just normative trade but development focused trade encompassing such aspects as technology transfer, beneficiation, value addition, joint ventures, skills development? In 2014 a quarter of India's pharmaceutical exports were shipped to Africa. Investing in pharmaceutical training, production and drug manufacturing in Africa could impact greatly on Africa's health systems, create more jobs and increase investment.

Let us have a partnership that enhances variety other than duplicating the same tired global prescriptive approaches of the World Trade Organisation, EU etc, looking at each other's comparative advantages and nurturing them for long term benefits. Already the Confederation of Indian Industry (CII) has partnered with the Economic Commission for Africa to produce a publication that highlights key sectors on which India and Africa place the great-

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\* High Commissioner of the Republic of Malawi to India

est levels of engagement. It is sometimes worrying when one sees institutions of the south like Exim Bank for example relapsing into IMF, World Bank approaches or standards instead of creating alternative robust approaches. Have we reached the limit of creativity? By 2050 the joint population of Africa and India will account for 43 percent of the world's total. This is a great opportunity not just for boosting trade and scaling up investment, but taking leadership to be creative and present alternative models of partnership. There is an African saying "If you keep on following you will never lead."

**Let us have a partnership that enhances variety other than duplicating the same tired global prescriptive approaches of the World Trade Organisation, EU etc, looking at each other's comparative advantages and nurturing them for long term benefits.**

I would like to conclude by pointing out that Africa recognizes that it needs to be competitive, that is why integration is perhaps the most overreaching goal in the African Union's Vision 2063.

In promoting African integration, a number of plans have been put in place as follows:

### **Open Borders**

The African Union Border Programme's Vision is "A united and integrated Africa with peaceful open and prosperous borders". It is putting in place legal systems, structures and processes that promote the perception of national boundaries as bridges other than barriers thus promoting flow of goods and services, movement of people.

### **Policies**

Efforts are ongoing to formulate and implement coordinated, sound and authentic policies. The aim of continent wide policy frameworks is to look at how Africa's integration into the global markets can best serve the objective of transforming the continents economies.

### **Peace and Security**

The African Union integration agenda has put peace and security at its core. It appreciates that trade can only thrive in a peaceful environment.

The African Peace and Security Architecture (APSA) is built around structures, objectives, principles and values, as well as decision making processes relating to prevention, management and resolution of crises and conflicts, post conflict reconstruction and development in the continent. The main pillar of APSA is the African Union Peace and Security Council which is supported by various structures, the continental Early Working System, the African stand by Force and the Peace Fund.

### **Infrastructure Development**

The significantly deficit infrastructure on the African continent has resulted in increased

production and transaction costs, reduced competitiveness of businesses and subsequently a reduced rate of economic and social development on the continent. The African Union launched the Programme for Infrastructure Development (PIDA) in Africa in July 2010. It is a flagship programme aimed at the development of regional and continental infrastructure (Energy, Transport, information and communication technology (ICT) and trans-boundary water resources. It is hoped to promote improved access to integrated regional and continental infrastructure networks and services.

The African market remains highly fragmented. The action plan for boosting intra African trade includes trade facilitation, trade policy, productive capacities, trade related infrastructure, trade finance, trade information and factor market integration.

To fast track the establishment of a Pan African Free Trade Area, a Tripartite Free Trade Agreement signed on 10 June 2015, led to the formation of EAC COMESA- SADC Tripartite Free Trade Agreement (TFTA) as an intermediary step. The 26 countries of the tripartite

**It is clearly in the long term interest of all progressive nations, wanting to partner with Africa, to help it integrate, an integrated Africa is a reliable global partner.**

area represent 48 per cent of the African Union membership, 51 percent of the continental GDP and a combined population of 632 million. If the TFTA countries were one country, it would be the 13<sup>th</sup> largest economy in the world. Merchandise trade within the tripartite region grew from USD23 billion in 2004 to USD 55 billion in 2012. An increase of 140 percent.

It is clearly in the long term interest of all progressive nations, wanting to partner with Africa, to help it integrate, an integrated Africa is a reliable global partner.

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<sup>1</sup> This article is a revised version of the presentation made by the author at the Panel Discussion on Africa Day, May 25, 2016, "India - Africa: Bound Together", organised by the Indian Council for Cultural Relations (ICCR), New Delhi.

## Commentary

### INDIAN PRIME MINISTER'S VISIT TO AFRICA: NEW AVENUES OF COOPERATION

Prime Minister Narendra Modi's visit to Africa will go a long way in cementing ties with the African countries in the field of food security, energy and defence. At the same time, this visit will put to rest criticism of India's visibility deficit in the region.

**Ruchita Beri \***

Prime Minister Narendra Modi's visit to four African countries Mozambique, South Africa, Tanzania and Kenya from 7-11 July, 2016 has opened new avenues of cooperation in the field of food security, defence cooperation and renewable energy. During this trip, several agreements were signed with each country in diverse areas.

#### Food Security

Food Security is an important concern for India and Africa. India and Africa face similar challenges as regards hunger and undernutrition. Unfortunately despite the rising economic growth in the region in the past decade not much progress has been made in terms of reducing hunger. Rather, within Africa, the number of undernourished has increased from 181 million in 1990-92 to 232 million in 2014-16.<sup>1</sup> Comparatively, in India, the situation has improved marginally with the number of undernourished decreasing from 210 million in 1990-92 to 194 million in 2014-16.<sup>2</sup>

#### **India and Africa face similar challenges as regards hunger and undernutrition.**

India is the world's largest producer and consumer of pulses (protein rich seeds of crops of the legume family such as lentils, beans and peas) in the world. In recent years, India's pulses' production has not been sufficient to meet the rising consumption, and it has been forced to import them from Australia, Canada, Myanmar and the African countries. In order to address this challenge, during the visit to Mozambique, Prime Minister signed an

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\* Ms. Ruchita Beri is Centre Coordinator, ALACUN Centre, IDSA and Editor, Africa Trends

**...the pulses agreement signed in Maputo is a win-win for both the countries.**

MOU with Mozambique for the import of pulses either through the private or government to government channels. Similarly during his visit to Tanzania, Prime Minister Modi expressed the wish for enhanced export of pulses from Tanzania to India. However, the pulses agreement signed in Maputo is a win-win for both the countries. It not only promotes India's food security but also provides opportunities to farmers in Mozambique to increase income, productivity and generate employment.

## Renewable Energy

In recent years India has taken steps towards the goal of providing clean energy to its people.

**Solar power production is central facet of India's renewable energy framework.**

It has launched a massive renewable energy capacity enhancement programme. Solar power production is central facet of India's renewable energy framework. Similarly, emerging concerns for carbon emissions and sustainable development have created an interest for renewable energy in Africa. A large number of regional groups including the Economic Community of West African States (ECOWAS) have developed a re-

newable energy policy.

During Prime Minister's visit to Mozambique, Tanzania, South Africa and Kenya he engaged with the leaders of these countries to expand cooperation in this field. All four countries expressed support for India's initiative for an International Solar Alliance. In Kenya, both leaders agreed to accelerate development of solar energy and enhancing cooperation in training and capacity building in the renewable energy sector.

Over the years India has been involved, to a limited extent, in training Africans in the field of renewable energy technologies. During the visit to Tanzania, Prime Minister met a group

**Solar Mamas are able to fabricate, install and maintain household solar electrification systems.**

of "Solar Mamas" trained by the Bare Foot College (an Indian Non-Governmental Organisation). India has trained over 375 illiterate and semiliterate rural African women as solar engineers or "Solar Mamas".<sup>3</sup> These women are able to fabricate, install and maintain household solar electrification systems. India is hoping to expand initiatives like this, as they form the core of India's approach to development cooperation with Africa. In the past too, India has been engaged with African countries mainly through providing support in human re-

sources development through skills transfer programmes in diverse fields.

## Security Cooperation

As India shares the waters of the Indian Ocean with Africa, it was quite natural that maritime security and terrorism came up for discussion at all four stops made by Indian Prime Minister in Africa. However, Modi's visit to Nairobi was marked by the signing of a MoU on defence cooperation by the two countries. This is significant as India and Kenya face a

number of common security challenges.<sup>4</sup> Terrorism and radicalisation is a problem that is experienced by both the countries. Kenya has suffered a number of terrorist attacks. In 1998, the US embassy in Nairobi was attacked, followed by 2002 hotel bombing in Mombasa. It has also faced a number of attacks after it joined the African Union Mission in Somalia against the Al Shabaab terror group in 2011.

The most prominent were the attack on Westgate mall in Nairobi in 2012 and Garissa University in 2015. Similarly, maritime security challenges such as piracy and illegal, unregulated and unreported fishing are important areas concern for both India and Kenya. Cybersecurity, combating narcotics and human trafficking are other areas of cooperation agreed upon by the two sides. This MoU will facilitate staff exchanges, training, hydro-graphic surveys and equipment supply.

**...maritime security challenges such as piracy and illegal, unregulated and unreported fishing are important areas concern...**

While in South Africa, Prime Minister Modi proposed to expand the defence cooperation to include joint manufacture of defence equipment both for domestic needs and also to cater the regional and global demand.<sup>5</sup> However this is not a new proposal; India had signed a MoU in defence cooperation agreement with South Africa in 1996. That agreement did not move beyond supply of defence equipment from South Africa to India. To a large extent this was due to the Indian government blacklisting South African defence firm Denel in 2005, due to alleged kickbacks given by the firm during the purchase of anti-material rifles in 1999. In 2014 this ban was lifted by the Indian government as the investigations failed to corroborate charges against the firm.<sup>6</sup> It is hoped that the cooperation among the defence industry of the two countries will blossom after the strong interest expressed by Prime Minister Modi and the South African President Jacob Zuma in this field.<sup>7</sup>

## Conclusion

Prime Minister Narendra Modi's visit to Africa will go a long way in cementing ties with the African countries in the field of food security, energy and defence. At the same time, this visit will put to rest criticism of India's visibility deficit in the region. Over the years, India had been critiqued for the lack of high level of visits to the continent. Comparisons were often made in the media with the frequent visits by the Chinese leaders to the continent. The Prime Ministerial visit to Mozambique was after a gap of 34 years, to Kenya after 35 years and to South Africa after a gap of 10 years.

Moreover the welcome given to Prime Minister Modi in all the capitals during the visit, reflects that India's approach of engaging in not just trade but in training and capacity building development appeals to Africa, as it benefits Africans. It is hoped that the Indian government will move towards speedy implementation of commitments made during this visit.

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<sup>1</sup> United Nations, Food and Agricultural Organisation, *The State of Food Insecurity in the World*, 2015, <http://www.fao.org/3/a-i4646e.pdf>, (Accessed September 21, 2016).

<sup>2</sup> Ibid.

- <sup>3</sup> "Solar Mamas of Africa to meet Prime Minister Narendra Modi on his visit to Tanzania", <https://www.barefootcollege.org/solar-mamas-of-africa-to-meet-prime-minister-narendra-modi-on-his-visit-to-tanzania/>, (Accessed August 1, 2016).
- <sup>4</sup> Title/heading, [http://www.mea.gov.in/Speeches-Statements.htm?dtl/27008/Press\\_Statement\\_by\\_Prime\\_Minister\\_during\\_his\\_visit\\_to\\_Kenya\\_July\\_11\\_2016](http://www.mea.gov.in/Speeches-Statements.htm?dtl/27008/Press_Statement_by_Prime_Minister_during_his_visit_to_Kenya_July_11_2016), (Accessed August 11, 2016).
- <sup>5</sup> Title/heading, [http://www.mea.gov.in/Speeches-Statements.htm?dtl/26999/Remarks\\_by\\_Prime\\_Minister\\_at\\_IndiaSouth\\_Africa\\_Business\\_meet\\_in\\_Pretoria\\_July\\_08\\_2016](http://www.mea.gov.in/Speeches-Statements.htm?dtl/26999/Remarks_by_Prime_Minister_at_IndiaSouth_Africa_Business_meet_in_Pretoria_July_08_2016), (Accessed August 11, 2016).
- <sup>6</sup> Vivek Raghuvanshi, "India lifts ban on Denel", <http://indiandefence.com/threads/india-lifts-ban-on-denel.48654/>, (Accessed August 15, 2017).
- <sup>7</sup> "India, South Africa Bat for Strengthening Defence Ties" at <https://thewire.in/50161/india-south-africa-bat-strengthening-defence-ties/>. (Accessed August 14, 2016).

## Commentary

### EU-LIBYA MIGRANT DEAL

Given the lack of feasibility of other policy initiatives in order to deal with Libya, from where majority of migrants cross-over, militarisation remains the only option. Even the military solution is going to achieve partial results and human trafficking will continue to thrive. In all the chaos, migrants will be caught between a rock and a hard place, with Libya being unpropitious to stay and journey to Europe being increasingly perilous.

**Nachiket Khadkiwala \***

#### Introduction

On August 23, 2016, the European Union and Libya signed a memorandum of understanding (MoU) under which EU is to provide training to Libyan coast guard. The MoU was signed in Rome between Operation Commander of EU Naval Force (EUNAVFOR) Med's Operation Sophia and Commodore Abdalh Toumia, Commander of the Libyan Coastguard and Port Security. According to the deal, the training will take place on board one of the vessels taking part in Operation Sophia on the high seas. Later the training will shift to Libyan territorial waters. The migrant movements in the Mediterranean are increasingly being viewed from a security prism. Given the lack of feasibility of other policy initiatives in order to deal with Libya, from where majority of migrants cross-over, militarisation remains the only option. Even the military solution is going to achieve partial results and human trafficking will continue to thrive. In all the chaos, migrants will be caught between a rock and a hard place, with Libya being unpropitious to stay and journey to Europe being increasingly perilous.

**During the Qaddafi regime, entry points into Libya were clearly earmarked and manned sufficiently.**

The human trafficking complex and the Libyan conflict

#### The human trafficking complex and the Libyan conflict

Due to its geographical position, Libya has always been an important port of departure for immigration to Europe. It has a 1,900 kilometre coastline along the Mediterranean and approximately 4,375 kilometres of land border which it shares with six countries.<sup>1</sup> There are many routes that provide entry into Libya from various parts of North, East and West Africa. The country has two seaports, four airports and eight land crossings. During the Qaddafi regime, entry points into Libya were clearly earmarked and

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\* Mr. Nachiket Khadkiwala is Research Assistant, ALACUN Centre, IDSA.

manned sufficiently. Even during the Qaddafi regime, there was some amount of illegal migration that took place, yet the EU and member states particularly Italy were able to deal with it by offering incentives to the regime for managing migration. However, the current situation in Libya has exacerbated the illegal migrant flows to Europe.

The migrant crisis in Europe is the product of instability in Libya, which in turn has resulted from the institutional vacuum in the wake of the attempted regime change. Given the nature of polity that lacks truly national actors, the creation of central governing authority has become an increasingly complex task. Libya is divided into rival governments, the internationally recognised Government of National Accord (GNA) which is based in Tripoli and House of Representatives (HOR) based in eastern Libyan city of Tobruk.<sup>2</sup> Adding to this chaos are the varied militias that hold authority in various parts of the country. Misrata-based militias are strong in the west, while eastern Libya is under the control of Field Marshal Khalifa Haftar, the head of the Libyan National Army.

**The political economy of human trafficking has got deeply intertwined in the conflict within Libya...**

The political economy of human trafficking has got deeply intertwined in the conflict within Libya and the country has become fertile ground for human trafficking and smuggling networks. The borders in Libya have become increasingly porous; that has made it relatively easy for criminal gangs to move in and out of the country. Entry points into Libya have not been identified as the government is not in control of the entire territory and borders are being controlled by various tribal groups. Hence border management in Libya has been marred by unprofessionalism and corruption. Libya has become the hub of Sub-Saharan migrant flows towards Europe with routes from eastern and western Africa running through it. The eastern route that heads towards desert town of Al Kufra runs from Somalia, Ethiopia, Eritrea and Sudan. Western route runs from Mali, Nigeria and Chad into Agadez in Niger, and onward to Tripoli.<sup>3</sup> Also, in general, adequate infrastructure and resources for border control and management are lacking in many countries like Niger, Sudan and Chad from where the migrations begin.

**Tribal groups are increasingly involved in smuggling of migrants as similar ethnic groups straddle across the borders as well.**

The human trafficking networks are being proliferated by variety of actors. Tribal groups, militia's, former Qaddafi regime's security personals and even some ordinary Libyan citizens have been competing for seeking rents through this network. Tribal groups are increasingly involved in smuggling of migrants as similar ethnic groups straddle across the borders as well. For example, the Tuareg control migrant smuggling routes running from North Niger and Algeria and the Zway tribal group controls eastern migrant routes running from Sudan and Chad.<sup>4</sup> The profitability of human trafficking has made it an attractive option for criminal networks and common folk alike.

Another significant development is the increased the pressure on the Central Mediterranean route that runs from Libya. After EU-Turkey migrant deal came into effect on 20 March

2016, the Western Balkan route to Europe has witnessed drop in migrant flows especially from Syria. It witnessed a significant drop of 90 per cent in detection of illegal migrant crossings in the second quarter of 2016.<sup>5</sup> Meanwhile on the Central Mediterranean route 51,450 people were detected in an attempt to reach Europe in the same time period, an increase of 174 per cent from previous quarter.<sup>6</sup>

### **Militarisation of Policy Dealing with Migrant Crisis**

Incentivising is a common policy tool that EU has used to influence transit/origin states to keep a check on migration. In case of the migrant deal signed with Turkey, EU was able to incentivise the deal by offering funds and the prospect of working on liberalisation of travel visa rules for Turkish citizens to travel to the EU. During the Qaddafi regime, EU had used the prospective Framework Agreement to encourage Libya to curb illegal migration. However, the negotiation of the Framework Agreement was suspended in 2011 after the Libyan uprising. The subsequent instability and absence of a sovereign authority in Libya has led to further militarisation of the policy of dealing with the migration crisis on the Central Mediterranean route.

The latest deal signed between EU and Libya is an extension of EU's militarised approach. Envisaged during the European Council meeting of May 18, 2015, EU launched EU Naval Force (EUNAVFOR) Med's Operation Sophia in the month of June 2015.<sup>7</sup> The mandate of the operation was: first, to contribute to disturb the business of human smuggling and trafficking in the Mediterranean; second, to contribute in prevention of loss of life at sea. The mandate was expanded in June 2016 to include the implementation of UNSC Resolution 2292 that enforces arms embargo on Libya.

This operation has to progress through four phases. The first phase of the operation was about reconnaissance, surveillance and intelligence gathering, while the second phase was for boarding and destroying traffickers' vessels in the international waters.<sup>8</sup> The third phase consists of further extending operations into the Libyan waters, whereby boats will be seized within Libyan waters and destroyed.<sup>9</sup> The last phase is about attacking trafficker infrastructure located on Libyan shores and ports.<sup>10</sup> For the progression of the third and fourth phase of the operation, the EU must have the legal basis to enter the Libyan waters. The deal is the means of getting access to Libya's territorial waters for at least the purpose of training. Further, it will involve the Libyan coast guard to check illegal trafficking in its waters. Apart from the maritime domain, EU has taken an interest in aiding Libya in controlling its land borders with its EU Integrated Border Management Assistance Mission (EUBAM Libya). Currently based in Tunis, EUBAM Libya's focus is on planning future EU missions that would deal with capacity building in the area criminal justice, migration, border security and counter-terrorism. Such future missions will only be operational when Libya gets a stable and sovereign government.

**The deal is the means of getting access to Libya's territorial waters for at least the purpose of training.**

The presence of Islamic State (Daesh) in Libya has fomented a more militarised approach to

### **The presence of Islamic State (Daesh) in Libya has fomented a more militarised approach to securing the Mediterranean Sea...**

securing the Mediterranean Sea in order to secure Europe's southern border. Given the situation in Libya, there is fear that IS might make it a permanent base to carry out attacks in Europe and North Africa. Libya provides the perfect habitat for IS to thrive. IS breeds in chaos and Libya with no national government and plethora of militias is an apt place it. Moreover, the country is rich in hydrocarbons that can be a source of financing Daesh's activities. In 2015,

jihadists associated with Islamic State started gaining foothold in Libya. Taking advantage of the power vacuum in the country, Daesh operates in parts of Derna and Benghazi in eastern Libya and took control of Noifilia and Qaddafi's home town of Sirte in western Libya. It demonstrated its ability to carry out attacks as in January 2015 when it attacked Corinthia Hotel in Tripoli. Since then it has attacked oil infrastructure and carried out heinous act of beheading Egyptian Coptic Christians. Libya has also become a transit and training ground for IS fighters, especially from North Africa and Sahel region.

### **Conclusion**

The Central Mediterranean route will continue to witness a more militarised approach to controlling migration. However, the success of this approach will be limited. The nature of Libyan government and the security sector will severely limit the implementation of the deal. The GNA lacks control of most of the territory, with large parts of Eastern Libya, Fezzan and Sothern Libya out of its control. The militia men and tribal networks in these regions will continue to support illegal migration since it is profitable. Libyan security sector remains fragmented and lacks professionalism and expertise. The Political Isolation Law prohibits former regime members from assuming any role in the security sector, closing the door on professionals who had training and know-how to contribute to building an effective security regime. Libyan coast guard lacks training and professionalism and in some cases is hand-in-glove with human traffickers, often helping them recover boats for a price. Along with formal Libyan coast guard under the Libyan Navy, militias also maintain coast guards that are in not in control of the Navy.

The EU-Libya deal may actually harm the asylum seekers and migrants by trapping them in Libya at the mercy of militias, local warlords and corrupt officials. NGOs like European Council on Refugees and Exiles (ECRE) and Amnesty International have warned about the conditions of migrants in Libya. In the detention centres run by Department for Combatting Illegal Migration (DCIM), in addition to inhumane conditions of detention, migrants face torture, unlawful killings, sexual exploitation and extortion by officials. The migrants are harassed by armed militias and often groups affiliated to IS abduct and abuse them. Libya, by any standards, is not a safe country for migrants and hence intercepting the traffickers and sending migrants back to Libya will only endanger the migrants. Operation Sophia may partially achieve its objectives of disrupting the business model of human traffickers and prevent the loss of life at sea, but may well end up compromising on the larger welfare and safety of asylum seekers and migrants.

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- <sup>1</sup> Altai Consulting, "Mixed Migration: Libya at the crossroads: Mapping migration routes from Africa to Europe and Drivers of Migration in Post-revolution Libya", Tripoli, 2013, p. 94.
  - <sup>2</sup> The Libyan Political Agreement signed under auspices of the United Nations created the President's Council which appointed the Tripoli based Government of National Accord (GNA) for carrying out executive functions and the Tobruk based House of Representatives (HOR) to act as a legislature. However, each have turned into rival power centres. While the GNA is the internationally recognised government, even in Tripoli it faces feeble yet consistent threats to its authority by the remnant of the General National Congress.
  - <sup>3</sup> FRONTEX, "People Smuggling in the Central Mediterranean", <http://frontex.europa.eu/feature-stories/people-smuggling-in-the-central-mediterranean-IqDY5g>, (Accessed July September 15, 2016).
  - <sup>4</sup> Op.Cit. n.1, pp. 54-55.
  - <sup>5</sup> FRONTEX, "Frontex Risk Analysis Network Quarterly", April-June 2016, p.7, [http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/FRAN\\_2016\\_Q2.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_2016_Q2.pdf), (Accessed July 5, 2016).
  - <sup>6</sup> Ibid, p. 9.
  - <sup>7</sup> By signing the agreement with GNA, the EU provides boost to the legitimacy of the GNA.
  - <sup>8</sup> Council of the European Union, "Council launches EU naval operation to disrupt human smugglers and traffickers in the Mediterranean", Press Release, June 22, 2015, <http://www.consilium.europa.eu/en/press/pressreleases/2015/06/22-fac-nav...>, (Accessed July 30, 2016).
  - <sup>9</sup> Ibid.
  - <sup>10</sup> Ibid.

## Viewpoint

### PEACE IN SOUTH SUDAN IN THE AFTERMATH OF THE JULY 2016 CRISIS

Events of July 2016 have shattered the progress towards peace in South Sudan. The international community needs to put in more efforts to ensure that leaders of warring factions fulfill their commitments for a peaceful future for the people of South Sudan.

**Adarsha Verma \***

The crisis that took place in Juba, South Sudan, from 8-11 July 2016, saw intense fighting resulting in the death of many civilians, two peacekeepers of the United Nations Mission in South Sudan (UNMISS), and collapse of the fragile peace agreement between the President of South Sudan, Salva Kiir, and his former First-Vice President, Dr Riek Machar. The crisis brought unrestrained violence to the capital of the world's youngest nation and the warring factions left a trail of destruction and suffering in their wake. Delving into the details of the crisis necessitates a look into the incidents that led to the July 2016 crisis and its likely effects. It also presents an occasion to analyse the reasons for reduced effectiveness of UNMISS, actions that are needed to enhance efficacy of the Regional Protection Force for Juba and measures that will assist in return of peace to this conflict-ridden state.

#### The Run-Up to the Crisis

South Sudan's struggle for independence spanned nearly two hundred years right from 1821, when Muhammad Ali, the Ottoman Sultan's Viceroy in Egypt, sent an expedition to invade Sudan in search of slaves and ivory. From then on, whether it was the Turkiyas (1820-1881), the Mahdiya (1881-1898), the Anglo-Egyptian Condominium (1898-1956) or the State of independent Sudan (1965-2011), all were perceived by the people of Southern part of Sudan as following similar policies of oppression; as if it were a continuum of colonization.<sup>1</sup> The long struggle for independence culminated in a referendum for self-determination in 2011 which, according to the referendum commission, weighed heavily (99.57 per cent)<sup>2</sup> in favour of a separate nation (South Sudan).

Celebrations of independence soon gave way to tribal conflict when in 2013, President Salva Kiir accused his deputy, Dr Reik Machhar of staging a coup against the Government.<sup>3</sup> Both

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\* Colonel Adarsha Verma is Research Fellow, Military Affairs Centre, IDSA.

leaders represent different majority ethnic groups of South Sudan namely the Dinkas and the Nuers respectively (South Sudan has more than 60 ethnic groups<sup>4</sup>). The Army got divided on tribal lines and started fighting each other as tribal affiliations proved stronger than the fledgling camaraderie in the Army comprising of 'men from the bushes'. The fighting between tribes which ensued, was fierce, with both sides waging a war based on a 'scorched earth policy' - burning, pillaging and committing atrocities of a kind unheard before.

**The Army got divided on tribal lines and started fighting each other as tribal affiliations proved stronger than the fledgling camaraderie in the Army...**

South Sudan is land-locked. Disagreement with their northern neighbor, Sudan, over tariffs for transporting oil and the destruction of basic infrastructure during internal conflict led to an almost complete halt in oil production. A country which relies on oil to finance 98 per cent of its budget<sup>5</sup> suddenly had no source of finance. Whatever money available, was siphoned off by corrupt leaders or used for enhancing military strength. The deteriorating security situation resulted in approximately 20 per cent of population of certain states of South Sudan (like Unity and Upper Nile), staying in the UN Protection of Civilian (POC) Camps and another 10-15 per cent in swamps and other inaccessible areas, so that their rivals could not reach them easily.

### **The Peace Agreement**

Severity of the crisis caught international attention and after prolonged negotiations, the Intergovernmental Authority on Development (IGAD)-mediated peace was brokered by leaders of the African Union (AU). The Agreement on the Resolution of the Conflict in the Republic of South Sudan<sup>6</sup> (hereafter referred to as 'Peace Agreement') was signed by President Salva Kiir and Dr Reik Machhar in Addis Ababa, Ethiopia on 17 August 2015. Key points of the Agreement were the immediate cessation of hostilities, confinement of soldiers to barracks located out of Juba, appointing Dr Reik Machar as the "first vice-president", formation of the Transitional Government of National Unity (TGoNU) in 90 days and investigation of human rights (HR) violations during the conflict by setting up 'hybrid courts'.<sup>7</sup> Progress on the implementation of Peace Agreement was painstakingly slow. In October 2015, within two months of the signing of the Peace Agreement, President Salva Kiir disrupted the peace process by issuing a presidential decree increasing the number of States in the country from 10 to 28<sup>8</sup>, with inter-state divisions based on ensuring that his community (Dinkas) retain control of most of the natural and energy resources. As expected, this was vehemently opposed by all parties less the ruling party. The international community which should have interjected and halted any disruption to an agreed peace agreement chose to remain a mere spectator. This issue (of division of 28 states) and regular clashes between the two warring parties resulted in a tense political and military environment in the country and exhibited a lack of seriousness by the Government of South Sudan in implementing the peace agreement.

**The international community which should have interjected and halted any disruption to an agreed peace agreement chose to remain a mere spectator.**

## The Crisis and its Impact

On 07 July 2016 at about 1730 hours, heavy gunfire erupted outside the residential compound of President Salva Kiir as he along with the rebel leader and first Vice President Dr Reik Machar prepared to address the Nation. The security guards of the two leaders clashed and fighting spread into the streets of Juba, risking a return to civil war. Throughout the fighting from 08-12 July 2016, the belligerents blatantly ignored international human rights law and humanitarian law and appeared to deliberately target civilians on the basis of ethnicity. Information documented and verified by UN Human Rights Department suggests that approximately 500 people were killed and thousands injured during the fighting in various areas of Juba. On 12 July, the President of South Sudan announced that more than 300 soldiers had been killed as a result of the fighting, but information received by UNMISS suggests that the number of fatalities, including civilians, is much higher. Renewed international pressure brought the fighting to an end on 12 July 2016.

The planned address to the Nation on the fateful day was to be portrayed as a show of solidarity between the two leaders on the eve of the fifth anniversary of the Independence Day (09 July) of South Sudan. The date and time of initiation of this crisis thus, leads to a speculation that the military is not fully under the control of the President himself. Indeed when asked about the firing, President Salva Kiir, in a joint statement with his Vice-President, given to the media said, "(W) hat is happening outside is something that we cannot explain to you".<sup>9</sup> It can be speculated that the governmental forces (SPLA) wanted to disrupt the proceedings and stop the show of solidarity.

During and in the aftermath of the clashes, homes, shops and markets were ransacked and looted, property destroyed, tens of millions dollars' worth of humanitarian assistance pilaged from warehouses of humanitarian agencies and food supplies for approximately 220,000 people stolen.<sup>10</sup> Thousands of civilians were forcibly displaced as a consequence of the fighting. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), nearly 103,500 people fled to Uganda in July, followed by 49,427 in August following the fighting in Juba in July. The number of Internally Displaced Persons (IDPs) in Juba alone rose by 12000 in August 2016.<sup>11</sup>

### **The weakening of the Opposition due to this political turmoil was a major consequence of the crisis...**

Consequent to the July crisis, Dr Reik Machar, the Opposition leader, fled the country. Seeing the opportunity, the President nominated Taban Deng Gai, also from the Opposition, as the First Vice President in place of Dr Reik Machar. This divided the 'opposition' into two groups, one continuing their support for Dr Machar whereas the second group supporting the new man, Taban Deng Gai, as their leader. Clashes between these two groups were reported at various parts of the country. Reports of the Taban Deng group collaborating with the Government forces against Reik Machar forces also surfaced at various places. The weakening of the Opposition due to this political turmoil was a major consequence of the crisis, which has the potential of derailing peace efforts in South Sudan.

With a weakening opposition and absence of Dr Reik Machar, President Salva Kiir has been working towards enhancing his political control. Both at the national and the state levels, the Government forces are tightening their grip over administrative matters, free movement of civilians and UNMISS peacekeepers. Post July, the Government has further restricted the right to freedom of expression, clamping down on journalists and media outlets.

This effort towards consolidating the political control of the Government has also had an adverse impact in terms of enhancing the scope of the internal conflict in South Sudan. The Government forces have amplified their efforts to ensure that opponents do not consolidate and mount a threat to Juba. Operations have been launched against the Southern regions of South Sudan (Equatorias) in a bid to flush out opposition. The intensity of fighting has increased in the Equatorian states which were comparatively peaceful prior to the July 2016 crisis.

Overall, the July 2016 events in Juba demonstrated the extremely fragile political and security situation in South Sudan and the complete disregard for civilians by the parties to the conflict.

### **Role of UNMISS**

The July crisis has also brought to the fore, the question of the effectiveness of UNMISS. Despite five years of UNMISS deployment, peace is yet to return to South Sudan. The sufferings of the people can be gauged from the fact that out of an estimated population of 12.7 million, an estimated 1.83 million people are internally displaced and another 1.75 million have fled to neighboring countries.

The failure of UNMISS to attain its mandated objectives can be attributed to a number of reasons. First, though the number of military personnel in UNMISS have increased over time (an increase from 7000 to 12500 personnel in 2013, alongwith a change in mandate from 'Capacity Building' to 'Protection of Civilians'<sup>12</sup>), UNMISS military is overstretched, considering the vast expanse of the country and spread of tribal conflict. Presently, this shortage is being managed by periodic movement of troops from locations of lower threat to those of higher threats. Second, the type of weapons that can be brought inside South Sudan is strictly controlled by Government authorities. Citing sovereignty concerns, attack helicopters and unmanned areial vehicles, necessary as deterrence against atrocities by warring factions, are not permitted to be brought into South Sudan. Patrolling in armoured vehicles, use of air support for operations and night patrolling outside UN bases by peacekeepers are not allowed. Third, the UNMISS personnel are not allowed freedom of movement in certain areas by Government troops. No serious actions seem to be taken by the UNSC when such Status of Forces Agreement (SOFA) violations are reported by the UNMISS. Over the years, the areas in which UNMISS can patrol and make their presence felt, have gradually decreased. Fourth, the poor road communications and low lying ground

**...UNMISS military is overstretched, considering the vast expanse of the country and spread of tribal conflict.**

which results in almost 60 per cent of the country getting flooded in rains, further restricts movement of UNMISS forces. Air assets are always at a premium, hence scarcely available for routine military patrols. Fifth, the lack of will of the international community to institute punitive measures against erring civilian and military leadership has further abetted continuation of war crimes. Sixth, the primacy being given to safety of PoC Camps by the Mission Leadership has resulted in a defensive mindset amongst UNMISS forces. Resultantly, little heed is paid to violence outside the camps, citing reasons of lack of resources. This lack of initiative to move out of bases has been exacerbated by the lack of basic medical facilities for peacekeepers that deters risk taking. Overall, UNMISS has presented itself as a force which is reactive and is inadequately equipped to steer the country towards peace. UNMISS peacekeepers have generally displayed a 'wait and watch' attitude due to lack of effective surveillance means and weapons as well as due to the general inhibition to use available weapons to enforce peace.

### RPF and Peace Enforcement

In order to overcome some of the inadequacies of UNMISS, an additional 4000 strong Regional Protection Force (RPF) was approved by the UNSCR 2304 (2016) after the July crisis, to supplement the peacekeepers already deployed to the country.<sup>13</sup> The RPF is mandated to operate within Juba and is vested with specific tasks related to protection of civilians and strategic installations in the capital, such as the airport as also engaging any actor credibly found to be preparing or carrying out attacks on United Nations personnel, humanitarian actors, or civilians. The Security Council has authorised UNMISS and the RPF to use all necessary force to carry out their mandate.

Despite the mandate, the efficacy of the RPF in ensuring peace and security in Juba remains suspect. Unlike the UN Mission in Congo (MONUSCO), where a similar RPF (the 'Intervention Brigade') successfully operated alongside government forces against the M23 rebels, UNMISS and RPF will face resistance to its activities from the government forces (SPLA) itself. Should there be a requirement of employing coercive military force by the RPF against SPLA, there is likelihood of fresh conflict dynamics and further endangering lives of civilians in Juba. It is therefore imperative that the UNSC engages the Government of South Sudan on the role, type of weapons and equipment that this force can get into the country. The visit of the Security Council members to South Sudan on September 04, 2016 was a step in this direction<sup>14</sup>.

**...UNMISS and RPF will face resistance to its activities from the government forces (SPLA) itself.**

Additionally, it must be established that the four of the five Troop Contributing Countries (TCCs) of the RPF (Ethiopia, Kenya, Sudan and Uganda) being neighbours, would implement the UNMISS mandate without prejudice to vested interests and national caveats. Majority of the troops comprising the RPF are from countries which already have troops as part of the UNMISS.

Induction of the RPF will however, provide UNMISS with additional resources for enhanced force presence thereby encouraging the return of humanitarian aid workers and develop-

ment agencies to the capital. It also has the potential to improve the established norms of freedom of movement for UNMISS personnel and their interactions with government forces.

The levels of training, motivation and the will to implement the mandate will be key deciding factors. Though the RPF will be under the overall command of the Force Commander UNMISS, this arrangement has the potential to create command and control problems, unless it is clearly delineated.

The fact is that despite its shortcomings, UNMISS remains the only hope of peace and security to the multitude of South Sudanese. Therefore, employment of the RPF must ensure a positive turnaround in the security environment in Juba. This deployment must be done rapidly and any delay or obstructionist tactics of the South Sudan government must trigger punitive actions.

### Quest for Peace

The pattern of the conflict underscores that political wrangling and opportunism is behind most of the violence in Southern Sudan, and that local defense forces and militias are responsible for conducting campaigns to benefit national level elites, who have cast politics in a distinctly ethnic mould.<sup>15</sup>

**The pattern of the conflict underscores that political wrangling and opportunism is behind most of the violence...**

Following the crisis in Juba in July 2016 and the subsequent flight of Riek Machar from the country, many stakeholders have posed questions surrounding the continued viability of the Peace Agreement. With the overhaul of opposition leadership in the TGoNU by President Salva Kiir, including the appointment of Taban Deng Gai in place of Dr Reik Machar as First Vice-President, the opposition is now divided and its leadership and representation in the institutions of transition disputed, thus blurring the legitimacy of the current governmental formation. The principal challenge is the lack of inclusivity in the political process, in particular with respect to Dr Reik Machar, who retains significant political and military support, and the increasing feelings of political marginalisation among other ethnic groups, many of which believe that the Government is pursuing a policy of Dinka domination throughout the country.<sup>16</sup> Thus, inclusion of Dr Reik Machar and other leaders of ethnic groups in the peace negotiations is imperative.

Notwithstanding the above, the events in South Sudan since independence in 2011 and especially after July 2016 have clearly indicated that the present leaders lack the will to bring in peace and stability to the country, have vested interests of personal power and financial gains and are oblivious to the sufferings of the common people. Should the leaders continue to obstruct peaceful negotiations, international community should put pressure on them to agree to laid-down peace agreement terms or relinquish political power. Measures such as freezing of accounts and targeted sanctions should be enforced. Additionally, swift trials of human rights offenders by Hybrid Courts as envisaged in the Peace Agreement, be implemented to deter future violations.

**...the July crisis has further exacerbated an already tenuous food security situation.**

As regards food availability, the July crisis has further exacerbated an already tenuous food security situation. As a consequence of the fighting, immediately after the ceasefire was declared, prices of basic commodities in Juba rose by as high as 45-80 per cent for legumes, 12-58 per cent for cereals and 70-80 per cent for fuel. The local currency lost further ground to the US dollar (depreciated by 43 per cent) in the aftermath of the conflict, exchanging at SSP 60/1 US dollar down from SSP 48/1 US dollar a week earlier. South Sudan currently has an inflation rate of over 300 per cent - the highest in the world.<sup>17</sup> Overall, in South Sudan, up to 4.8 million people - well over one-third of the population - will be facing severe food shortages over the coming months.<sup>18</sup> Efforts by the UNMISS and Non-Governmental Organisations to provide the people of South Sudan with the means of livelihood and capacity building need to be improved.

Overall, the economy needs to get back on track and for that to happen, oil needs to flow. Government forces must provide security to workers in oilfields so that production can recommence. A positive indication in this direction are the efforts of the South Sudan Government which is currently in talks with India to revive closed oil blocks and has even offered compensation to ONGC Videsh for the period that the blocks were closed. ONGC Videsh holds a 25 per cent equity interest in the Greater Pioneer Operating Company, which produced 37 000 bbl/d (oil barrels per day), and 25 per cent in another Oil Block, which produced 4,600 bbl/d (both blocks located in the northern and most restive part of South Sudan).

## Conclusion

Events of July 2016 have shattered the progress towards peace in South Sudan. The international community needs to put in more efforts to ensure that leaders of warring factions fulfill their commitments for a peaceful future for the people of South Sudan. Though the RPF addresses certain symptoms of the problem, the real solution lies in intense political engagements and firm resolve of the international community to ensure peace and security to this region.

<sup>1</sup> "A Short History of South Sudan", *Embassy of the Republic of South Sudan in Washington DC*, <http://www.southsudanembassydc.org/PDFs/ShortHistory.pdf>, (Accessed January 25, 2017).

<sup>2</sup> "South Sudan referendum: 99% vote for independence", *BBC News*, January 30, 2011, at <http://www.bbc.com/news/world-africa-12317927>, (accessed January 25, 2017).

<sup>3</sup> "Timeline of Recent Intra-Southern Conflict, Human Security Baseline Assessment for Sudan and South Sudan", June 27, 2014, <http://www.smallarmssurveysudan.org/fileadmin/docs/documents/HSBA-South-Sudan-Crisis-Timeline.pdf>, (Accessed February 11, 2017).

<sup>4</sup> "South Sudan Tribes", December 31, 2013, <http://www.globalsecurity.org/military/world/war/south-sudan-tribes.htm>, (Accessed January 29, 2017).

<sup>5</sup> "Special Report: In South Sudan, a state of dependency", July 10, 2012, <http://www.reuters.com/article/us-south-sudan-aid-idUSBRE86909V20120710>, (Accessed January 29, 2017).

<sup>6</sup> "Agreement On The Resolution Of The Conflict In The Republic Of South Sudan, Addis Ababa", Ethio-

pia, August 17, 2015, [https://unmiss.unmissions.org/sites/default/files/final\\_proposed\\_compromise\\_agreement\\_for\\_south\\_sudan\\_conflict.pdf](https://unmiss.unmissions.org/sites/default/files/final_proposed_compromise_agreement_for_south_sudan_conflict.pdf), (Accessed January 30, 2017).

<sup>7</sup> Ibid.

<sup>8</sup> "South Sudan president expands states to 28 as opposition accuses him of deal violation", *Sudan Tribune*, October 2, 2015, <http://sudantribune.com/spip.php?article56581>, (Accessed January 30, 2017).

<sup>9</sup> Richard Nield, "Fighting in South Sudan on eve of fifth anniversary", *Al Jazeera*, July 09, 2016, <http://www.aljazeera.com/news/2016/07/clashes-sudan-eve-independence-anniversary-160708195049321.html>, (Accessed January 30, 2017).

<sup>10</sup> Ibid.

<sup>11</sup> Ibid. The calculation is based on data in the article.

<sup>12</sup> United Nations Security Council Resolution 2132 (2013), December 23, 2013, [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2132\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2132(2013)), (Accessed March 07, 2017).

<sup>13</sup> "Adopting Resolution 2304 (2016), Security Council Extends Mission in South Sudan, Authorizes Expanded Peacekeeping Force to Bolster Civilian Protection Efforts", August 12, 2016, <https://www.un.org/press/en/2016/sc12475.doc.htm>, (Accessed March 07, 2017).

<sup>14</sup> Security Council Visit to South Sudan Press Briefing, September 4, 2016, <https://unmiss.unmissions.org/security-council-visit-south-sudan-press-briefing-september-4-2016-ambassador-samantha-power-and>, (Accessed March 08, 2017).

<sup>15</sup> Clionadh Raliegh, Roudabeh Kishi and James Moody, "Country Report: South Sudan Conflict Update", *Armed Conflict Location and Event Dataset*, July 2016, at [http://www.acleddata.com/wp-content/uploads/2016/07/ACLED\\_Africa\\_Country-Reports\\_South-Sudan\\_July-2016\\_pdf.pdf](http://www.acleddata.com/wp-content/uploads/2016/07/ACLED_Africa_Country-Reports_South-Sudan_July-2016_pdf.pdf), (Accessed January 27, 2017).

<sup>16</sup> Based on interactions of the author with various groups in South Sudan during the period April – September 2016.

<sup>17</sup> Food insecurity in Juba deepens with countrywide repercussions-Joint Statement by South Sudan Food Security and Nutrition Partners, July 11, 2016, [http://www.fao.org/fileadmin/user\\_upload/newsroom/docs/Food%20insecurity%20in%20Juba.pdf](http://www.fao.org/fileadmin/user_upload/newsroom/docs/Food%20insecurity%20in%20Juba.pdf), (Accessed March 05, 2017).

<sup>18</sup> Unprecedented level of food insecurity in South Sudan, UN agencies warn, Food and Agricultural Organisation of the UN, Juba, South Sudan, June 29, 2016, at <http://www.fao.org/news/story/en/item/418045/icode/>, accessed February 11, 2017.

## Book Review

Kurt Mills, *International Responses to Mass Atrocities in Africa: Responsibility to Protect, Prosecute, and Palliate*. Philadelphia:

University of Pennsylvania Press, 2015. ISBN 978-0-8122-4737-4

Saurabh Mishra \*

### The Conundrum of Humanitarian Triumvirate

Regardless of episodic changes in the normative discourse of the international community, politics, violence and human sufferings can be seen as intertwined with each other throughout human history. The normative discourse about politics, violence and sufferings has evolved together with the evolution of the human consciousness and organisation – the global sense of the essential oneness of human kind and interdependence of the members and communities within has been increasingly recognised, even formally. But, the sufferings of humankind in the form of political violence remain obstinate and recurring despite episodic normative attempts to prevent them. In this discourse, mass atrocity has been accepted as the supreme crime, the inexcusable or unforgettable blot on the conscience of humankind that various political and ‘apolitical’ human organisations have been unsuccessfully trying to deal with for ages.

Kurt Mills, in his *International Responses To Mass Atrocities in Africa: Responsibility to Protect, Prosecute and Palliate* has made a laborious and ‘courageous’ attempt to describe the complexities of human sufferings during occurrences of mass atrocities and the difficulties of different human and organisational agencies acting amidst them. Mills is ‘courageous’ to write on this issue because the deliberations, debate and conceptual development of the humanitarian issues and protection of civilians during war have come to such a pass where one feels that there is nothing more to say or do unless the international community makes a fundamental shift in its current normative mindset. However, Mills has framed his problem in a manner that never lets the reader feel that s/he is reading about the same cases that have already been deliberated endlessly. The book presents theoretical and practical analyses of the international responses to the different mass atrocities (the cases of Rwanda, Uganda, Democratic Republic of Congo and Darfur) in the recent past as well as the current times. The description and analyses of the different cases delineates the conundrum faced by and generated due to the ‘international community’- United Nations Security Council

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\* Dr. Saurabh Mishra is Research Assistant, ALACUN Centre, IDSA.

(UNSC), the International Criminal Court (ICC) and humanitarian agencies while performing the acts of protection, prosecution and palliation.

The book distinguishes between defending human rights and humanitarian responses, while acknowledging their essential mutual relationship. It attempts to “disentangle and make clear” the relationship between International Humanitarian Law (IHL) in the 19th century and the human rights project of the 20th century. It also examines the theoretical problems of the protection of civilians (PoC) and humanitarian efforts during conflict. Mills sees the conflicts in the sub-Saharan Africa and the international responses to them as driving the discourse on the PoC and the Responsibility to Protect (R2P) in contemporary times. The author goes into the nuances of the responses and arrives at a typology of humanitarian responses – the acts of protection, palliation and prosecution. Protection means active and effective defence of the civilians from any physical harm or trauma from the state or non-state perpetrator of violence, prosecution means bringing the perpetrator to justice in order to deter atrocities in future and compensate for the sense of injustice, and palliation means contingent immediate acts to support the “right to remain” or exist amidst conflict and violence hoping to see another day.

The purpose of this book, in fact, is to delineate and highlight the ‘interests of peace’ vs ‘interests of justice’ issue while responding to mass atrocities through the triumvirate of protection, prosecution and palliation. The interests of peace and justice during a conflict responsible for a humanitarian problem often unintentionally work against each other. The PoC and R2P issues often get into this conundrum; and the very acts that are supposed to provide relief, be a deterrent or prevent conflicts and violence further exacerbate them. The deterioration of conflict situations is more likely if the states or actors supported by states are one of the perpetrators of mass atrocities like genocide, ethnic cleansing, war crimes, and crime against humanity. Mills’ case studies of the international response to the mass atrocities in Rwanda, Uganda, DRC and Darfur analyse this issue elaborately in which he finds that the humanitarian agencies and international organisations (UNSC, ICC, ICRC, etc.) find themselves in a vicious condition where ‘action’ and ‘inaction’ both become uncomfortable for the conscience of the international community. Mills examines the recognition and effect of the principle of “non-indifference”, a post-Holocaust principle of “never again”, the recent recognition of the principle of the PoC and the conceptualisation and implementation of the R2P by the international community in its current form. Although he acknowledges the fact that the world still does not have a mature and robust conscience, he proposes that it has developed and evolved progressively and incrementally. However, the evolution is not yet sufficient and effective either to prevent or deter mass atrocities or for robust PoC and R2P activities.

Mills has underlined the inadequacy of the UNSC mandates to the peacekeeping missions, unnecessary delay due to high politics and vested interests that take a toll on human life and the effectiveness and legitimacy of the UN missions in conflict. In most of the cases like Rwanda, Uganda, Darfur, etc. even the palliatives, let alone PoC, arrived when the worst of the atrocities had been committed and the pressure on the collective conscience of the international community built by non-state humanitarian actors and media needed to be eased.

The author notes that “the most robust mandate for PoC came during the period of notional ‘peace’.” The UN peacekeeping and protection forces have succeeded only in some pockets, for instance the Ituri Brigade and Operation Artemis, that too in very limited manner. The inadequacy, contradictions and deliberate absurdity of mandates together with shortage of funds, logistics, great power vested interests and apathy are the major causes of the ineffectiveness of the peacekeeping and protection forces on ground. The dependence of protection and peacekeeping forces and humanitarian agencies on sovereign states that are responsible for certain atrocities obstructs humanitarian agencies, their neutrality and credibility, and thereby their access to victims and effectiveness.

The author has demonstrated that the timing and the procedure for prosecution of an accused for war crimes and crimes against humanity may be counterproductive to peace efforts during conflicts, as any action against the accused jeopardises the possibility of surrender and reconciliation. Ironically, political tools for peace like amnesty and integration have the potential to sabotage justice and create ground for further discontent and protraction of the conflict. The real losers in this kind of vicious and paradoxical situations are the civilians (victims of violence), humanitarians (palliators) and the protectors who become the victims of the game of the sovereign states and interested conflict parties using the tools of international normative forces (laws, conventions and notions) to their ends. The misuse of the ICC by perpetrator state parties to their ends underlines its negative instrumentalisation and plight in Africa.

Although the case studies in Africa are different from each other, the conundrum faced by the humanitarian triumvirate in each of the countries underline similar problems – the issue of protection of civilians primarily from sovereign states, and prosecution of perpetrators holding important positions in a sovereign government. Dealing with the non-state perpetrators is also difficult, but once the international community takes note of the matter it is easier to deter them and bring them to justice. But, even this, in practice, may not happen with immediate effect. Therefore, Mills’ concern is the lack of the international will to fight against the situations of mass atrocity. He gives copious examples of the international community, especially the P5 ‘great powers’ in the UNSC, avoiding the use of the term ‘mass atrocity’ and ‘genocide’ directly, as the terms carry some weight and demand for immediate action. According to him, although the R2P is not a legal norm, it is a “statement of intent” of the aspirations of the international community. The author, therefore, is a believer in the evolution of the international norm for PoC and an advocate of R2P. But, he is disappointed with the way the international community has responded to the recent mass atrocities and failed to protect civilians, humanitarians, humanitarian laws and human rights, especially in Africa. Darfur was the first post-R2P conflict in which the international community exposed its weaknesses and lack of a robust intent for PoC. The problem, Mills identifies, is that the Rome Statute has no mention and provision for the ‘interests of peace’ that creates a void generating definitional, procedural and practical issues for the ICC and its relationship with the UN and effect on the conflict situations. However, Mills observes, “(R) eactions to the mass atrocity situations is becoming more routinised, further strengthening and reaffirming R2P norms” (p. 209-10). In the long span of more than 70 years since

1945, the world has come to recognise, although reluctantly, the importance of “never again” and the R2P. The terms do carry weight, but not an immediate mobilising effect as yet.

The book investigates the real problems in the international response to mass atrocities – the problem of the required quantum, manner, timing, goals, as well as the instrumentalisation of humanitarian intents. The case studies by the author and the triumvirate-framework for their analyses successfully achieve their goal of highlighting the actual situations, theoretical and practical problems, the state and possibilities of humanitarian concepts and issues. The book is very useful for analysts and policy makers to understand the real and pragmatic issues involved while responding to mass atrocities; it also gives the academicians an impetus to understand, simplify or suggest solutions, if possible, to the conundrum of the humanitarian triumvirate.

## News Track

### *Conflict and Security*

#### **Burundi**

##### **UN's decision to send police generates protest in Burundi**

Around 1,000 people marched through the streets of Bujumbura, Burundi's capital, to protest against a UN decision to send a police contingent to monitor the security and human rights situation in the country. The demonstration came a day after the UN Security Council agreed to deploy up to 228 police personnel to Bujumbura, and throughout Burundi, initially for a period of one year. More than 450 people have been killed since President Pierre Nkurunziza pursued and won a third term last year (2015), a move his opponents say violated the constitution and a peace deal that ended a civil war in 2005. Violence by rival sides has left both government officials and members of the opposition dead, with more than a quarter of a million people fleeing the violence.<sup>1</sup>

##### **Inquiry set up by UN rights forum to investigate into Burundi killings and torture**

The top UN human rights forum agreed on September 30 to set up a commission of inquiry to identify perpetrators of killings and torture in Burundi and ensure that they are brought to justice. The panel would build on the work of UN experts who looked into the suspected torture and murder of government opponents. They had told earlier that a list of suspects who should be prosecuted for crimes against humanity had been already drawn. Burundi has been mired in political crisis and sporadic violence for more than a year, triggered by President Pierre Nkurunziza's decision to run for a third term in office, which he secured in a disputed election in July 2015.<sup>2</sup>

#### **Djibouti**

##### **Chinese media asserts that Djibouti is a logistic centre, not a military base**

Amid reports that China's "logistic facilities centre" in Djibouti includes weapons stores and small contingents of marines, the Chinese state-run media has asserted that Beijing has

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<sup>1</sup> "Protests in Burundi after UN decides to send police", *Al Jazeera*, July 31, 2016, at <http://www.aljazeera.com/news/2016/07/protest-burundi-decides-send-police-160730143153025.html>

<sup>2</sup> "U.N. rights forum sets up inquiry into killing, torture in Burundi", *Reuters*, September 30, 2016, at <http://uk.reuters.com/article/uk-burundi-un-idUKKCN1201VC>

no intention of following the US pattern of establishing military bases around the world to project its power over other countries. The Chinese facilities in Djibouti are meant to support Chinese peace-keeping and anti-piracy missions near Somalia and the Gulf of Aden, a report in the state-run Global Times said. "Due for completion next year, the naval outpost is expected to feature weapons stores, ship and helicopter maintenance facilities and possibly a small contingent of Chinese marines or special forces," according to the Wall Street Journal (WSJ) on August 19. The WSJ report had also said that the outpost is a historic step that marks a bold new phase in China's evolution as a world power.<sup>3</sup>

#### Chinese base in Djibouti due to be completed in 2017

China is building out a new maritime outpost in the small but strategic nation of Djibouti, due for completion in 2017. Its new seaport "logistics facility" will be just eight miles from an American military installation and 90 nautical miles from the Strait of Bab el-Mandeb. While Chinese officials have stressed that the new base is not a military facility, defense experts believe it will include munitions storage and may be guarded by Chinese troops, reports the Wall Street Journal. Djibouti's foreign minister Mahmoud Ali Youssouf tells the Financial Times that China may base several thousand troops there and that China's 10-year lease includes the same provisions that other foreign militaries have for bases in the country.<sup>4</sup>

## Kenya

#### Reports of assassination attempt on Netanyahu in Kenya denied

Fox News independently confirmed with Israeli Prime Minister Benjamin Netanyahu's office on July 7 that there was no credence to news media reports of an assassination attempt against him while visiting Africa. The official response from Netanyahu's office was that "(I) t did not happen". Extra security has followed the Israeli leader abroad, given high threats against Israeli targets around the world. The Kuwaiti daily Al-Jarida had quoted an anonymous source saying Kenyan security officials changed the route taken by Netanyahu's delegation from a Nairobi airport to a hotel on July 5, 2016 because an explosive device was found on the original route.<sup>5</sup>

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<sup>3</sup> "Djibouti a logistic centre not a military base: Chinese media", *The Indian Express*, August 23, 2016, at <http://indianexpress.com/article/world/world-news/djibouti-a-logistic-centre-not-a-military-base-chinese-media/>

<sup>4</sup> "Construction of Chinese base in Djibouti advances", *The Maritime Executive*, August 24, 2016, at <http://www.maritime-executive.com/article/construction-of-chinese-base-in-djibouti-advances>

<sup>5</sup> "Netanyahu denies reports of assassination attempt in Kenya", *Fox News World*, July 7, 2016, at <http://www.foxnews.com/world/2016/07/07/netanyahu-denies-reports-assassination-attempt-in-kenya.html>

### AU expects Kenya, Uganda and Ethiopia to honour their aircraft pledges

The African Union in its 608th meeting asked Kenya, Uganda and Ethiopia to honour their pledged air assets and deployment of additional force enablers. Through a statement by the Peace and Security Council, the AU said prolonged negotiations between the UN and the Troop and Police Contributing Countries (T/PCCs) should be finalised to facilitate the deployment of these air assets. Accordingly, the council reiterated its call for the urgent finalisation of the negotiations on the LOAs, without further delay, taking into account that “reimbursement rates for these assets should be commensurate with the context of AMISOM asymmetrical operations”. During the PSC’s 595th meeting held in Addis Ababa, on April 28, the council had raised a red flag over the delay in delivery of the assets especially at the current critical period for the mission and upcoming elections in Somalia.<sup>6</sup>

### Kenya and Jordan pledge for stronger military ties

Kenyan President Uhuru Kenyatta and visiting King Abdullah II of Jordan vowed to forge stronger military ties to combat emerging security threats between the two countries. The two leaders, who witnessed the joint military exercise conducted by elite units from the Kenya Defence Forces and the Royal Jordanian Armed Forces in Nairobi, pledged to cooperate on security issues to deal with terrorism threats. Speaking during the event, Kenyatta said the joint exercise is aimed at creating and improving interoperability between Kenyan and Jordanian forces. King Abdullah II, who is on his first official visit to Kenya, said Jordan stands shoulder to shoulder with Kenya in confronting the threats of terrorism.<sup>7</sup>

## Malawi

### Malawi students block US Second Lady, college closed in response

Authorities at Malawi’s Chancellor College, a part of the University of Malawi, have closed down the institution with immediate effect following illegal demonstrations by students of the college. Local media reports stated that the college was closed after students obstructed the convoy of the Second Lady of the United States, Dr. Jill Biden, who was on a visit to the country. Students of the college, on July 19, 2016 blocked Dr. Biden’s motorcade in Matawale, Zomba during anti-fee hike demonstrations. The students burnt tyres and mounted road blocks making it impossible for Biden’s motorcade to proceed on official duty to Machinga. The incident is seen as a diplomatic embarrassment for Malawi. President of the University

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<sup>6</sup> “AU asks Kenya, Uganda and Ethiopia to honour aircraft pledges”, *The Star*, July 7, 2016, at [http://www.the-star.co.ke/news/2016/07/07/au-asks-kenya-uganda-and-ethiopia-to-honour-aircraft-pledges\\_c1382319](http://www.the-star.co.ke/news/2016/07/07/au-asks-kenya-uganda-and-ethiopia-to-honour-aircraft-pledges_c1382319)

<sup>7</sup> “Kenya, Jordan vow to forge stronger military ties”, *Xinhuanet*, September 26, 2016, at [http://news.xinhuanet.com/english/2016-09/26/c\\_135715195.htm](http://news.xinhuanet.com/english/2016-09/26/c_135715195.htm)

of Malawi Students Union (Umsu) Tionge Sikwese said that the demonstrations were to force the university council to reverse the fee hike.<sup>8</sup>

## Mauritius

### Mauritius court sentences Somali pirates

Mauritius on August 11 sentenced twelve Somalis who ambushed a container ship in the Indian Ocean to five years each in jail. The men were accused of firing on the MSC Jasmine, a Panama-flagged container ship in January 2013, before being captured by naval anti-piracy forces and transferred to Mauritius for trial. The men, aged between 22 and 47, had been acquitted in November 2014 but prosecutors appealed, and a new trial was ordered in December 2015.<sup>9</sup>

### First promised fast patrol vessel for Mauritius delivered by Goa Shipyard delivers

Indo-Mauritius defence co-operation got another fillip with the delivery of first fast patrol vessel, MCGS VICTORY, designed and built in-house by Goa Shipyard Ltd for Mauritius Coast Guard, on September 26, 2016 at GSL. The ship was delivered in time despite challenges, according to a release. The vessel is primarily designed for coastal patrolling, anti-piracy, anti-smuggling, anti-drug surveillance, anti-poaching operations, and search and rescue operations. Trials were undertaken in peak monsoon months and the vessel achieved all design parameters.<sup>10</sup>

## Mozambique

### Mozambique's factions agree for talk amid conflict

The Mozambican government recently agreed to the opposition group's demand that international mediators be involved in talks; the European Union's office in Mozambique said it had received a letter signed by President Filipe Nyusi inviting the EU to assist with the dialogue. The recent violence between the government of the ruling Frelimo party in Mozambique and the opposition RENAMO movement does not match the intensity of the war that ended with a 1992 peace deal in Rome after the deaths of up to 1 million. But the

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<sup>8</sup> "Malawi in diplomatic fit, college closed after students block US second lady", *africanews*, July 19, 2016, at <http://www.africanews.com/2016/07/19/malawi-in-diplomatic-fit-college-closed-after-students-block-us-second-lady/>

<sup>9</sup> "Somali pirates sentenced in Mauritius", *africanews*, August 12, 2016, at <http://www.africanews.com/2016/08/12/somali-pirates-sentenced-in-mauritius/>

<sup>10</sup> "Goa Shipyard delivers first fast patrol vessel for Mauritius", *Business Line*, September 27, at <http://www.thehindubusinessline.com/economy/logistics/goa-shipyard-delivers-first-fast-patrol-vessel-for-mauritius/article9154022.ece>

instability has hurt tourism and other economic activity at a time when Mozambique, which has big reserves of coal and other energy sources, is struggling with heavy debt, a weak currency and a global fall in commodity prices. RENAMO, which did not fully disarm after the 1992 deal, wants a bigger role in the government and economy, as well as more autonomy in areas it dominates.<sup>11</sup>

#### Talks between Mozambique's fighting factions suspended without agreement of ceasefire

Peace talks between Mozambique's government and the opposition were suspended as the two sides failed to agree to a ceasefire to end fighting that has killed hundreds of people. International mediators want to hold talks with President Filipe Nyusi before negotiations resume on September 12, 2016, Mario Raffaelli, the coordinator of an international mediation team, told reporters in the capital, Maputo. He appealed to both sides to "refrain from all violent actions to relieve the suffering of the Mozambican people." Renamo had sought a withdrawal of government forces from around Gorongosa National Park, where the opposition group's leader, Afonso Dhlakama, is believed to be hiding, before agreeing to a truce, Raffaelli said. Government forces have declined to withdraw from the area because they are protecting people and property, he said.<sup>12</sup>

## Rwanda

#### Former Rwanda mayors jailed by French court over genocide

A French court has sentenced two former Rwandan mayors to life in prison for their part in the 1994 genocide. Tito Barahira, 65, and Octavien Ngenzi, 58, were found guilty of crimes against humanity and genocide. They were accused of playing leading roles in the massacre of 2,000 ethnic Tutsis who sought refuge in a church in the town of Kabarondo. About 800,000 people, mostly Tutsis, died at the hands of Hutu extremists during the Rwandan genocide. It is the second case of its kind to be brought in France, after Rwandan army captain Pascal Simbikangwa was jailed for 25 years over the mass killings.<sup>13</sup>

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<sup>11</sup> "Mozambique's factions talk peace amid conflict", *Benton Evening News*, July 1, 2016, at <http://www.bentoneveningnews.com/news/20160701/mozambiques-factions-talk-peace-amid-conflict>

<sup>12</sup> "Mozambique peace talks have been suspended with no ceasefire agreed upon", *Mail & Guardian Africa*, August 25, 2016, at <http://mgafrica.com/article/2016-08-25-mozambique-peace-talks-have-been-suspended-with-no-cease-fire-agreed-upon>

<sup>13</sup> "French court jails Rwanda mayors over genocide", *BBC News*, July 7, 2016, at <http://www.bbc.com/news/world-africa-36732357>

## Somalia

### African Union mission in Somalia extended by the Security Council

Reauthorising the African Union Mission in Somalia (AMISOM) until May 31, 2017 the United Nations Security Council on July 2, 2016 set out the key objectives for the operation during its new mandate, including “to reduce the threat posed by Al-Shabaab and other armed opposition groups.” Under a unanimously adopted resolution, which maintains AMISOM’s troop deployment “up to a maximum level of 22,126”, the Council sets out further strategic objectives for the mission regarding facilitating the Somali political process at all levels, as well as enabling stabilisation efforts, reconciliation and peacebuilding in the Horn of Africa country by providing security for the Somali people. The text also says that the AU-led mission would enable the gradual handing over of security responsibilities from AMISOM to the Somali security forces contingent on abilities of the Somali security forces.<sup>14</sup>

### Malala visits Dadaab Refugee Camp in Kenya, highlights the effect of closure

Youngest Nobel Peace Prize winner spent a night in one of the largest refugee camps in the world to draw global attention to implications of closure by Kenyan government. Malala Yusufzai celebrated her 19th birthday in the North Eastern Kenyan camp with young Somali refugee girls to also campaign for girl child education. “I am here to speak for my unheard sisters of Somalia striving for education every day,” Malala told the media. She cautioned that if Kenyan government’s decision on closing down goes ahead, many Somali girls would not be able to access education back home.<sup>15</sup>

### Turkey’s first African military base in Mogadishu

Turkey has completed equipping its first military base in Africa in the capital of Somalia, Mogadishu. The base will host Turkish military officers to train Somali soldiers and troops in their fight against the Al-Shabaab terrorist organisation. It will become operational shortly. The base, which has been approved by the United Nations, is the country’s second overseas military installation. Their first base was established in Qatar in April 2016 as part of a security agreement to help counter threats to both countries.<sup>16</sup>

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<sup>14</sup> “Security Council extends African Union mission in Somalia”, *UN News Centre*, July 7, 2016, at <http://www.un.org/apps/news/story.asp?NewsID=54411#.WFIyr7IM1f4>

<sup>15</sup> “Malala visits Dadaab Refugee Camp to draw world attention on effects of closure”, *Radio Dalsan*, July 12, 2016, at <http://www.radiodalsan.com/2016/07/12/malala-visits-dadaab-refugee-camp-to-draw-world-attention-on-effects-of-closure/>

<sup>16</sup> “Turkey sets up first African military base in Somalia”, *Daily Sabah*, September 20, 2016, at <http://www.dailysabah.com/war-on-terror/2016/09/30/turkey-sets-up-first-african-military-base-in-somalia>

### US accused of killing 22 troops in air strike in Somalia

An American air strike in northern Somalia killed as many as 22 soldiers, an official from the region alleged, suggesting that the United States had been duped into attacking Somali troops. The Galmudug region's Security Minister Osman Issa said 22 of his soldiers had been killed in the strike on September 28, adding that the rival region of Puntland had requested air support on the pretext that the men were al-Shabaab fighters. "Puntland misinformed the United States and thus our forces were bombed," Issa told Reuters news agency. In Washington, Pentagon spokesman Captain Jeff Davis told reporters that the United States had carried out a "self-defence air strike" after Somali troops took fire from fighters as they tried to stop an improvised explosive device making network. Davis said nine al-Shabaab cadres were killed in the strike, but the Pentagon was looking into reports that it could have killed others.<sup>17</sup>

### South Sudan

#### Over 26,000 South Sudanese escape to Uganda, the influx registers single-day record

Some 26,500 South Sudanese, mostly women and children, have crossed into Uganda since fighting between rival forces erupted in and around the capital, Juba, on July 7, 2016. On July 21 alone, an estimated 8,337 refugees crossed into Uganda, setting a single-day record since the influx began. The influx is severely stretching the capacity of collection points, transit centres and reception centres.<sup>18</sup>

#### Recent South Sudan violence forces 60,000 to escape to neighbouring countries

Refugee flows from South Sudan into Uganda have doubled at the end of July, bringing to more than 52,000 the total number who have entered the country since violence escalated earlier in the month, UNHCR, the UN Refugee agency, said on August 2, 2016. Neighbouring Kenya, meanwhile, has reported the arrival of 1,000 refugees in the same period, while 7,000 have fled to Sudan. In total, 60,000 people have fled the country since violence broke out in Juba in July, 2016 bringing the overall number of South Sudanese refugees in neighbouring countries since December 2013 to nearly 900,000.<sup>19</sup>

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<sup>17</sup> "Somalia: US accused of killing 22 troops in air strike", *Al Jazeera*, September 29, 2016, at <http://www.aljazeera.com/news/2016/09/somalia-accused-killing-22-troops-air-strike-160928171913430.html>

<sup>18</sup> "Over 26,000 people flee South Sudan into Uganda; influx sets single-day record", *UN News Centre*, July 22, 2016, at [http://www.un.org/apps/news/story.asp?NewsID=54529#.WE\\_0KrlM1f4](http://www.un.org/apps/news/story.asp?NewsID=54529#.WE_0KrlM1f4)

<sup>19</sup> "60,000 flee South Sudan's recent violence to nearby countries", *UNHCR*, August 2, 2016, at <http://www.unhcr.org/news/latest/2016/8/57a096204/60000-flee-south-sudans-recent-violence-nearby-countries.html>

## Zimbabwe

### National shutdown of public services keeps tensions high in Zimbabwe

Tensions were high as the national shutdown of public services persists in Zimbabwe. The industrial action by civil servants in Zimbabwe got off to a slow start on July 5, with 14 civil servants unions, including doctors and all workers in the health sector, resolving to go on an indefinite strike. This came after government failed to pay them their June 2016 salaries, because of lack of funds. Calls made through social media in Zimbabwe for the July 6 national stay away were heeded to. The new import regulations were believed to have sparked clashes at the Beit-bridge border post in Limpopo in the past week, resulting in the temporary closure of one of Africa's busiest border posts. The South African government is said to be engaging Zimbabwean authorities to prevent any more disruptions at the Beit-Bridge Border Post.<sup>20</sup>

## Politics

## Eritrea

### UN calls on the African Union to investigate Eritrean crimes

The United Nations rights council has called on the African Union to investigate Eritrean leaders over alleged crimes against humanity after a damning report by a UN commission. In that report, the UN's Commission of Inquiry (COI) for Eritrea said the government of President Isaias Afwerki had committed heinous crimes since independence a quarter-century ago, including the "enslavement" of 400,000 people. Many of those abuses are allegedly linked to a harsh national service programme in the secretive Horn of Africa state, which for many is almost impossible to escape and which the COI compared to lifetime enslavement. In a resolution passed on July 1 with consensus by the body's 47 members, the Human Rights Council said it "strongly encourages the African Union to follow up on the [COI] report".<sup>21</sup> The United Nations (UN) says it is concerned about grave human rights violations going on in Eritrea where the government has arrested detained top politicians and journalists for 15 years without charge. The UN's special rapporteur on Eritrea's human rights situation, Sheila B. Keetharuth, has called on the government to urgently provide information on all persons who were arrested in 2001. The UN also wants the detained persons to be unconditionally released and or charged to court immediately. "Those ar-

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<sup>20</sup> "Zimbabwe tense amid national shutdown", *SABC*, July 6, 2016, at <http://www.sabc.co.za/news/a/6135d9004d64b66b8edc4b5facb1b5/Zimbabwe-tense-amid-national-shutdown-20160607>

<sup>21</sup> "UN: African Union must investigate Eritrean crimes", *Al Jazeera*, July 2, 2016, at <http://www.aljazeera.com/news/2016/07/african-union-investigate-eritrean-crimes-160701174726718.html>

rested have been detained incommunicado and in solitary confinement. Even family members have never been allowed to have any contact whatsoever with them", said Ms. Keetharuth. Fifteen years ago, the Eritrean authorities arrested and detained a group of senior cabinet ministers, members of parliament and independent journalists without charge or trial.<sup>22</sup>

### Israeli bid for AU observer status backed by Ethiopia

Ethiopia backed an Israeli bid for observer status at the African Union (AU) as Israeli Prime Minister Benjamin Netanyahu visited the country as part of a four-nation tour of East Africa. "Israel is working very hard in many African countries. There is no reason to deny this observer position to Israel," said Ethiopian Prime Minister Hailemariam Desalegn. Kenyan President Uhuru Kenyatta has also offered his support for the proposal. Observer status is granted to some non-African countries that wish to engage with the AU, allowing them to follow proceedings and address its gatherings. Several countries including Palestine, Turkey, Haiti, Serbia and Ukraine currently hold the status. Israel had been an observer at the AU's predecessor organisation, but its status was not renewed at the AU's founding in 2002.<sup>23</sup>

### Muslims jailed in Ethiopia after protests over religion released

Ethiopia's chief prosecutor said the country had pardoned hundreds of convicts, among them Muslims jailed under anti-terror laws for opposing what they called government interference in their religion. Prosecutor-General Getachew Ambaye said that the president signed the pardon for members of the Muslim groups after they expressed regret. He said that around 1,000 people had been pardoned ahead of the Ethiopian New Year and 135 of them had been serving time for terrorism charges and for religious extremism. Ethiopia handed long jail terms to many Muslims who were involved in months-long protests in 2012, accusing the government of unconstitutionally encouraging a moderate teaching of Islam called Al-Ahbash and dictating the election of community leaders to support it at an Addis Ababa religious school.<sup>24</sup>

### Ethiopian Olympic runner Feyisa Lilesa cites threat to life on returning home

When Ethiopian runner Feyisa Lilesa raised his hands and crossed his wrists above his head in a defiant political gesture as he approached the finish line at the Rio Olympic marathon, it put the spotlight on his home nation. With his simple gesture, Lilesa joined a long list of

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<sup>22</sup> "Eritrea holding top politicians and journalists arrested 15 years ago – UN worried", *africanews*, September 17, 2016, at <http://www.africanews.com/2016/09/17/eritrea-holding-top-politicians-and-journalists-arrested-15-years-ago-un-worried/>

<sup>23</sup> "Ethiopia backs Israeli bid for AU observer status", *Al Jazeera*, July 7, 2016, at <http://www.aljazeera.com/news/2016/07/160707160902845.html>

<sup>24</sup> "Ethiopia frees Muslims jailed after protests over religion", *Fox News World*, September 10, 2016, at <http://www.foxnews.com/world/2016/09/10/ethiopia-frees-muslims-jailed-after-protests-over-religion.html>

athletes who have used the global sports stage to protest what they describe as injustices in their home countries. In his case, the crossed wrists symbolised the handcuffs of political prisoners and dissidents in Ethiopia, who he said have been imprisoned for protesting against the taking and selling of land belonging to the Oromo people to foreign investors. The Oromo are Ethiopia's largest ethnic group and make up at least a third of Ethiopia's 100 million people. But they have been marginalised for decades, with tensions rising recently as the government promoted development that took over Oromo farmland. The marathon runner is now effectively in political exile, estranged from his family and friends and afraid to go back to his country again, despite assurances from the Ethiopian government that he will receive a hero's welcome. However, Lilesa told CNN he did not believe these assurances.<sup>25</sup>

## Kenya

### Launch of a new political party by the Kenyan President

Kenya's president on September 10 launched a new political party that he intends to use for a second and last term in office in the 2017 election. The launch of the Jubilee Party followed days of political haggling in Nairobi as 12 parties dissolved and united under the new organisation. Tens of thousands of people dressed in party colours thronged to a stadium in Kasarani, a residential area of Nairobi, to witness the launch of the Jubilee Party. The ruling party and the current government took the opportunity to show how people had benefited under their rule. President Uhuru Kenyatta told the crowd that the new party affirmed togetherness and peace.<sup>26</sup>

## Rwanda

### Rwanda not to execute ICC's arrest warrant for President Bashir

Rwanda will not arrest Sudanese President Omar Al Bashir wanted by the International Criminal court (ICC); Rwanda's Minister of Foreign Affairs Louise Mushikiwabo announced on July 14, 2016 in a press briefing. The Sudanese leader is expected to attend the 27th African Union summit in Kigali Rwanda. "President Bashir will be granted his full security as a head of state, ICC issues will be addressed by those who are concerned and I don't think they expect him to be arrested in Rwanda," Mushikiwabo said. In 2007, the ICC issued an arrest warrant for Bashir. The court accuses him of directing a campaign of mass killing, rape, and pillage against civilians in Darfur since 2005. The unrest cost lives of more than 10,000 civilians.<sup>27</sup>

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<sup>25</sup> "Olympic runner Feyisa Lilesa: 'I will be killed if I go back to Ethiopia'", CNN, September 14, 2016, at <http://edition.cnn.com/2016/09/13/africa/ethiopia-runner-protest/>

<sup>26</sup> "Kenyan President launches new political party", *Voice of America*, September 10, 2016, at <http://www.voanews.com/a/kenyan-president-launches-political-party/3501765.html>

<sup>27</sup> "Rwanda will not arrest President Bashir", *KT Press*, July 14, 2016, at <http://ktpress.rw/2016/07/rwanda-will-not-arrest-president-bashir/>

## Seychelles

### “Women-only” AU election observers to Seychelles

The chairperson of the African Union Commission, Nkosazana Dlamini Zuma, has approved the deployment of a “historic women-only” AU election observation mission to Seychelles. Zuma said on September 1, 2016 in Addis Ababa that the deployment is in line with AU’s commemoration of the “African Year of Human Rights with a Special Focus on the Rights of Women. She said that the overall objective of the AU mission that would be dispatched from September 1 to 15, 2016 is to provide an accurate and impartial reporting and assessment of the quality of the parliamentary elections in Seychelles.<sup>28</sup>

### Seychelles’ president Michel steps down after constitution amendment

Seychellois President James Alix Michel announced on September 26 that he was stepping down from office, following a constitutional amendment earlier this year (2016) that meant he had exceeded his term in office. In a televised State address and whose speech was posted on the country’s Statehouse website, Michel, 72, said he will leave office on October 16 to be replaced by Vice-President Danny Faure. Michel, a former teacher, came to power in April 2004 after serving as VP to his predecessor France-Albert René between 1996 and 2004. He has led the Indian Ocean archipelago since then and was even in his third term following re-election in December 2015.<sup>29</sup>

## Somalia

### Somalia shuts down network affiliated with Fethullah Gulen

Barely 12 hours after a failed coup in Turkey, Somalia’s cabinet met to consider a request from Turkey to shut down two schools and a hospital linked to Fethullah Gulen, the Muslim cleric whom the Turkish president blames for the attempted coup. The influence of Turkey in Somalia, where it has spearheaded international reconstruction efforts after decades of war and instability, is so strong that it was not a difficult decision. Teachers and pupils – almost all of them Somali – at the two boarding schools run by Gulen’s Nile Academy educational foundation were given seven days to pack their bags and leave the school.<sup>30</sup>

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<sup>28</sup> “AU approves “women-only” election observers to Seychelles”, *PUNCH*, September 1, 2016, at <http://punchng.com/au-approves-deployment-women-election-observers-seychelles/>

<sup>29</sup> “Seychelles president James Michel steps down after change in law”, *Daily Nation*, September 28, 2016, at <http://www.nation.co.ke/news/africa/Seychelles-president-James-Michel-steps-down-after-change-in-law/1066-3397332-088d4qz/index.html>

<sup>30</sup> “In debt to Turkey, Somalia shuts network tied to Fethullah Gulen”, *The New York Times*, July 30, 2016, at [http://www.nytimes.com/2016/07/31/world/europe/in-debt-to-turkey-somalia-shuts-network-tied-to-fethullah-gulen.html?\\_r=0](http://www.nytimes.com/2016/07/31/world/europe/in-debt-to-turkey-somalia-shuts-network-tied-to-fethullah-gulen.html?_r=0)

### New election dates for Somali elections

Somalia has officially released new poll dates for the 2016 elections. In a statement, Omar Mohamed Abdulle, chairman of the Somalia's election commission announced on August 7 that the country's 2016 presidential election will take place on October 30. The commission said the election of 275-member Lower House will be from September 24 to October 10 while the election of Upper House should be completed by September 25. More than 14,000 delegates representing Somalia clans will cast their votes for members of the Lower House, while the regional states will select the members of the Upper House.<sup>31</sup>

## South Africa

### South Africa supports Chinese position on South China Sea

The Department of Foreign Affairs of South Africa issued a statement on July 11, 2016 saying that South Africa supports China's position on the issue of the South China Sea. The statement points out that South Africa is deeply concerned about the tendency of politicising the issue of the South China Sea recently in the world. South Africa supports countries directly related to the issue of the South China Sea in solving related disputes through direct negotiations and consultations on the basis of respecting historic facts and the international law to safeguard peace and stability in the South China Sea. The statement also said that South Africa believes that the international community should support all efforts aimed at maintaining regional peace and stability.<sup>32</sup>

## South Sudan

### South Sudan president officially invites the South African President

South Sudan's President, Salva Kiir, has extended an official invitation to the president of South Africa, Jacob Zuma, expressing willingness to implement the collapsing peace agreement which he signed with his former first deputy, Riek Machar, in August 2015. South Africa is one of the countries in the continent which played a supportive role to the regional led mediation to reunite the fragmented ruling party in South Sudan, the Sudan People's Liberation Movement (SPLM), and to end the 21 month civil war.<sup>33</sup>

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<sup>31</sup> "Somalia releases new election dates", *Voice of America*, August 7, 2016, at <http://www.voanews.com/a/somalia-releases-new-election-dates/3454540.html>

<sup>32</sup> "South African Government supports China's position on South China Sea", *All Africa*, July 11, 2016, at <http://allafrica.com/stories/201607120306.html>

<sup>33</sup> "South Sudan president extends invitation to South African President", *Sudan Tribune*, September 16, 2016, at <http://www.sudantribune.com/spip.php?article60251>

## Tanzania

### Resuming the funding blocked in March, US pledges US\$407 million to Tanzania

The United States pledged US\$407 million aid to Tanzania on August 1, 2016, months after cancelling a similar payment due to an election that it said had violated the country's commitment to democracy. The US Millennium Challenge Corporation (MCC) had canceled a US\$473 million aid package in March 2016 after elections in the Zanzibar archipelago that it said were not free and fair. It said at the time that other aid commitments would not be affected. Haji Semboja, an economics professor at the University of Dar es Salaam, told Reuters the new assistance implied that Washington was satisfied with ongoing government reforms. The aid is part of a five-year aid deal signed between the US Agency for International Development (USAID) and Tanzania and constitutes half of the US government's expenditure on development in Tanzania, the US embassy said.<sup>34</sup>

## Uganda

### Uganda and Djibouti referred to the UN Security Council for not arresting al-Bashir

The ICC referred, on July 12, 2016, Uganda and Djibouti to the UN Security Council and the Assembly of States Parties, which represents the nations that have ratified the court. "It is now up to them to take the measures they deem necessary regarding this matter," the court said. The ICC has issued warrants to arrest Sudanese strongman Omar al-Bashir over a series of crimes, including three separate accounts of genocide. The Sudanese president is also wanted on suspicion of murder, torture, and rape in the nation's breakaway region of Darfur. Some 300,000 people have died in the violence. Sudan does not recognise the ICC's authority and considers itself outside of its jurisdiction. Al-Bashir himself denies the charges. Both Uganda and Djibouti, however, are members of the Hague-based court and obligated to carry out ICC's arrest warrants. Still, neither of the governments arrested al-Bashir during his official visits in May 2016.<sup>35</sup>

## *Economy and Development*

## Burundi

### Foreign exchange shortage in Burundi as aid dries up

A shortage of foreign exchange in Burundi caused by an ongoing political crisis is squeezing businesses, which say they are unable to replenish their stocks of imported merchan-

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<sup>34</sup> "U.S. pledges \$407 million aid to Tanzania, after blocking funds in March", *Reuters*, August 1, 2016, at [https://www.youtube.com/watch?v=h3C\\_J6Rve9o](https://www.youtube.com/watch?v=h3C_J6Rve9o)

<sup>35</sup> "ICC refers Uganda and Djibouti to UN for not arresting al-Bashir", *Deutsche Welle*, July 12, 2016, at <http://www.dw.com/en/icc-refers-uganda-and-djibouti-to-un-for-not-arresting-al-bashir/a-19396326>

dise. The European Union suspended financial support to Burundi in March 2016, saying President Pierre Nkurunziza had not done enough to resolve an ongoing political and economic crisis. Bloody violence and a faltering economy have gripped Burundi since April last year (2015), when Nkurunziza said he would seek a third term in office. He went on to win an election in July 2015. Since then, at least three rebel groups have emerged and taken up arms against Nkurunziza's government. Along with the 2008 financial crisis and falling prices for export products like coffee, the freeze in foreign aid is making hard currency scarce.<sup>36</sup>

### European Union campaign to intensify economic sanctions against Burundi

An intense political and diplomatic campaign by a group of European lawmakers is underway to stop Burundi – marred by chaos – from becoming a beneficiary of a free trade agreement between the European Union and the East African Community (EAC), a grouping of five states in East Africa. Should the campaign to exclude Bujumbura from signing the trade deal with the European Union (EU) on account of human rights violations succeed, it would mark a turning point. It would be the start of economic sanctions against the regime of President Pierre Nkurunziza. European aid to Burundi remain suspended on the grounds that President Nkurunziza's third term violates principles of democracy and the violence in the country and the actions of the security forces amount to gross violation of human rights which does not qualify Burundi to benefit from trade.<sup>37</sup>

## Djibouti

### US\$4 billion natural gas project to be launched by Ethiopia, Djibouti, China

Ethiopia announced that physical work on a massive US\$4 billion cooperative natural gas project between Ethiopia, Djibouti, and China would soon be launched. The announcement was made on July 18 by Ethiopian Foreign Minister Tedros Adhanom at the opening of the 4th Ethiopia-Djibouti Joint Ministerial Committee Meeting in the capital Addis Ababa. The project is made up of a natural gas pipeline, a liquefaction plant, and an export terminal at Damerjog, Djibouti. The 700 km pipeline in the project would be capable of transporting up to 12 billion cubic meters of natural gas per year. It would enable Ethiopia to export 10 million cubic meters of liquefied natural gas (LNG) to China annually. Chinese firm POLY-GCL Petroleum Group Holdings Ltd. will finance the project, which is set to take three years to complete.<sup>38</sup>

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<sup>36</sup> "Burundi faces foreign exchange shortage as aid dries up, crisis grinds on", *Reuters*, July 22, 2016, at <http://www.reuters.com/article/us-burundi-economy-idUSKCN1021JZ>

<sup>37</sup> "Burundi faces new European Union campaign to intensify economic sanctions", *Mail & Guardian Africa*, July 29, 2016, at <http://mgafrica.com/article/2016-07-29-burundi-faces-new-european-union-campaign-to-intensify-economic-sanctions>

<sup>38</sup> "Ethiopia, Djibouti, China to launch \$4B nat. gas project", *AA English*, July 21, 2016, at <http://aa.com.tr/en/africa/ethiopia-djibouti-china-to-launch-4b-nat-gas-project/613084>

## Ethiopia

### Cooperation between Ethiopia and Mozambique to be stepped up

Prime Minister Hailemariam Dessalegn of Ethiopia was on an official visit to Mozambique to discuss with Mozambique President Filipe Nyusi on deepening bilateral relations between the two nations. The two nations discussed ten themes to expand the bilateral cooperation in diverse frontiers including political and diplomatic issues, agriculture, justice, science and technology, tourism, transport and communications, defence, industry and trade, economics and finance. They agreed that a ministerial joint commission would be set up as soon as possible to consider matters of joint interest, according to Club of Mozambique. As to the Ethiopian News Agency report from Maputo, Hailemariam and Nyusi discussed ways of fostering bilateral ties during which the Ethiopian Premier expressed his country's commitment to strengthen Ethio-Mozambique relations.<sup>39</sup>

### Egypt-Ethiopia talks stumbling while the grand dam construction goes on

Ethiopia is seeking rapprochement with Egypt through the media after years of rising apprehension over the Grand Ethiopian Renaissance Dam of the Blue Nile watershed. The tension arose almost as soon as then-Ethiopian Prime Minister Meles Zenawi laid the foundation stone in April 2011 for the now almost-finished dam. Political and technical negotiations between the capitals, Cairo and Addis Ababa, are stumbling as the countries try to agree on policies to reduce the risks Egypt anticipates if Ethiopia begins operating the dam without considering consulting firms' recommendations. While Egypt, Sudan and Ethiopia are continuing technical and political negotiations about ways to reduce the potential negative impacts of the dam, construction at the site is continuing at a fast pace. The left and right sides of the dam's body are finished. However, water is not stored behind the dam yet. Inside the reservoir, 35,000 hectares (almost 135 square miles) have been prepared and qualified for use. Construction work on the saddle dam is taking place about 5 kilometers (3 miles) away from the main dam site.<sup>40</sup>

### Ethiopia-Djibouti railroad project completed

Ethiopian officials on September 24 said a multi-billion dollar railroad project linking the nation to the port of Djibouti has been completed. The project manager, Mokenen Getachew said the 656 km Addis Ababa-Djibouti electric railway trans-boundary project will be inaugurated in October 2016. The mega project, built by China Railway Engineering Corpora-

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<sup>39</sup> "Ethiopia, Mozambique to Step up Cooperation", *All Africa*, July 2, 2016, at <http://allafrica.com/stories/201607040809.html>

<sup>40</sup> "Dam construction going full steam while Egypt-Ethiopia talks stall", *Al Monitor*, August 10, 2016, at <http://www.al-monitor.com/pulse/originals/2016/08/egypt-ethiopia-renaissance-dam-construction-progress-talks.html>

tion (CREC) and China Civil Engineering Construction (CCECC), has reportedly cost US\$3.4 billion. According to Mokenen, 70 per cent of the total cost was financed by the Exim Bank of China, the China Development Bank, and the Industrial and Commercial Bank of China while 30 per cent was covered by the Ethiopian government. The line is double-track from Addis Ababa to Adama city (115 km) and single-track from Adama to Djibouti. The electrified railway line which provides both freight and passenger transportation services will allow landlocked Ethiopia to easily access to world markets and further boost the country's trade volume hence it reduces travel time by over 50 per cent.<sup>41</sup>

## Kenya

### Seeking Kenyan support, South Sudan Govt presents economic package to the country

South Sudan's new First Vice President Taban Deng Gai has presented an economic package program to the Kenyan President Uhuru Kenyatta during his official visit to Nairobi, a member of the government delegation said. Taban Deng Gai, who replaced prominent opposition leader Riek Machar, was accompanied by senior officials mostly allied to President Salva Kiir. "As you know our people are facing difficult economic conditions with high food prices at market, Taban presented an economic package plan which will be followed-up by the formation of technical committees from both sides... to discuss the details" he said.<sup>42</sup>

### Uhuru directs agencies to end illegal fishing in Indian Ocean

President Uhuru Kenyatta has directed security agencies to patrol the Indian Ocean and stop illegal fishing. Speaking when he officially opened the Mombasa ASK show at Mkomani Grounds, the President said despite the huge fish resources in the Indian Ocean, there was nothing to show for it due to illegal fishing. Noting that fishing was an important source of income that directly employs 14,000 people from the coastal communities, the President said the Indian Ocean fishing remains one of the dominant extractive activities in our marine waters. "The potential fish production from Kenya's Exclusive Economic Zone is estimated to lie between 150,000 to 300,000 metric tonnes compared with current production of about 9,000. The impact of the unutilized potential is clearly colossal," Mr Kenyatta said, adding that with proper exploitation of these resources, more jobs would be available.<sup>43</sup>

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<sup>41</sup> "Chinese firms complete Ethiopia-Djibouti railroad project", *Sudan Tribune*, September 26, 2016, at <http://www.sudantribune.com/spip.php?article60348>

<sup>42</sup> "South Sudan govt seeks economic support from Kenya", *Radio Tamazuj*, August 17, 2016, at <https://radiotamazuj.org/en/node/48632>

<sup>43</sup> "Uhuru orders security agencies to end illegal fishing in Indian Ocean", *Daily Nation*, September 1, 2016, at <http://www.nation.co.ke/counties/mombasa/Uhuru-says-illegal-fishing-threat-to-Kenya-economy/1954178-3366258-b2g7m0/>

### Somali ban on miraa import from Kenya ends

On the evening of September 13, the Somali government lifted its ban on imports of miraa, a plant that can be used as a stimulant, from Kenya a week after it accused Meru Governor Peter Munya of using the trade to break up the Horn of Africa country. The lifting of the ban means planeloads of the stimulant miraa will resume direct flights into Mogadishu starting on September 14, according to a statement by State House. "The agreement was reached at a meeting between President Uhuru Kenyatta and Hassan Sheikh Mohamoud in Mogadishu," said the statement. President Kenyatta, the first Kenyan Head of State to visit Mogadishu in 30 years, also secured an agreement for Kenya Commercial Bank to open an office in Mogadishu. The ban was threatening to kill Kenya's last strongest market for people in Meru County.<sup>44</sup>

### Kenya and Somalia legal dispute on oil-rich triangle in the Indian Ocean

Kenya and Somalia are in dispute over a potentially lucrative, triangular stretch of 100,000 sq. km of offshore territory believed to contain large oil and gas deposits. In the latest twist, Somalia has won a hearing on its case before the International Court of Justice from September 19 to 23, in accordance with the application filed by Somalia in August 2014. Somalia wants the court to demarcate the maritime boundary, and to determine the exact geographical coordinates as an extension of its southeastern land borders. Kenya, on the other hand, wants the border to run in parallel along the line of latitude on its eastern border. Kenya claims it has exercised uncontested jurisdiction in the sea area since it first proclaimed its Exclusive Economic Zone in 1979. The country has awarded licenses to foreign companies including Italy's Eni, France's Total and the US's Anadarko Petroleum to prospect for oil in the disputed area, a move that has incensed the Somali government.<sup>45</sup>

## Malawi

### Food crisis in Malawi elevated to 'highest level'

El Nino-related drought has led to food shortages in much of southern Africa. WFP Executive Director Ertharin Cousin told Deutsche Welle (DW) that more assistance is needed to feed those in need. The United Nations World Food Programme (WFP) has launched a relief program to feed families affected by the severe drought in Malawi. Over 18 million people are said to be in need of food aid in Southern Africa. DW spoke to the executive director of the World Food Programme, Ertharin Cousin while she was in Malawi. She said

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<sup>44</sup> "Somalia lifts ban on Kenya miraa exports", *Daily Nation*, September 13, 2016, at <http://www.nation.co.ke/news/Somalia-lifts-ban-on-Kenya-miraa-exports/1056-3379880-11t7ml1z/>

<sup>45</sup> "Kenya and Somalia are facing off in court over an oil-rich triangle of the Indian Ocean", *Quartz Africa*, September 19, 2016, at <http://qz.com/785326/a-maritime-border-case-between-kenya-and-somalia-has-began-at-the-international-court-of-justice-in-the-hague/>

that the agency is appealing for US\$204 million to immediately purchase food and distribute it to the people in the region.<sup>46</sup>

## Mauritius

### Brexit to hurt Mauritius' Textile Exports with gaining Rupee

The UK's decision to exit Europe's common market could hurt Mauritius' apparel export earnings by about a 10th, in line with the rupee's appreciation against the pound. The Indian Ocean island nation's central bank cut its benchmark rate by 40 basis points in the week from July 17 to 23, saying Brexit had damaged its growth outlook for the US\$11.5 billion economy. The European country accounts for 12 percent of Mauritius' tourists, Governor Rameswurlall Basant Roi said. Mauritius made shipments to the U.K. worth US\$305.6 million in 2015, 58 per cent of which were clothing such as T-shirts and trousers, according to Yogesh Singh, chairman of the Mauritius Exports Association. The nation also supplies seafood and sugar. "Since clothing is not a basic necessity, the textile and clothing sector will be the most hit by the Brexit," Singh said in an interview.<sup>47</sup>

## Mozambique

### Mozambique attains polio free status

Mozambique has been certified free of polio, the country's health ministry said on July 11, 2016. The announcement, made on the state news agency, follows a meeting of the Africa Regional Certification Commission for Polio Eradication, the body that advises the World Health Organization (WHO), in Algeria last month (June 2016), which reviewed the certification progress of Mozambique, Niger and Chad. Experts say polio could be eradicated worldwide by next year, completing the mission begun in the 1980s against the virus which invades the nervous system and can cause irreversible paralysis.<sup>48</sup>

### Mozambique must agree for auditing to restore financier's confidence

Mozambique's government should take measures to restore confidence with international partners by accepting an external forensic audit, the outgoing International Monetary Fund representative said. A group of 14 donors demanded in May 2016 an investigation by inter-

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<sup>46</sup> "Severe drought elevates food crisis in Malawi to 'highest level'", *Deutsche Welle*, July 19, 2016, at <http://www.dw.com/en/severe-drought-elevates-food-crisis-in-malawi-to-highest-level/a-19415228>

<sup>47</sup> "Brexit set to dent Mauritius' textile exports as rupee gains", *Bloomberg*, July 27, 2016, at <https://www.bloomberg.com/news/articles/2016-07-27/brexit-threatens-mauritius-textile-exports-as-rupee-strengthens>

<sup>48</sup> "Mozambique certified polio free: health ministry", *Reuters*, July 11, 2016, at <http://www.reuters.com/article/us-mozambique-polio-idUSKCN0ZR2CZ>

national auditors on how loans to at least three Mozambique state-owned companies were used before they resumed giving aid. The group suspended budgetary support after the southern African nation revealed in April 2016 that it had more than US\$1.4 billion in previously undisclosed debt.<sup>49</sup>

## Rwanda

### Rwanda and Kenya join to sign up with Europe

Kenya and Rwanda signed the East African Community (EAC)-European Union (EU) Economic Partnership Agreement (EPA) allowing for continued favourable access to the lucrative European market. This signals a start of the EAC Partner States securing the Duty Free Quota Free market access to the EU on a non-unilateral offer but on contractual basis. EPAs are trade and development agreements negotiated between the EU and African, Caribbean and Pacific (ACP) partners engaged in regional economic integration processes. Kenya is the biggest exporter to the EU, mainly horticultural products. In 2015, EU accounted for 28 per cent of Rwanda's total exports mainly composed of Minerals, Coffee, Tea and horticulture. Uganda is due to sign soon, however Tanzania has expressed reservations in recent weeks.<sup>50</sup>

## Seychelles

### Seychelles-Reunion sign new agreement to promote regional tourism

A tourism agreement signed between Seychelles and Reunion will facilitate the exchange of personnel and the sharing of knowledge and expertise, says a top official. The memorandum of understanding was signed on August 11, 2016 following discussions on the sidelines of the Vanilla Islands' ministerial meeting held recently in Reunion, a French department in the Indian Ocean. The chief executive of the Seychelles Tourism Board (STB), Sherin Naiken, said the signing was proof of the partnerships that exists between Seychelles and Reunion. Naiken said the agreement will "strengthen our partnership by looking at common marketing projects and promotional activities."<sup>51</sup>

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<sup>49</sup> "IMF says Mozambique must accept audit to restore confidence", *Bloomberg*, August 30, 2016, at <https://www.bloomberg.com/news/articles/2016-08-30/imf-says-mozambique-must-accept-audit-to-restore-confidence>

<sup>50</sup> "Rwanda joins Kenya to sign up with Europe", *East African Business Week*, September 4, 2016, at <http://www.busiweek.com/index1.php?Ctp=2&pI=5606&pLv=3&srI=51&spI=26>

<sup>51</sup> "New Seychelles-Reunion agreement to promote, increase regional", *Seychelles News Agency*, August 13, 2016, at <http://www.seychellesnewsagency.com/articles/5727/New+Seychelles-Reunion+agreement+to+promote,+increase+regional++tourism>

## Somalia

### 300,000 children need help in Somali food crisis

Nearly five million people in Somalia are suffering from a shortage of food due to poor rainfall, floods and displacement, the United Nations says. More than 300,000 children under the age of five are severely malnourished and require urgent assistance. Most of those in need of help have been internally displaced following decades of conflict. Malnutrition levels in Somalia have increased over the last six months with nearly half the population affected. The number of people without enough food has increased by 300,000 since February 2016.<sup>52</sup>

## South Africa

### South Africa regains the title of Africa's 'biggest economy'

South Africa has regained the title of Africa's largest economy, two years after Nigeria rebased its GDP to claim the spot. According to IMF data, a recalculation using current exchange rates put South Africa on top because the Rand has strengthened against the Dollar. Nigeria's currency has fallen sharply since a peg to the dollar was dropped. But, BBC Africa Business Report editor Matthew Davies says both economies could be on the brink of recession. Yet, the exercise in calculating the numbers using last year's (2015) IMF figures and this year's (2016) currency exchange numbers technically puts South Africa back on top.<sup>53</sup>

## Uganda

### South Korea-Led Group offered US\$4 billion refinery project

Uganda's government invited a group of companies led by SK Engineering & Construction Co. of South Korea to begin negotiations to build an oil refinery as it suspended a deal with a rival Russian company. The state halted talks with RT Global Resources Consortium after the group made "additional demands" from the government before a deal was to be signed, the Ugandan Energy Ministry said in a statement on July 1, 2016. The government had reached an agreement in principle with the group led by RT Global, a unit of Moscow-based Rostec State Corp., in May 2016. The 60,000-barrel-a-day refinery project, which the government estimates could cost US\$4 billion, includes a 205-kilometer oil-product pipeline. It will be fed by oil fields discovered in 2006 and estimated by the state to hold 6.5 billion

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<sup>52</sup> "Somalia food crisis: 300,000 children need help, says UN", *BBC News*, September 20, 2016, at <http://www.bbc.com/news/world-africa-37423792>

<sup>53</sup> "South Africa regains Africa's 'biggest economy' title from Nigeria", *BBC News*, August 11, 2016, at <http://www.bbc.com/news/world-africa-37045276>

barrels of crude. Other companies in the RT-led group included Telconet Capital LP, VTB Capital Plc and Tatneft JSC of Russia, and Seoul, South Korea-based GS Engineering & Construction Corp.<sup>54</sup>

## Zimbabwe

### Zimbabwe fails to meet its own debt repayment deadline

Zimbabwe failed to repay US\$1.8 billion to the International Monetary Fund (IMF), the World Bank and African Development Bank by its own June 30, 2016 deadline. "Right now, we've not paid anything," John Mangudya, Zimbabwe's central bank governor, said by phone from Harare on July 7, 2016. Zimbabwe owed US\$110 million to the IMF, US\$1.1 billion to the World Bank and US\$601 million to the African Development Bank, Mangudya said in an e-mail response to questions on July 7, 2016. The IMF would only consider requests for financing once Zimbabwe cleared its arrears with the lender and the IMF board approved the normalisation of relations with the country, spokesman Gerry Rice told reporters in Washington. The country is experiencing an unprecedented liquidity crisis that has led to civil servants being paid late and some private-sector workers receiving goods instead of salaries.<sup>55</sup>

### Zimbabwe 'on course to clear loan arrears'

Zimbabwe will clear the US\$1.8 billion of arrears it owes the World Bank, International Monetary Fund and African Development Bank once it has a new financing plan with the three multilateral lenders, Finance Minister Patrick Chinamasa said. The southern African nation is continuing negotiations with the three on financing industries such as agriculture, Chinamasa said in an interview in Rwanda's capital, Kigali. A survey of how much money is required is being undertaken and once agreed, it will enable the economy to access fresh funding from the three lenders.<sup>56</sup>

### Zimbabwe to come up with its own version of the US dollar

Zimbabwe is about to start using its own version of the US dollar. The country's central bank said on September 15 that it will start circulating "bond notes" by the end of October. It said it expects US\$75 million worth of these notes to be in use by the end of the year (2016). The southern African country has been using a mix of different foreign currencies – and most importantly US dollars – since its own currency collapsed in 2009 during a period of

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<sup>54</sup> "Uganda offers \$4 billion refinery project to Korea-led group", *Bloomberg*, July 1, 2016, at <https://www.bloomberg.com/news/articles/2016-07-01/uganda-suspends-talks-with-rostec-of-russia-on-refinery-project>

<sup>55</sup> "Zimbabwe misses its own debt repayment deadline", *The Zimbabwean*, July 7, 2016, at <http://thezimbabwean.co/2016/07/zimbabwe-misses-its-own-debt-repayment-deadline/>

<sup>56</sup> "Zimbabwe 'on course to clear loan arrears'", *IOL*, July 19, 2016, at <http://www.iol.co.za/business/news/zimbabwe-on-course-to-clear-loan-arrears-2046946>

hyperinflation. To ease its cash shortage problem and stop cash from flowing out of the country, the bank announced it would start printing “bond notes” in denominations of \$2, \$5, \$10 and \$20. The country already has “bond” coins that represent US dollar values. For each coin in circulation, there’s an equivalent US dollar held in the country’s reserves.<sup>57</sup>

## *India-Africa Relations*

### **Kenya**

#### **India and Kenya stress on deepening ties including security**

India and Kenya on July 11 stressed on deepening and expanding cooperation in a wide range of areas as they signed seven pacts, including in the field of defence and security and avoidance of double taxation. Prime Minister Narendra Modi, after his talks with Kenyan President Uhuru Kenyatta here, also announced extension of a concessional Line of Credit (LoC) of US\$44.95 million to the African nation to help it in development of small and medium enterprises and textiles. India will also build a cancer hospital in Kenya to provide quality and affordable healthcare. “The multifaceted development partnership is a key pillar of our bilateral relationship,” Mr. Modi said at a joint media interaction with Mr. Kenyatta after the talks. The MoU on Defence Cooperation signed will entail staff exchanges, expertise sharing, training, cooperation in hydrography and equipment supply. Mr. Modi said the two countries shared common interest in the security, including in maritime security, since they were connected by the Indian Ocean.<sup>58</sup>

#### **Indian Cabinet approves MoU with Kenya on Cooperation in Housing Policy**

India’s Union Cabinet on September 12 gave its ex post-facto approval for a Memorandum of Understanding (MoU) between India and Kenya on cooperation in National Housing Policy Development and Management (NHPDM), an official statement said. The MoU was signed on July 11, 2016 at Nairobi during Prime Minister Narendra Modi’s visit. The cabinet meeting was chaired by Prime Minister Modi. Under the MoU, both the sides will collaborate on all matters relating to housing and human settlements through various strategies including training of personnel, exchange visits, expos/exhibitions, conferences and workshops.<sup>59</sup>

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<sup>57</sup> “Zimbabwe will print its own version of the U.S. dollar”, *CNN Money*, September 15, 2016, at <http://money.cnn.com/2016/09/15/news/zimbabwe-own-us-dollar/>

<sup>58</sup> “India, Kenya to deepen security ties”, *The Hindu*, July 11, 2016, at <http://www.thehindu.com/news/national/India-Kenya-to-deepen-security-ties/article14483519.ece>

<sup>59</sup> “Cabinet approves India-Kenya MoU on cooperation in housing policy”, *NDTV*, September 12, 2016, at <http://www.ndtv.com/india-news/cabinet-approves-india-kenya-mou-on-cooperation-in-housing-policy-1457683>

## Mauritius

### Indian Government approves MoU on rural development cooperation with Mauritius

Indian Government on July 5, 2016 approved signing of a Memorandum of Understanding (MoU) between India and Mauritius to establish a framework for cooperation in the sphere of rural development. The MoU, which was approved by Union Cabinet today will encourage cooperation in the field of rural development and capacity building on the basis of equality and mutual benefit between both the countries. The MoU will establish a framework for cooperation between the National Development Unit, Prime Minister's Office of Mauritius and the Rural Development Ministry in the sphere of rural development, Rural Development Ministry said in an official statement. Both countries have agreed to coordinate and facilitate appropriate technical cooperation, including the access to Indian expertise institutions that can assist in fulfilling the objectives of this MoU.<sup>60</sup>

### Mauritius' efforts for CECPA with India to be revived

Mauritius is looking to revive efforts to put in place a comprehensive economic cooperation pact (CECPA) with India, close on the heels of sorting out long-pending issues related to the bilateral tax treaty. The island nation, a major source of foreign direct investments coming into India, is also eyeing a preferential trade agreement. Minister of Finance and Economic Development Pravind Jugnauth has said that Mauritius would revive talks with India on Comprehensive Economic Cooperation and Partnership Agreement (CECPA). "Now that the issue of DTA (Double Taxation Agreement) with India has been resolved, the government will revive and finalise the negotiations with New Delhi on the CECPA including a Preferential Trade Agreement," he said in his 2016-17 Budget speech recently.<sup>61</sup>

### Amendment in Indo-Mauritius tax treaty to curb tax evasion

The revised tax treaty with Mauritius, which allows India to tax capital gains on investments routed through the island nation, will tackle round tripping of funds and curb tax evasion, Finance Ministry said on August 29, 2016. Following the decade-long negotiations, India and Mauritius signed the amendment to the 1983 Double Taxation Avoidance Convention (DTAC) on May 10, and was notified by India on August 11. The Protocol will tackle treaty abuse and round tripping of funds attributed to the India-Mauritius treaty, curb revenue loss, prevent double non-taxation, streamline the flow of investment and stimu-

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<sup>60</sup> "Government approves MoU with Mauritius for rural development", *India*, July 5, 2016, at <http://www.india.com/news/world/government-approves-mou-with-mauritius-for-rural-development-1311490/>

<sup>61</sup> "Mauritius to revive negotiations for CECPA with India", *The Economic Times*, August 5, 2016, at <http://economictimes.indiatimes.com/news/economy/foreign-trade/mauritius-to-revive-negotiations-for-cecpa-with-india/articleshow/53553745.cms>

late the flow of exchange of information between the two contracting parties. Under the amended treaty, India will impose capital gains tax at 50 per cent of the prevailing domestic rate for two years beginning April 1, 2017. Full rate will apply from April 1, 2019. But this concessional rate would apply to a Mauritius resident company that can prove that it has a total expenditure of at least INR 27 lakh in the African island nation and is not a 'shell' company with just a post office address.<sup>62</sup>

### Mauritius looks for India's support in handloom and handicraft

Mauritius Finance Minister Pravind Jugnauth, on a visit to India, met India's MSME Minister Kalraj Mishra on September 15 and said, "We seek India's assistance to develop handloom and handicraft sectors in Mauritius." He also highlighted other possible areas of bilateral cooperation like tourism and aquaculture between the neighbouring countries. Mishra said the micro, small and medium enterprises (MSME) sector in Mauritius has "great potential" for skill development and job creation. Mishra said his ministry will work towards establishing tool rooms and technology centres to help skill people in specific sectors, and assured all technological assistance to develop the MSME sector in Mauritius.<sup>63</sup>

## Mozambique

### Three MoUs on pulses, drug trafficking and sports signed between India and Mozambique

India and Mozambique have entered a new deal by signing three Memoranda of Understanding (MoU) in fields related to drug trafficking, pulse trading and sports. These MoUs will mutually benefit the current issues faced by both countries. The MoUs were personally authorised in the presence of the Prime Minister, Narendra Modi and Filipe Nyusi, the President of Mozambique. The deals were signed at Maputo, Mozambique. One of the major agendas for India in this meeting was to arrange a stable import for pulses.<sup>64</sup>

### Coal India to completely surrender Mozambique mining licences

Coal India Ltd (CIL) has submitted its application to National Institute of Mines of Mozambique for complete surrender of prospecting licences which were awarded to its

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<sup>62</sup> "Revised Indo-Mauritius tax treaty to curb tax evasion: Finance Ministry", *The Economic Times*, August 29, 2016, at <http://economictimes.indiatimes.com/news/economy/policy/revised-indo-mauritius-tax-treaty-to-curb-tax-evasion-finance-ministry/articleshow/53912921.cms>

<sup>63</sup> "Mauritius seeks India's support in handloom, handicraft", *Business Standard*, September 15, 2016, at [http://www.business-standard.com/article/pti-stories/mauritius-seeks-india-s-support-in-handloom-handicraft-116091500707\\_1.html](http://www.business-standard.com/article/pti-stories/mauritius-seeks-india-s-support-in-handloom-handicraft-116091500707_1.html)

<sup>64</sup> "India and Mozambique sign three MoUs on import of pulses, drug trafficking, sports", *India Today*, July 8, 2016, at <http://indiatoday.intoday.in/education/story/india-mozambique-memorandum/1/710336.html>

wholly-own subsidiary Coal India Africana Limitada (CIAL) as mining would be “technically not feasible” in the licence areas, its latest Annual Report said. “A feasibility study has been undertaken based on the findings of the geological report. The findings revealed that it is technically not feasible to do mining in the licence areas of CIAL. Accordingly, CIL board accorded its approval for surrender of prospecting licences...to the Government of Mozambique.” The decision to relinquish was taken based on the geological report.<sup>65</sup>

## Seychelles

### Seychelles registers a record 62 per cent growth in tourists from India

African island nation Seychelles has recorded a 62 per cent growth in arrival of Indian tourists at 6,313 during January-July 2016 period, mainly due to increase in air connectivity and promotional efforts. Around 3,899 travelers from India had visited the nation during January-July 2015, Seychelles Tourism Board said in a release issued here. “We are thrilled with the way India market has responded to our efforts. We have seen a phenomenal increase in arrivals since we opened office three years ago.”<sup>66</sup>

## South Africa

### India, South Africa pledge to strengthen ties in key sectors

Ratcheting up their traditional ties, India and South Africa on July 8, 2016 agreed to deepen engagement in key areas of defence production, manufacturing, mining and minerals while vowing to cooperate “actively” in combating terrorism and dealing with issues at multilateral fora. After extensive talks with South African President Jacob Zuma, Prime Minister Narendra Modi projected India as an attractive destination for manufacturing of defence equipment and platforms and said both countries can join hands in not only meeting needs of each other but also to respond to regional and global demand. During the meeting, Mr. Modi thanked Mr. Zuma for South Africa’s support to India’s membership bid to the Nuclear Suppliers Group.<sup>67</sup>

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<sup>65</sup> “Coal India to give up Mozambique mining licences completely”, *Business Standard*, August 29, 2016, at [http://www.business-standard.com/article/news-ians/coal-india-to-give-up-mozambique-mining-licences-completely-116082901288\\_1.html](http://www.business-standard.com/article/news-ians/coal-india-to-give-up-mozambique-mining-licences-completely-116082901288_1.html)

<sup>66</sup> “Seychelles sees record 62% growth in Indian tourists”, *CNBC Money Control*, August 29, 2016, at [http://www.moneycontrol.com/news/travel/seychelles-sees-record-62-growthindian-tourists\\_7363741.html](http://www.moneycontrol.com/news/travel/seychelles-sees-record-62-growthindian-tourists_7363741.html)

<sup>67</sup> “India, South Africa vow to deepen ties in key sectors”, *The Hindu*, July 8, 2016, at <http://www.thehindu.com/news/national/India-South-Africa-vow-to-deepen-ties-in-key-sectors/article14477969.ece>

## Tanzania

### Five agreements signed between India and Tanzania

During Prime Minister Narendra Modi's visit to Tanzania, seeking to enhance its ties with the resource-rich country, India on July 10, 2016 extended its full support to the country to meet its development needs and signed five agreements. The agreements include one for providing a Line of Credit of US\$92 million in the water resources sector to improve Zanzibar's water supply system. Describing India as a trusted partner in meeting Tanzania's development priorities, Mr. Modi said he along with President John Pombe Joseph Magufuli "agreed to deepen overall defence and security partnership, especially in the maritime domain." The two leaders agreed to work closely, bilaterally, regionally and globally to combat the twin threats of terrorism and climate change. Other agreements signed included a MoU on water resource management and development, a MoU for establishment of vocational training centre at Zanzibar, a MoU on visa waiver for diplomatic/official passport holders and an agreement between the National Small Industries Corporation of India and the Small Industries Development Organisation, Tanzania.<sup>68</sup>

### Tanzania receives navigational chart prepared by India

India handed over to Tanzania a navigational chart of the east African country's Mkoani harbour which will be used by port authorities and ships for the navigation operation. "Indian Hydrographic Survey Ship, 'INS Sutlej' had conducted a joint hydrographic survey of Mkoani harbour, Tanzania in early 2016," Office of the Prime Minister of India tweeted. It said the chart will be used by port authorities and ships in the harbour and nearby areas for the purpose of navigation. Based on the joint survey, navigational charts for Mkoani harbour and the approach to the harbour have been prepared by National Hydrographic Office of India.<sup>69</sup>

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<sup>68</sup> "India signs five agreements with Tanzania", *The Hindu*, July 11, 2016, at <http://www.thehindu.com/todays-paper/tp-national/India-signs-five-agreements-with-Tanzania/article14483164.ece>

<sup>69</sup> "India hands over navigational chart to Tanzania", *The Financial Express*, July 10, 2016, at <http://www.financialexpress.com/india-news/india-hands-over-navigational-chart-to-tanzania/312309/>

## Call for Contributions

IDSIA invites articles, commentaries and book reviews for publication in *Africa Trends*, a quarterly magazine on Africa. Submissions can focus on security, political and economic issues relating to African countries. Articles may focus on analysing bilateral, regional and multilateral developments of strategic significance to India's engagement with African countries.

Articles could be of approximately 2000 words. Commentaries can range between 1,000-1,500 words (excluding footnotes) and book reviews between 600-1,000 words. Guidelines for contributors may be found at: <http://www.idsa.in/africatrends>. Submissions may be emailed to the Editor at [idsa.africatrends@gmail.com](mailto:idsa.africatrends@gmail.com).

## About the IDSA Africa, Latin America, Caribbean & UN Centre

The Centre's research focus includes understanding developments in the African region and analysing various hotspots like Egypt, Libya, Nigeria, Somalia, Sudan, and the Indian Ocean Region. It also focuses on bilateral, regional as well as multilateral engagements between India and the countries of Africa. The Centre also endeavours to analyse India's engagement with Latin American countries, particularly in forums such as the IBSA and BRICS.

In addition, the Centre carries out research on the broader theme of India and the United Nations. It deals with important topics that come up in the Security Council and those that have relevance and significance for India's foreign policy.

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Institute for Defence Studies and Analyses

No.1, Development Enclave, Rao Tula Ram Marg,

Delhi Cantt., New Delhi - 110 010

Tel.: (91-11) 2671-7983 Fax: (91-11) 2615 4191

Website: <http://www.idsa.in>

E-mail: [contactus@idsa.in](mailto:contactus@idsa.in)