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The African Union and coercive diplomacy: the case of Burundi

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ABSTRACT

In December 2015, the African Union (AU) took the unprecedented step of threatening to use military force against the government of Burundi's wishes in order to protect civilians caught up in the country's intensifying domestic crisis. This article traces the background to this decision and analyses the effectiveness and credibility of the AU's use of coercive diplomacy as a tool of conflict management. After its usual range of conflict management tools failed to stem the Burundian crisis, the AU Commission and Peace and Security Council tried a new type of military compellence by invoking Article 4(h) of the Union's Constitutive Act. We argue that the threatened intervention never materialised because of (1) the Burundian government's astute diplomacy and (2) several African autocrats' resistance to setting a precedent for future interventions where concerns about civilian protection might override state sovereignty.

INTRODUCTION

On 17 December 2015, the Peace and Security Council (PSC) of the African Union (AU) gave the government of Burundi 96 hours to accept the deployment of a peace operation to protect civilians there

or it would recommend that the AU Assembly authorise a military intervention even without the government's consent (AU PSC 2015e). The stated authority for this act of coercive diplomacy was Article 4(h) of the AU Constitutive Act. This decision was part of the PSC's attempt to facilitate a political settlement to Burundi's domestic crisis and to de-escalate the armed conflict and especially violence against civilians there. The reference to Article 4(h) represented an unprecedented test of the African Peace and Security Architecture's (APSA) conflict management mechanisms and the first time that the AU threatened to use military force against the *de jure* government of one of its members (Williams 2015, 2016).

Invoking an Article 4(h) intervention against the will of an AU member state is arguably the most dramatic option in the APSA toolkit.[1] In Burundi, therefore, the AU demonstrated for the first time that it was willing to countenance military force against one of its members in the name of protecting civilians.

This article analyses the effectiveness and credibility of the AU's unprecedented use of military coercion and explains why, ultimately, the threat failed to materialise. It thus constitutes a detailed case study of a particularly significant development in the evolution of the APSA's conflict management strategies (see Franke 2009; Williams 2009, 2011, 2014; Engel & Gomes Porto 2010; Vines 2013; De Coning *et al.* 2016). The article also provides a rare African case of coercive diplomacy; the use of threats to either stop another actor from doing something they planned to do (deterrence) or pressurise them to do something against their wishes (compellence) (see Schelling 1966; George 1991; Byman & Waxman 2002; Art & Cronin 2003).

The AU is a particularly intriguing case for analysing this issue because compared to most other regional organisations engaged in peace and security activities, the Union has delegated considerable decision-making responsibilities to a small subset of its now 55 members. With the exception of decisions about Article 4(h) interventions (see below), conflict management and crisis response decisions are usually determined by the 15 states elected to the AU Peace and Security Council. Moreover, bureaucrats within the AU Commission remain the 'pen-holders' who draft the Council's key analytical documents and communiqués (Hardt 2016). This has created an interesting relationship between the member states and the 'Africrats' (Tieku 2011). The tensions that this relationship can produce were particularly evident in the case of Burundi and help explain both the issuance of the threat and the later decision to drop it.

To analyse these issues, the rest of the article proceeds in four parts. First, it briefly summarises the AU's principal conflict management tools and their application in several cases that are relevant to aspects of the Burundi case. The second section provides some background to Burundi's domestic crisis before the third section traces the AU's response to it since late 2014, focusing on the build-up to invoking Article 4(h) in December 2015. Finally, we explain how the government of Burundi rebutted the AU by using its position as a major contributor of AU and UN peacekeepers, marshalling support from other African governments, and utilising supportive regional dynamics in east Africa. To make our argument, we draw on official documents and reports, scholarly articles as well as interviews with AU officials and experts.

THE AU'S INSTRUMENTS FOR MANAGING CONFLICTS

The AU has at its disposal a variety of conflict management instruments ranging from diplomacy and sanctions to peacekeeping operations and military intervention under Article 4(h) (Murithi 2005; Makinda & Okumu 2008; Franke 2009). These instruments are usually utilised by working through the various APSA institutions, the Regional Economic Communities (RECs), the two Regional Mechanisms – the Eastern Africa Standby Force (EASF) and North African Regional Capability (NARC) – as well as with external partners. The PSC plays the central role on almost all decisions related to peace and security (Murithi & Lulie 2013).[2] However, while the PSC has the decision-making power, it is dependent on the AU Commission's expertise and information, which comes from its peace operations, field offices in about a dozen African countries, special envoys, and from open source media gathered via the AU's Situation Room. The Commission can thus wield significant influence over the PSC's agenda due to its institutional memory, expertise and information-gathering capabilities (Engel 2013: 195; Hardt 2014: 152; 2016). Here, we briefly summarise the PSC's four principal conflict management instruments: diplomacy, sanctions, peace operations, and forcible military intervention under Article 4(h).

Diplomacy

The non-use of force/peaceful settlement of disputes is one of the AU's core norms (see *PSC Protocol* Articles 4e, 4f, 4i; Williams 2007). Diplomacy is therefore the PSC's first and preferred method for

handling conflicts and crises. To facilitate peaceful settlements, the Commission chairperson has the power to select and deploy humanitarian observers, political and fact-finding missions, as well as high-profile individuals to serve as representatives of the AU, including senior leadership teams for peace operations as well as Special Envoys for particular crises or thematic issues.[3] Thirteen Special Envoys have been appointed since the PSC was established in 2004, nine of which focus on a geographic area while the others work on thematic topics, such as Women, Peace and Security, Children and Armed Conflict, and the Lord's Resistance Army (LRA). The AU has tended to prefer deploying senior statespersons as envoys, which is meant to underscore the importance attached to the conflict in question. But it is also a sign of the AU's scarcity of capable and experienced individuals for these types of missions (Berhe & de Waal 2015: 15). Mediation capacity has been a persistent weakness of the AU's diplomacy (Nathan *et al.* 2015).

Sanctions

Under Article 23 of its Constitutive Act, the AU can impose sanctions on its members for non-payment of dues and recalcitrant behaviour. The AU has usually employed the latter in response to cases of 'unconstitutional changes of government' (Engel 2010; Omorogbe 2011; Dersso 2017).[4] Specifically, the AU has suspended what it considers illegitimate regimes from participating in the Union's formal activities and imposed targeted sanctions upon the perpetrators of unconstitutional actions. This has mostly occurred in response to the 14 coups d'état that took place in Africa between 2003 and 2014.[5] As Nathan has noted: since 2003, 'the AU suspended the country subject to the coup in 91 percent of the cases and imposed sanctions in 73 percent of the cases' (Nathan 2017: 2). Significantly, the threat and use of military force was not part of the AU's response in these cases. Burundi is thus a relatively rare case since although there was a failed coup d'état in May 2015, in October the PSC recalled articles 4 and 7 of the *PSC Protocol* to impose 'targeted sanctions, including travel ban and asset freeze, against all the Burundian stakeholders whose actions and statements contribute to the perpetuation of violence and impede the search for a solution' (AU PSC 2015d: para. 12).

Peace operations

Since 2003, the AU has commanded, authorised or endorsed over a dozen peace operations (see Williams 2013; Badimus 2015; Williams & Boutellis

2014; Williams & Dersso 2015; Berhe & de Waal 2016; De Coning *et al.* 2016). These operations have ranged from tiny observer missions to over 20,000 troops (in the case of Somalia). They have been conducted by AU forces, regional organisations and ad hoc coalitions of states and have performed a variety of roles including ceasefire monitoring, electoral observation, peace-building, stabilisation and even counter-terrorism. Almost all of these operations were also mandated to engage in civilian protection activities (see Okeke & Williams 2017). With few exceptions, the complexity and significant costs involved in planning, deploying, sustaining and withdrawing these operations necessitated various forms of external assistance, notably in the areas of training, equipment, logistics and enabling capabilities as well as financial support. The principal external partners for these African peace operations have been the UN, EU, USA, France and the UK (see Gelot *et al.* 2012; Coleman & Williams 2017; Williams 2017b).

Of most relevance to our study are cases where peace operations involved the threat or use of military force against an incumbent regime. So far, the AU has only endorsed such action in two cases and neither invoked Article 4 (h): the Comoros (2008) and Gambia (2016/17). In March 2008, the AU launched Operation Democracy in the Comoros to end the illegitimate rule of the incumbent regime on the Comoran island of Anjouan. Spearheaded by troops from Tanzania and Sudan the operation forced the incumbent ruler Mohammed Bacar to step down after he had organised an illegal election in order to cling onto power. In this instance, the AU used military force to restore constitutional governance. The other case came in The Gambia in December 2016 following the electoral defeat of the ruling autocrat Yahya Jammeh. Here, the AU endorsed an ECOWAS military operation, ECOMIG, to ensure the election results were upheld and implemented, and that Jammeh's incumbent regime was replaced by the democratically elected president Adama Barrow (Williams 2017a). In contrast to both the Comoran and Gambian cases, as we discuss below, in Burundi, the PSC's threat was made *not* to restore or protect constitutional governance but in order to protect civilians and prevent the escalation of armed conflict. The PSC's threat was to deploy a peace operation to Burundi under the command and control of the Eastern Africa Standby Force, but that decision was not implemented.

Article 4(h) intervention

When the AU adopted a qualitatively different approach to state sovereignty from its predecessor, the Organisation of African Unity (OAU),

the Union entered into uncharted waters for deciding on the limits of sovereign responsibilities, the nature of non-interference, and the prerogatives of external actors. This was reflected in the AU's unofficial slogan, moving from an era of 'non-intervention' to one of 'non-indifference' to the continent's peace and security challenges (Williams 2007; Sturman & Hayatou 2010). As part of this shift, and after protracted and controversial negotiations among African states, Article 4(h) of the AU Constitutive Act granted the Union's Assembly of Heads of State and Government the right to militarily intervene in a member state in 'grave circumstances', defined as cases of genocide, crimes against humanity and war crimes (Haggis 2009; Kuwali & Viljoen 2014). Authorising an Article 4(h) military intervention requires the support of two-thirds of the member states in the AU Assembly.

Legally, Article 4(h) remains controversial. The AU's lawyers claimed it broke new international legal ground (Kuwali & Viljoen 2014) and one prominent external analyst saw it as 'a clear legal statement that sovereignty is to some degree subordinate to the authority of the AU' (Hurd 2014: 251). Yet it appears to directly contradict established principles of the international law on the use of force, notably Article 53 of the UN Charter. It also generated political controversy within the AU, particularly concerning debates about how to respond to violence against civilians in Darfur (2004) and Libya (2011). In both cases, the AU decided not to invoke Article 4(h) despite recognising the existence of relevant crimes in both conflicts. Before the Burundi case discussed below, the only time Article 4(h) was invoked by the AU Assembly was to support the trial of the former President of Chad, Hissène Habré, on charges of political killings and torture of thousands of civilians between 1982 and 1990 (AU 2006). The PSC's threat to invoke Article 4(h) in relation to the crisis in Burundi in December 2015 thus remains a unique case.

A BRIEF BACKGROUND TO BURUNDI'S DOMESTIC CRISIS

Burundi has a long history of violence and oppression, much of it linked to the politicisation of ethnicity. This culminated in over a decade of civil war between 1993 and 2003 which involved multiple armed groups that were broadly organised along Hutu versus Tutsi lines. At the same time, post-colonial Burundi had a long tradition of strong resistance to foreign involvement in its domestic sphere, which made external interventions to manage the conflict particularly difficult (Wilén 2012: Ch. 4).

Nevertheless, with South African mediation the prospect of deploying a peace operation resurfaced following the Arusha Accords in 2000 as Burundi prepared to establish a transitional government. In October 2001, a battalion of South African troops was deployed with the mandate to protect and support members of the new transitional government. While supposedly under the AU's authority, South Africa was the only country to provide troops given the fragile security situation (Boschoff *et al.* 2010: 43–5).

It was not until April 2003, that the AU Mission in Burundi (AMIB) was authorised by the AU (notably one year before the Peace and Security Council was established). By December 2003, this consisted of about 2,600 troops from South Africa, Ethiopia and Mozambique. Although not authorised by the UN Security Council, the UN provided some technical assistance via its mission in DR Congo, the European Union contributed significant financial support, and the US and UK provided bilateral support to the Ethiopian and Mozambican contingents (Coleman & Williams 2017: 18). AMIB was mandated to help implement the Arusha Accords, the ceasefire protocols and the Disarmament, Demobilisation and Reintegration (DDR) programme. Among other things, the Arusha Accords set out an ethnically based power-sharing formula for the government and security services (military, police and intelligence) and stipulated a two-term limit for the presidency. AMIB was considered reasonably efficient in terms of providing stability and security but because the AU could not afford to sustain it financially or logistically, requests were made for the UN to take over (Boshoff *et al.* 2010: 29).

The UN Operation in Burundi (ONUB) was subsequently deployed in June 2004 under a Chapter VII mandate. It comprised approximately 5,700 uniformed personnel and was authorised to continue both AMIB's previous mandate and new tasks such as electoral assistance, advising the transitional government, monitoring of Burundi's borders and carrying out institutional reforms (Boutellis 2015). Although ONUB was largely successful in preparing elections and providing security, it was highly unpopular with many Burundians who described it as a form of 'colonization' and 'trusteeship' (Wilén 2012: 165). This became even more apparent when in November 2005 the newly elected government led by Pierre Nkurunziza demanded the UN withdraw its military component and let Burundian national forces provide security instead (Boutellis 2015: 736). The Burundian authorities continued to resist external involvement including by declaring four senior UN

representatives as *persona non grata* and calling for a reduced UN presence even after ONUB's departure in December 2006 (Wilén *et al.* 2015: 10).

The AU's forceful response to Burundi's unrest in 2015 should therefore be understood against both the country's historical trajectory of organised violence and the government's reluctance to permit external involvement in its domestic sphere. When protests erupted against President Nkurunziza's controversial run for a third term in 2015 they provoked both internal repression and international attention. The government's repression of the protests took a new and more violent turn after a failed coup attempt in May 2015, which the President linked directly to the protests (Wilén 2015). Not surprisingly, the security situation deteriorated rapidly, resulting in an estimated 1,155 violent deaths between April 2015 and April 2016, approximately 60% of which were civilians (ACLED 2016). However, despite a lengthy engagement with the unfolding crisis that we summarise below, it was arguably the events of 11–12 December 2015 when at least 87 people were reportedly killed in response to an attack on Burundian army barracks that prompted the AU to issue its novel coercive ultimatum (ACLED 2016).

TESTING THE AU MECHANISMS IN THE CASE OF BURUNDI

The build-up to invoking Article 4(h)

Since at least late 2014, the AU engaged in preventive diplomacy to tackle what it saw as a foreseeable crisis in Burundi. This included several visits from the AU Commissioner for Peace and Security, Smail Chergui to discuss the country's upcoming elections (AU 2014; Institute for Security Studies (ISS) 2015: 7). The AU also supported the creation of a joint East African Community (EAC)-Common Market for Eastern and Southern Africa (COMESA) Panel of the Wise to defuse tensions (Nantulya 2017). In March 2015, the Chairperson of AU Commission, Dlamini-Zuma visited Burundi and authorised the deployment of a high-level delegation, chaired by former OAU Secretary-General and former Togolese prime minister, Edem Kodjo, a member of the AU's Panel of the Wise, and former Senegalese foreign minister Ibrahima Fall (AU 2015a). The delegation was deployed in May (AU PSC 2015a; ISS 2015).

Despite this preventive diplomacy, the AU refrained from making any official statement against the Burundian President's run for a third, contested term in office. Although Burundi's Constitutional Court ruled in

favour of Nkurunziza's third term in early May 2015, in a televised interview three days later, Dlamini-Zuma expressed doubts about the judgement and noted that it went against most other interpretations made of the Constitution and the Arusha Peace Accords (Vandeginste 2016: 7). But the AU did not officially subscribe to such an interpretation. Meeting on 14 May in the midst of what would be a failed coup attempt in Burundi, the PSC echoed the EAC's call to postpone elections (made at its Extraordinary Summit in Dar es Salaam that same day). The PSC also planned to deploy human rights observers and requested that the AU Commission undertake contingency planning for possibly deploying a peace operation to protect civilians in Burundi (AU PSC 2015b).[6] The force would become known as the African Protection and Prevention Mission in Burundi (MAPROBU) and was to be the AU's fallback option if the coup-related violence escalated into more significant armed conflict (Senior AU official, 5 January 2016, Int.).

Continuing with its initial diplomatic approach, the AU appointed a member of the former high-level delegation, Ibrahima Fall, as its Special Representative for the Great Lakes Region and head of a strengthened AU Liaison Office in Burundi (AU 2015b). However, the AU soon took a more critical tone towards Burundi's government. The PSC's next communiqué called for the immediate deployment of AU human rights observers and military experts (AU PSC 2015c) and the AU criticised Burundi when those observers were unable to deploy (AU 2015d). The delay was due to the Burundian authorities demanding special entry visas for the AU observers and experts (AU 2015e). As a result, the small, starting team only arrived in Bujumbura on 22 July. Meanwhile, on 28 June, the AU decided not to deploy election observers to Burundi, stating that 'the necessary conditions are not met for the organization of free, fair, transparent and credible elections' (AU 2015c).

Burundi's government ignored the calls to postpone the elections further and instead held them on 21 July. However, it was not until mid-October that the AU shifted from diplomacy to imposing sanctions. On 17 October, the PSC deplored the absence of an agreed Memorandum of Understanding between the AU and the Burundian authorities regarding the deployment of human rights observers and military experts, whose authorised number was increased to 100 (AU PSC 2015d). It also imposed targeted sanctions against Burundian stakeholders contributing to violence and requested vetting of Burundian defence and security forces that were participating in AU-led peace

operations. In addition, the PSC demanded the African Commission on Human and People's Rights conduct an in-depth investigation of human rights violations within 45 days. It also ordered the AU Commission to finalise contingency planning for MAPROBU. It was this gradual transition from diplomacy to sanctions that opened up the option of invoking Article 4(h) once other instruments had been exhausted. We argue that this represented a new type of coercive diplomacy for the AU, which nevertheless faced significant challenges.

Coercive diplomacy: delivering an ultimatum

After using diplomacy and targeted sanctions, on 17 December 2015, the AU PSC (meeting at the ambassadorial level) delivered an unprecedented ultimatum to Burundi's government, backed by the threat of resorting to military force (AU PSC 2015e). However, Burundi's government rejected the PSC's ultimatum and within two months it was clear that the AU would not resort to military force. Instead, the PSC reverted back to utilizing a mix of diplomacy and targeted sanctions and the UN was given a larger role in dealing with the situation.

The 17 December PSC communiqué broke new ground by authorising a 5,000 strong peace operation – MAPROBU – to protect civilians in Burundi without first gaining the host government's consent. Specifically, the PSC issued an ultimatum to the government of Burundi: consent within 96 hours to MAPROBU's deployment or face the scenario of the PSC recommending that the AU Assembly deploy the force anyway under Article 4(h) of the AU Constitutive Act. As with all PSC communiqués, this one was binding on all AU members (as set out in the AU Constitutive Act). Although Burundi was a member of the PSC at the time – and actually its designated chair for December 2015 – the council invoked Article 8(9) of the *PSC Protocol* (2002) to ask the Burundian delegation to remove themselves from the chamber during the substantive deliberations on the issue (Williams 2015).

As noted above, Article 4(h) had previously only been invoked in support of the trial of the former President of Chad, Hissène Habré (AU 2006). Until the Burundi case, discussions of Article 4(h) in relation to military intervention had been rare and proved so politically toxic among African governments that the AU had never invoked it. The two most relevant previous cases where Article 4(h) 'grave circumstances' might have been used to justify military intervention were Darfur (2004/05) and Libya (2011). In both cases, powerful

international actors raised the prospect of conducting a military intervention for civilian protection purposes without the host government's consent. In both cases, however, the AU Assembly refused to invoke Article 4(h) and responded via other mechanisms.

In the Burundi case, the communiqué set out MAPROBU's mandate as follows:

> (a) prevent any deterioration of the security situation, monitor its evolution and report developments on the ground; (b) contribute, within its capacity and in its areas of deployment, to the protection of civilian populations under imminent threat; (c) contribute to the creation of the necessary conditions for the successful holding of the inter-Burundian dialogue and to the preservation of the gains made through the Arusha Agreement for Peace and Reconciliation in Burundi; (d) facilitate, in collaboration, as appropriate, with other international actors, the implementation of any agreement the Burundian parties would reach, including, but not limited to, the disarmament of militias and other illegal groups, the protection of political personalities and other actors whose security would be threatened; and (e) protect AU personnel, assets and installation. (AU PSC 2015e: para.13.a.ii)

The main drivers behind the timing of this communiqué were the reports of escalating violence that the AU was receiving from Burundi. These came from the AU human rights observers in Bujumbura and the returning fact-finding mission of the African Commission on Human and Peoples' Rights (ACHPR), which visited Burundi from 7–13 December (see ACHPR 2015). There was also growing anxiety inside the AU that the existing mediation plan was failing to produce the desired progress (Senior AU official, 5 January 2016, Int.).

Perhaps most importantly, on 11–12 December opposition forces attacked three military installations in Bujumbura and subsequently fled into various nearby neighbourhoods. Government forces followed them and carried out extrajudicial killings of numerous young men, some of whom they claimed were the attackers. There were also reports of several acts of sexual violence committed by the Burundian security forces. Estimates suggested that at least 87 people were killed (Amnesty International 2015; ACLED 2016). This was, by far, the single worst incident in terms of fatalities since the start of the crisis and raised the AU's concerns that a spiral of violence would escalate and increase the need to protect local civilians.[7]

In this turbulent context, the PSC's principal goals in taking its 17 December decision were to facilitate a political settlement to Burundi's ongoing crisis and reduce the threat of armed conflict and violence against civilians. Importantly, the AU had no official rule on the issue of term limits for African presidents. Indeed, the AU cannot stop one of its members changing its constitution and the Union has banned only unconstitutional changes not consensual ones. As a result, the AU Commission decided not to focus its efforts on the issue of the presidential term. However, the AU was one of the guarantors of the Arusha Accords and so had a responsibility to help implement that peace agreement. The PSC also has a mandate to prevent armed conflict across Africa. The AU Commission therefore decided to focus on making sure that any attempts to change term limits in Burundi did not lead to violent conflict, which would trigger an AU role in terms of conflict prevention and civilian protection, but not necessarily from a desire to push democratisation (Senior AU official, 5 January 2016, Int.).

The threat of Article 4(h) intervention is abandoned

The PSC's 17 December communiqué represents a case of coercive diplomacy, i.e. it was a threat rather than a decision to launch a 'humanitarian military intervention'.[8] The credibility of such threats can be enhanced if they are communicated clearly and consistently (the more actors voicing their support, the better), if the coercer has a reputation for following through, and if they possess the required material capabilities (see George 1991; Byman & Waxman 2002; Art & Cronin 2003). The AU struggled on each of these criteria and so the threat of an Article 4(h) intervention was always going to prove difficult to implement.

First, this was the first time the PSC had threatened to use military force against the wishes of a *de jure* host government in the name of protecting civilians and preventing the escalation of violence. Consequently, the AU did not have a strong reputation for carrying out such an unprecedented threat in Burundi.

Second, the threat was not communicated with complete consistency and clarity because the PSC failed to maintain a public show of unity. Perhaps most notable were the divisive public remarks of Tanzania's foreign minister, Augustine Mahiga. Before signing onto an AU press release supporting MAPROBU on 8 January 2016 (AU 2016a),

Mahiga had publicly broken ranks with the PSC's 17 December decision, arguing that his country preferred a political settlement over the deployment of troops, which he believed would escalate the current crisis (Mwangonde 2015; Ubwani 2015). In addition, in the midst of the AU Assembly meetings in late January 2016, Ibrahima Fall also shattered the PSC's public unity by arguing that the AU had never intended to forcibly intervene in Burundi and that the entire concept had been 'unimaginable' (New Vision 2016).

Third, the PSC's threat was weakened still further because of the complex layers of decision-making involved. Specifically, the PSC could only recommend that the AU Assembly consider authorising an Article 4(h) intervention. In addition, even if the AU Assembly had authorised such an intervention, in order to conform with existing international law on the use of force it would have required a UN Security Council resolution passed under Chapter VII of the UN Charter. This is made clear in Article 53(1) of the UN Charter, which sets out the role of regional arrangements in the UN system, and Article 103 which establishes the UN Charter's standing over other international agreements, such as the AU Constitutive Act. This added yet another layer of uncertainty into the decision-making process: would the AU Assembly carry out what would probably be seen as an illegal use of force if it did not obtain UN Security Council authorisation?

Fourth, it was not clear that the AU could quickly generate and deploy the proposed MAPROBU force, which was authorised to consist of 5,000 military, police and civilian personnel (for general discussions of the challenges see Apuuli 2016; Darkwa 2017). This was partly because to deploy into Burundi, the EASF would obviously not be able to use the pledged units from Burundi (one infantry battalion and a formed police unit). Moreover, for political reasons, Rwanda's pledged infantry battalion, special forces, and some 260 police officers would also be unavailable (EASF 2014: 15; Wilén 2016b). There was also the problem that Tanzania's foreign minister had come out against deploying MAPROBU and Uganda and Kenya were already stretched, committing a combined total of over 10,000 soldiers to the AU Mission in Somalia (AMISOM). Finally, there were also concerns about the AU's lack of finances, enablers and logistics capabilities, which were reflected in the PSC explicitly asking the UN for such support even in the event of a consensual MAPROBU deployment let alone a non-consensual one (AU PSC 2015e: para.13.a.iv).

Given these factors, it was not surprising that the AU Assembly decided not to employ the threat of force issued earlier by the PSC.

This outcome unfolded in a series of meetings that led up to the 26th ordinary session of the AU Assembly in Addis Ababa, 30–31 January 2016 (see Dersso 2016).

The first relevant decision took place on 28 January, when the AU Executive Council oversaw Burundi's re-election to serve another two-year term on the PSC. Along with Chad, it was central Africa's uncontested choice for that two-year seat. This was an important barometer of the opinion of the region's governing elites (see below).

The next important meeting was on 29 January when the PSC met at the level of heads of state and government (AU PSC 2016). The meeting considered three issues: terrorism in Africa, and the crises in South Sudan and Burundi. UN Secretary-General Ban Ki-moon also attended the open session where he stated that the authorisation of MAPROBU had 'sent a strong signal to the entire continent and the world that you will not stand by while the violence escalates and human rights abuses continue unpunished. I commend your decisive leadership' (UN 2016). Most member states on the PSC, however, took a different view. The majority of them now deemed it inappropriate to send troops to Burundi without the government's consent and agreed it was prudent not to force the issue. Gambia's President Yahya Jammeh and Tanzania's Foreign Minister Mahiga made particularly strong statements against the need for MAPROBU, reflecting the majority view in the room (AU official, 4 February 2016, Int.; Dersso 2016: 7).

On 6 February, after more than a week of additional discussion between senior AU Commission personnel and the PSC members, the AU released the final text of the PSC's decision (AU PSC 2016). Having taken note of the Burundi government's rejection of MAPROBU, the heads of state at this meeting emphasised the importance of continuing the inter-Burundi dialogue under East African Community mediation led by Uganda but with AU support. The PSC decided 'not to deploy MAPROBU because it considers it premature to send such a force to Burundi'. Instead, the PSC decided to dispatch a high-level delegation 'to hold consultations' with the Burundi government 'as well as other stakeholders … on the inclusive Inter-Burundian Dialogue'.[9] Significantly, the delegation's mandate was expanded from a sole focus on the inter-Burundi dialogue – as expressed in the PSC communiqué of 29 January (AU PSC 2016) – to also include 'the deployment of the African Prevention and Protection Mission in Burundi (MAPROBU), if accepted by the Government of Burundi' (AU 2016b).

Hence by the time of the main event of the summit, the AU Assembly meeting which convened 30–31 January, the Assembly had decided the conditions in Burundi did not warrant the threat or use of force under Article 4(h). The necessary majority of member states against an intervention had formed during the informal consultations that took place in closed sessions involving heads of state and their small entourages.

THE GOVERNMENT OF BURUNDI'S REJECTION OF MAPROBU

As discussed above, there are a number of factors that explain why the PSC's threat of force in Burundi was not implemented. Part of the explanation is the agency exercised by the Burundian government in rejecting MAPROBU. The government of Burundi showed early on that it was not interested in accommodating demands from external actors unless it could gain tangible benefits. The government's refusal to touch upon the debate about a third term for Nkurunziza was one such indication, as was the continuous delay in allowing the AU's human rights observers and military experts to enter the country (AU 2015e).

It was therefore no surprise that Burundi's parliament unanimously rejected the proposed AU force on 21 December 2015 (Havyarimana 2015). This was followed two days later by a letter from Burundi's foreign minister to the AU chairperson in which he likened MAPROBU to an invasion force that threatened Burundi's sovereignty (Burundi 2015). President Nkurunziza followed suit, stating that any military intervention by AU troops would constitute 'an attack on the country and every Burundian will stand up and fight against them' (BBC News 2015a).

Two factors were particularly important in bolstering the government's rejection of MAPROBU: Burundi's provision of peacekeepers to several international operations and regional dynamics, particularly within the East African Community (EAC).

Providing peacekeepers

Two days after the PSC invoked Article 4(h), the Burundian government organised a public campaign against MAPROBU arguing that deploying a peace operation could destabilise Burundi's sovereignty. Moreover, the government claimed that since Burundi provided thousands of peacekeepers to other countries it was an exporter of peace and not

in need of foreign peacekeepers on its territory (Mbazumutima *et al.* 2015). The Burundian government also framed the AU intervention force as being about the Burundian military's capacity to protect its population, thus directing attention to the army, rather than the government. During several weekends, the ruling party CNDD-FDD held demonstrations in all provinces to 'support the Burundian army' and resist any foreign intervention (Madirisha 2016). The army's peacekeeping role at home was also central in the Minister of Public Security's rejection of MAPROBU: 'Burundi is one of the troop contributing countries in Africa and elsewhere … this is why Burundi is capable of ensuring the security of its population' (Mbazumutima *et al.* 2015).[10]

This was not the first time during the crisis that the Burundian government deployed this tactic. In May 2015, just days after the failed coup attempt, President Nkurunziza used the country's provision of peacekeepers to the African Union to divert attention from the political turmoil. Specifically, he claimed that owing to its peacekeepers in Somalia, Burundi faced a specific threat from the Somali Islamist movement al-Shabaab. This generated a derogatory response from an al-Shabaab spokesman who called the remarks 'dumbfounding' and denied any plans for attacks against Burundi (BBC News 2015b).

The Burundian government also clearly benefitted from its provision of peacekeepers to AU and UN operations, both economically and politically (Wilén *et al.* 2018). Economically, Burundi's peacekeepers generate important revenue through reimbursements for an otherwise impoverished army, especially in the current economic climate (International Crisis Group (ICG) 2017). The fact that the Burundian government has continued its regular deployment of troops in AMISOM in spite of the withdrawal of pre-deployment training from its bilateral partners France and the USA is evidence of the importance tied to its troop contribution (Reuters 2015). Politically, providing peacekeepers remains Nkurunziza's most important card against any foreign intervention force. First, it made the AU and other external actors reluctant to intervene in a country that maintains approximately 5,000 troops in AMISOM. Second, the AU is also unlikely to withdraw the Burundian troops because of the considerable security risks related to sending them back home during a period of domestic crisis. Perhaps most notably the army could fray along ethnic lines and soldiers would face economic hardship given their lost allowances from AMISOM (Wilén 2016b).

Burundian civil society, which has largely opposed the government, has also attempted to politicise Burundi's peacekeeping contributions.

One example was a campaign on social media entitled '#bringbackoursoldiers', which asked for the return of Burundian troops deployed to AMISOM (Ubwani 2016). Launched on platforms such as Twitter and Facebook, its initial aim was to get peacekeepers to return home in order to protect the civilian population. However, as civil society continued monitoring domestic repression by the army and the police, the aim changed to asking the UN and the AU if these soldiers (who allegedly committed crimes in their own country) were appropriate for the task of restoring peace and stability in other states (Wilén *et al.* 2018). In response, the UN repatriated, for example, Colonel Baratuza, spokesperson for the FDN who had been appointed Deputy Spokesperson for the UN peacekeeping operation in the Central African Republic (MINUSCA). This followed civil society organisations contesting his nomination to the UN mission based on his declarations related to the attacks on military camps in Bujumbura on 11–12 December 2015 (Fouchard 2015).

The regional dimension

Burundi's location in a region where leaders have repeatedly ignored term limits undoubtedly strengthened President Nkurunziza's hand and reinforced the decision to reject MAPROBU. In particular, the appointment of President Yoweri Museveni as the EAC's mediator in Burundi gave an indication of how its members saw Nkurunziza's bid for a third term. Museveni, East Africa's longest-serving head of state, who changed Uganda's constitution in 2003 and banned regulations on presidential term limits, won a contested fifth term in early 2016, extending his 30-year rule (BBC News 2016). It was thus clear from the start that Museveni was unlikely to tackle the root of Burundi's current crisis and question Nkurunziza's right to a third term in power. However, it is notable that a leaked report from a meeting between the EAC attorneys and ministers of justice and constitutional affairs on 15 May 2015 stated that 'Nkurunziza is not eligible to seek re-election for another term' (The Insider 2015). The EAC members never publicly addressed the findings of that report.

Interestingly, Rwanda's president, Paul Kagame, initially implicitly advised Nkurunziza to step down and refrain from a third term at a symposium in Switzerland in early May 2015 (Kenya Today 2015). But as discussions intensified regarding a possible change of the Rwandan constitution authorising Kagame to stay in office until 2034, Kagame

stepped back from discussions regarding Nkurunziza's third term and was also absent from the second EAC meeting in Dar es Salaam following the failed coup attempt in Burundi in mid-May (RFI 2015). Discussions about the forthcoming Rwandan referendum regarding the constitutional change took place amidst accusations of Rwandan support and training of Burundian rebel groups (Buchanan 2015; Kelley 2015). While tensions between the two countries grew, the question of Nkurunziza's third term was carefully avoided. Indeed, the accusations of Rwanda's support for Burundian rebels increased Nkurunziza's leeway because it diverted attention from his government's role in the crisis while simultaneously providing justifications for suppressing internal opposition groups. That President Kagame's alteration of Rwanda's constitution following a contested referendum (McVeigh 2015; Rwanda Constitution Art. 172) and then an equally flawed electoral victory (BBC News 2017) drew no significant criticism from African states underlined the region's disregard for presidential term limits.[11]

The two remaining members of the EAC, Tanzania and Kenya, kept relatively low profiles during the crisis, despite Tanzania becoming host to more new Burundian refugees than any other country (Essa 2015). Initially, President Kikwete called on Burundi to abide by the Arusha agreement that limited presidents to two terms in office *before* Nkurunziza announced his third term (Nimubona 2015). However, in late May, the Tanzanian leader changed position, pushing instead for a government of national unity (Kendemeh 2015). This new, conciliatory approach was maintained and most likely reinforced by the new President Magufuli's increasingly autocratic rule in Tanzania (Jennings 2016). Kenya remained silent on Burundi's crisis, largely because of Nairobi's other priorities, notably concerns about stability during its upcoming elections and its war against al-Shabaab and other militant organisations.

In neighbouring DR Congo, President Kabila successfully delayed elections using various stalling tactics from early 2015 (ICG 2015; Allen-Ebrahimian 2017). He also avoided commenting on the Burundian crisis. Indeed, Kabila's effort to retain power benefitted from Burundi's crisis, which diverted significant international attention during a crucial period of election preparations in DR Congo (Anderson 2017). Silence from the neighbouring leaders on the principal cause of Burundi's crisis is further evidence of the regional trend of autocrats refusing to give up power (Wilén 2016a).

CONCLUSION

Despite the efforts of the AU Commission and some members of the PSC, this episode represents a victory for Nkurunziza's government: MAPROBU was killed off; the promised dialogue remained stalled; sanctions did not materialise; and most AU observers were kept out and those on the ground constrained in various ways.

But this was not a complete defeat for the AU. The Burundi case showed the AU Commission was willing and able to address an impending crisis that directly related to its mandate to prevent violent conflicts. From late 2014, the AU used various diplomatic instruments, including the deployment of special envoys, a high-level panel and later, human right observers and military experts. When these failed to persuade the Burundian government to open negotiations, the PSC used targeted sanctions to try and diffuse the crisis. The PSC's unprecedented invocation of Article 4(h) in the immediate aftermath of the deadly episode of 11–12 December 2015 was an innovative attempt to reduce violence against civilians and put pressure on the government when all previous measures had failed.

Yet, the AU did not directly tackle the principal cause of Burundi's crisis: President Nkurunziza's controversial bid for a third term. It seems clear that most observers, including the EAC's ministers of justice and the chairperson of the AU Commission viewed a third term for Nkurunziza as unconstitutional and it certainly broke the terms of the Arusha agreement, for which the AU was a guarantor. Yet the AU's room for manoeuvre was constrained for two main reasons. First, the May 2015 ruling by Burundi's Constitutional Court in favour of Nkurunziza's third term meant that legally, Nkurunziza's continued rule was constitutional, despite serious doubts about the Court's independence reflected by the vice-president's decision to flee the country immediately after the verdict was delivered. Second, the EAC's leaders were unwilling to criticise the extension of presidential term limits in Burundi given their similar behaviour in their own states. Discussion of this issue was effectively killed off when the EAC gained the lead role for mediating the negotiations to resolve Burundi's crisis.

The decision not to forcibly deploy MAPROBU without the host government's consent shows the abiding power of the norm of non-intervention and the controversial nature of Article 4(h) in Africa, despite the AU's new unofficial slogan of moving 'from non-intervention to non-indifference'. The decision also showed how there can be different dynamics for the PSC convening at ambassadorial level compared to

meetings at the level of heads of state or foreign ministers. In retrospect, the decision not to deploy MAPROBU also made it easier for the government of Burundi to reject the deployment of a UN police mission, which was established in UN Security Council resolution 2303 of 29 July 2016. It has also probably reduced the AU's credibility should it wish to issue a similar compellent threat in the future. On the other hand, it is possible that the PSC's threat of Article 4(h) helped prevent an even worse spiral of violence that might have occurred after the clashes in mid-December 2015 and that a forcible military intervention might have escalated Burundi's crisis regardless of the good intentions behind it.

NOTES

1. We define the APSA as comprising the AU Peace and Security Council, the African Standby Force, the Continental Early Warning System, the Military Staff Committee, the Panel of the Wise, the Peace Fund, and the relevant Regional Economic Communities and Regional Mechanisms.

2. The PSC was not part of the AU Constitutive Act. Rather, it grew out of an ad hoc process to reform the older OAU Mechanism for Conflict Prevention, Management and Resolution, which had been established in June 1993. A series of internal discussions within the OAU/AU led to the adoption of the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union* (hereafter, *PSC Protocol*) in Durban, South Africa, on 9 July 2002 (see Levitt 2003; Franke 2009: 96–102; Williams 2009). The *PSC Protocol* entered into force on 26 December 2003 (after ratification by 27 of the then 53 AU members), and the PSC officially began its work on 16 March 2004.

3. As set out in Articles 13(6) and 10(2c) of the *PSC Protocol* (2002).

4. This norm was first codified by the Organisation of African Unity in its Lomé Declaration (2000) and subsequently reiterated in Article 4(p) of the AU Constitutive Act (2000), the PSC Protocol (2002) and the African Charter on Democracy, Elections and Governance (2007).

5. In Central African Republic, São Tomé and Principe, Guinea-Bissau, Togo, Mauritania, Guinea, Madagascar, Niger, Mali, Egypt and Burkina Faso.

6. This was later supported by UN Security Council Resolution 2248 (12 November 2015), which affirmed the importance of UN and AU contingency planning to enable an effective response to any further deterioration of the situation in Burundi.

7. Between April and 19 December 2015, ACLED data suggested there were 668 reported fatalities from violence in Burundi (ACLED 2015).

8. We define humanitarian military intervention as the use of military force without host state consent aimed at preventing or ending widespread and grave violations of human rights such as genocide, ethnic cleansing or crimes against humanity (see Roberts 2001).

9. The composition of the high-level delegation was announced in a press release two days before the AU released the final text of the PSC decision (AU 2016b). That statement said the AU Assembly had decided the delegation would comprise five heads of state representing Africa's five regions: Mauritania (North), South Africa (Southern), Senegal (West), Gabon (Central) and Ethiopia (Eastern). None of these leaders had been in power as long as President Nkurunziza.

10. Authors' translation from French.

11. Kagame was also subsequently chosen to lead the AU's reform initiative.

REFERENCES

ACLED. 2015. 'Update: Burundi Local Data on Recent Unrest' (26 April–19 December 2015), <http://www.crisis.acleddata.com/update-burundi-local-data-on-recent-unrest-26-apr-19-dec-2015/>, accessed 22.11.2017.

ACLED. 2016. 'Country Report: Burundi Crisis Year One' (26 April–25 April 2016), <https://www.acleddata.com/wp-content/uploads/2016/05/ACLED-Country-Report-Burundi-May-2016.pdf>, accessed 7.5.2018.
African Commission on Human and Peoples' Rights (ACHPR). 2015. Press release, 'Fact-Finding Mission of the ACHPR to Burundi (7–13 December 2015)', 14 December, <http://www.achpr.org/press/2015/12/d285/>, accessed 22.11.2017.
Allen-Ebrahimian, B. 2017. 'How ballots are being used to delay the Congolese Election', *Foreign Policy*, 12 October, <http://foreignpolicy.com/2017/10/12/how-ballots-are-being-used-to-delay-the-congolese-election-africa-kabila-democratic-republic-congo/>, accessed 24.11.2017.
Amnesty International. 2015. *Burundi: "My children are scared": Burundi's deepening human rights crisis*. Report AFR 16/3116/2015, 22 December.
Anderson, J. 2017. 'Burundi's newest, biggest rebel group', *African Arguments*, 3 October, <http://africanarguments.org/2017/10/03/burundi-newest-biggest-rebel-group/>, accessed 25.11.2017.
Apuuli, K.P. 2016. 'Establishing the full operational capability of the East African Standby Force: challenges and opportunities', *Insight on Africa* 8, 1: 1–17.
Art, R.J. & P.M. Cronin, eds. 2003. *The United States and Coercive Diplomacy*. Washington, DC: US Institute of Peace Press.
AU. 2006. Decision of the AU Assembly, Assembly/AU/Dec.127(VII), 2 July.
AU. 2014. 'AU Peace and Security Commissioner concludes visit to Burundi', Addis Ababa, 18 June.
AU. 2015a. Press release, 'AU Commission Chairperson visits Burundi', Addis Ababa, 26 March.
AU. 2015b. Press release, 'Appointment of Mr. Ibrahima Fall of Senegal as the AU Special Representative for Great Lakes Region', Addis Ababa, 3 June.
AU. 2015c. Communiqué, 'The African Union reiterates the imperative need for dialogue and consensus for a lasting solution to the crisis in Burundi and announces that it will not observe the elections scheduled for 29 June 2015', 28 June.
AU. 2015d. Press release, 'The African Union reaffirms the imperative for dialogue and consensus in order to peacefully resolve the current crisis in Burundi. The AU ready to deploy human rights observers and military experts', Addis Ababa, 8 July.
AU. 2015e. Press release, 'The African Union reiterates its readiness to immediately deploy human rights observers and military experts to Burundi', Addis Ababa, 18 July.
AU. 2016a. Press release, 'Consultations between the AU Commission and Tanzania on the situation in Burundi', Addis Ababa, 8 January.
AU. 2016b. Press release, 'The AU appoints the high-level delegation to Burundi', Addis Ababa, 4 February.
AU PSC. 2016. Communiqué, PSC/AHG/COMM.3(DLXXI), 29 January.
AU PSC. 2015a. Communiqué, PSC/PR/COMM.(DI), 28 April.
AU PSC. 2015b. Communiqué, PSC/PR/COMM(DVII), 14 May.
AU PSC. 2015c. Communiqué, PSC/PR/COMM.2(DXV), 13 June.
AU PSC. 2015d. Communiqué, PSC/PR/COMM.(DLI), 17 October.
AU PSC. 2015e. Communiqué, PSC/PR/COMM.(DLXV), 17 December.
Badimus, I.A. 2015. *The African Union's Role in Peacekeeping*. Basingstoke: Palgrave-Macmillan.
BBC News. 2015a. 'Burundi crisis: Pierre Nkurunziza threatens to fight AU peacekeepers', 30 December, <http://www.bbc.com/news/world-africa-35198897>, accessed 8.11.2017.
BBC News. 2015b. 'Burundi's Nkurunziza wars of al-Shabab after coup fails', 17 May, <http://www.bbc.com/news/world-africa-32772108>, accessed 15.11.2017.
BBC News. 2016. 'Uganda's President Yoweri Museveni wins fifth term'. 20 February, <http://www.bbc.com/news/world-africa-35620934>, accessed 15.11.2017.
BBC News. 2017. 'Rwanda election: President Paul Kagame wins by landslide', 5 August, <http://www.bbc.com/news/world-africa-40822530>, accessed 19.11.2017.
Berhe, M.G. & A. de Waal. 2015. *Peace Missions in Africa: constraints, challenges and opportunities*, Preliminary Report to the African Union. Boston, MA: World Peace Foundation. <https://sites.tufts.edu/wpf/files/2017/05/Peace-Missions-in-Africa-Prelimary-Report-final.pdf>
Berhe, M.G. & A. de Waal. 2016. *African Politics, African Peace*. Boston, MA: World Peace Foundation.
Boschoff, H., W. Vrey & G. Rautenbach. 2010. 'The Burundi peace process: from civil war to conditional peace'. Institute for Security Studies, Monograph 171.
Boutellis, A. 2015. 'United Nations Operation in Burundi (ONUB)' in J. Koops *et al.*, eds. *The Oxford Handbook of United Nations Peacekeeping Operations*. Oxford: Oxford University Press, 731–41.

Buchanan, E. 2015. 'Burundi: Who are the armed rebels supported by the country's exiled dissidents?' *International Business Times*, 21 June, <http://www.ibtimes.co.uk/burundi-who-are-armed-rebels-supported-by-countrys-exiled-dissidents-1511164>, accessed 21.11.2017.
Burundi. 2015. Ministry of Foreign Affairs and International Cooperation, 'Letter to AU Commission's president', no. 204.01/17777/RE.2015.
Byman, D. & M. Waxman. 2002. *The Dynamics of Coercion: American foreign policy and the limits of military might*. Cambridge: Cambridge University Press.
Coleman, K. & P.D. Williams. 2017. *Logistics Partnerships in Peace Operations*. New York, NY: International Peace Institute.
Darkwa, L. 2017. 'The African Standby Force: The African Union's tool for the maintenance of peace and security', *Contemporary Security Policy* 38, 3: 471–82.
De Coning, C., L. Gelot & J. Karlsrud, eds. 2016. *The Future of African Peace Operations*. London: Zed Books.
Dersso, S. 2016. *To Intervene or Not to Intervene? An inside view of the AU's decision-making on Article 4(h) and Burundi*. World Peace Foundation, February, <https://sites.tufts.edu/wpf/files/2017/05/AU-Decision-Making-on-Burundi_Dersso.pdf>
Dersso, S. 2017. 'Defending constitutional rule as a peacemaking enterprise: the case of the AU's ban of unconstitutional changes of government', *International Peacekeeping* 27, 4: 639–60.
EASF. 2014. *Special Report on the Development of the EASF and its Achievement of Full Operational Capability*. Unpublished, December.
Engel, U. 2010. 'Unconstitutional Changes of Government: new AU policies in defence of democracy'. Leipzig University, Working Paper Series No. 9.
Engel, U. 2013. 'The changing role of the AU Commission in inter-African relations', in J.W. Harbeson & D. Rothchild (eds), *Africa in World Politic*. Fifth edition. Boulder, CO: Westview, 186–206.
Engel, U. & J. Gomes Porto, eds. 2010. *Africa's New Peace and Security Architecture*. Farnham: Ashgate.
Essa, A. 2015. 'Burundi refugee crisis test Tanzania's refugee policy', *Al Jazeera*, 25 May, <http://www.aljazeera.com/blogs/africa/2015/05/burundi-refugee-crisis-tanzania-150525112220277.html>, accessed 24.11.2017.
Franke, B. 2009. *Security Cooperation in Africa*. Boulder, CO: Lynne Rienner.
Fouchard, A. 2015. 'Centrafrique: la mission de l'ONU ne veut pas d'un porte-parole burundais', *Le Monde Afrique*, 16 December 2015, <http://www.lemonde.fr/afrique/article/2015/12/16/centrafrique-la-mission-de-l-onu-ne-veut-pas-d-un-porte-parole-burundais_4833378_3212.html>, accessed 15.11.2017.
Gelot, L., L. Gelot & C. De Coning, eds. 2012. *Supporting African Peace Operations*. Oslo: NAI, Dag Hammarskold Foundation & NUPI.
George, A.L. 1991. *Forceful Persuasion: coercive diplomacy as an alternative to war*. Washington, DC: US Institute of Peace Press.
Haggis, C. 2009. *The African Union and Intervention: the origins and implications of Article 4(h) of the 2001 Constitutive Act*. Unpublished D.Phil. thesis, University of Oxford.
Hardt, H. 2014. *Time to React: the efficiency of international organizations in crisis response*. Oxford: Oxford University Press.
Hardt, H. 2016. 'From states to secretariats: delegation in the African Union Peace and Security Council', *African Security* 9, 3: 161–87.
Havyarimana, M. 2015. 'Burundi: AU Peacekeepers will violate sovereignty, say Burundi MPs', *The East African*, 22 December, <http://allafrica.com/stories/201512220942.html>, accessed 15.11.2017.
Hurd, I. 2014. *International Organizations: politics, law, practice*. Oxford: Oxford University Press.
International Crisis Group (ICG). 2015. 'Congo: is democratic change possible?', *Africa Report* 225, 5 May, <https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/congo-democratic-change-possible>, accessed 24.11.2017.
International Crisis Group (ICG). 2017. 'Burundi: the army in crisis', *Africa Report* 247, 5 April, <https://www.crisisgroup.org/africa/central-africa/burundi/247-burundi-army-crisis>, accessed 15.11.2017.
Institute for Security Studies (ISS). 2015. *Peace and Security Council Report*. No.70, June.
Jennings, M. 2016. 'Magufuli's reformist drive takes an autocratic turn in Tanzania', *World Politics Review*, 24 October, <https://www.worldpoliticsreview.com/articles/20254/magufuli-s-reformist-drive-takes-an-autocratic-turn-in-tanzania>, accessed 24.11.2017.

Kelley, K.J. 2015. 'Burundi's US lobbyist says Rwanda aiding rebels', *Africa Review*, 13 July, <http://www.africareview.com/News/Burundi-US-lobbyist-says-Rwanda-aiding-rebels/-/979180/2787484/-/be2tnv/-/index.html>, accessed 21.11.2017.
Kendemeh, E. 2015. 'Burundi: regional leaders for Burundi post-election Union Government', 8 July, <http://allafrica.com/stories/201507081346.html>, accessed 24.11.2017.
Kenya Today. 2015. 'Rwanda's President Kagame tells Burundi's Nkurunziza to step down', 11 May, <http://www.kenya-today.com/news/rwandas-president-kagame-tells-burundis-nkurunziza-to-step-down>, accessed 19.11.2017.
Kuwali, D. & F. Viljoen, eds. 2014. *Africa and the Responsibility to Protect*. London: Routledge.
Levitt, J.I. 2003. 'The Peace and Security Council of the African Union: the known unknowns', *Transnational Law and Contemporary Problems* 13: 109–37.
Madirisha, E. 2016. 'MAPROBU, viendra viendra pas?', *IWACU Burundi*, 12 January, <http://www.iwacu-burundi.org/maprobu-viendra-viendra-pas/>, accessed 15.11.2017.
Makinda, S. & W. Okumu. 2008. [2015, Second edition] *The African Union*. London: Routledge.
Mbazutumima, A., C. Bigirimana, E. Madirisha, C. Shaka, D. Hakizimana, L. Nkuruziza & P. Ngendakumana. 2015. 'Bujumbura s'oppose à l'envoie des troupes de l'Union africaine', *IWACU Burundi*, <http://www.iwacu-burundi.org/longform/bujumbura-soppose-a-lenvoi-des-troupes-de-lunion-africaine/>, accessed 15.11.2017.
McVeigh, T. 2015. 'Rwanda votes to give President Paul Kagame right to rule until 2034', *The Guardian*, 20 December, <https://www.theguardian.com/world/2015/dec/20/rwanda-vote-gives-president-paul-kagame-extended-powers>, accessed 20.11.2017.
Murithi, T. 2005. *The African Union*. Farnham: Ashgate.
Murithi, T. & H. Lulie, eds. 2013. *The African Union Peace and Security Council: a five-year appraisal*. Pretoria: ISS Monograph No. 187.
Mwangonde, H. 2015. 'Dar opposes AU force in Burundi', *The Citizen*, 23 December, <http://www.thecitizen.co.tz/News/Dar-opposes-AU-force-in-Burundi/1840340-3007298-5qhnhrz/index.html>
Nantulya, P. 2017. 'The costs of regional paralysis in the face of the crisis in Burundi', Africa Center for Strategic Studies, 24 August, <https://africacenter.org/spotlight/costs-regional-paralysis-face-crisis-burundi/>, accessed 10.11.2017.
Nathan, L. 2017. *A Survey of Mediation in African Coups*. African Peacebuilding Network Working Paper No. 15.
Nathan, L. *et al.* 2015. *African Peace and Security Architecture (APSA) 2014 Assessment Study*. Unpublished final report, 16 April.
New Vision. 2016. 'Deploying AU force without Burundi approval 'unimaginable': top AU official', 31 January, <https://www.newvision.co.ug/new_vision/news/1415966/deploying-au-force-burundi-approval-unimaginable-au-official>, accessed 20.11.2017.
Nimubona, D. 2015. 'Tanzania's Kikwete says Burundi should heed President term limit', *Bloomberg Business*, 20 March, <http://www.bloomberg.com/news/articles/2015-03-20/tanzania-s-kikwete-says-burundi-should-heed-president-term-limit>, accessed 24.11.2017.
Okeke, J.M. & P.D. Williams, eds. 2017. *Protecting Civilians in African Union Peace Support Operations*. South Africa: ACCORD.
Omorogbe, E.Y. 2011. 'A club of incumbents? The African Union and Coups d'État', *Vanderbilt Journal of Transnational Law* 4: 123–54.
Reuters. 2015. 'U.S. suspends Burundi peacekeeping training over protests', <https://af.reuters.com/article/africaTech/idAFKBNoO805L20150523>, accessed 24.11.2017.
RFI. 2015. 'Spéculations sur l'absence de Kagame au sommet de Dar es Salaam', 1 June, <http://www.rfi.fr/afrique/20150601-burundi-rwanda-paul-kagame-absence-sommet-dar-es-salaam/>, accessed 20.11.2017.
Roberts, A. 2001. 'The so-called right of humanitarian intervention', *Yearbook of International Humanitarian Law*, Vol. 3 (Summer).
Schelling, T. 1966. *Arms and Influence*. New Haven, CT: Yale University Press.
Sturman, K. & A. Hayatou. 2010. 'The Peace and Security Council of the African Union', in Engel & Gomes Porto, eds. *Africa's New Peace and Security Architecture*, 57–75.
The Insider. 2015. 'EAC ministers: Nkurunziza 3rd term unconstitutional', 15 May, <www.theinsider.ug/eac-ministers-nkurunziza-3rd-term-unconstitutional/>, accessed 13.11.2017.
Tieku, T. 2011. 'The evolution and role of AU Commission and Africrats: drivers of Africa's regionalism', in A. Grant, S. Cornelissen & T. Shaw, eds. *The Research Companion to Regionalisms*. Farnham: Ashgate.

Ubwani, Z. 2015. 'Mahiga calls for talks to end Burundi bloodshed', *The Citizen*, 20 December, <http://www.thecitizen.co.tz/News/Mahiga-calls-for-talks-to-end-Burundi-bloodshed/1840340-3003596-format-xhtml-kjngkoz/index.html>
Ubwani, Z. 2016. 'Bring back our soldiers Burundian activist begs', *The Citizen*, 22 January, <http://www.thecitizen.co.tz/News/Bring-back-our-soldiers–Burundian-activist-begs/1840340-3036282-format-xhtml-h6no9cz/index.html>, accessed 15.11.2017.
UN. 2016. 'Secretary-General's remarks to the AU Peace and Security Council', 29 January, <https://www.un.org/sg/en/content/sg/statement/2016-01-29/secretary-general's-remarks-african-union-peace-and-security-council>, accessed 22.11.2017.
Vandeginste, S. 2016. 'Legal loopholes and the politics of executive term limits: insights from Burundi', *Africa Spectrum* 2: 39–63.
Vines, A. 2013. 'A decade of African peace and security architecture', *International Affairs* 89, 1: 89–109.
Wilén, N. 2012. *Justifying Interventions in Africa: (de)stabilizing sovereignty in Liberia, Burundi and the Congo*, New York: Palgrave Macmillan.
Wilén, N. 2015. 'Burundi crisis: the military's central role', *Centre for Security Governance*, 16 May, <http://secgovcentre.org/2015/05/burundi-crisis-the-militarys-central-role/>, accessed 7.5.2018.
Wilén, N. 2016a. 'The rationales behind the EAC Members' response to the Burundi crisis', *Georgetown Journal of International Affairs* Winter/Spring, 1: 69–78.
Wilén, N. 2016b. 'African Union intervention could do more harm than good in Burundi', *World Politics Review*, 5 January, <https://www.worldpoliticsreview.com/articles/17585/african-union-intervention-could-do-more-harm-than-good-in-burundi>, accessed 19.11.2017.
Wilén, N., D. Ambrosetti & G. Birantamije. 2015. 'Sending peacekeepers abroad, sharing power at home: Burundi in Somalia', *Journal of Eastern African Studies* 9, 2: 307–25.
Wilén, N., G. Birantamije & D. Ambrosetti. 2018. 'The Burundian army's trajectory to professionalization and depoliticization, and back again', *Journal of Eastern African Studies* 12, 1: 120–35.
Williams, P.D. 2007. 'From non-intervention to non-indifference: the origins and development of the African Union's security culture', *African Affairs* 106: 253–79.
Williams, P.D. 2009. 'The Peace and Security Council of the African Union: evaluating an embryonic international institution', *Journal of Modern African Studies* 47, 4: 603–26.
Williams, P.D. 2011. *The African Union's Conflict Management Capabilities*. New York, NY: Council on Foreign Relations Working Paper.
Williams, P.D. 2013. *Peace Operations in Africa: lessons learned since 2000*. Africa Security Brief No. 25. Washington, DC: Africa Center for Strategic Studies.
Williams, P.D. 2014. 'Reflections on the evolving African peace and security architecture', *African Security* 7, 3: 147–62.
Williams, P.D. 2015. 'Special Report: The African Union's coercive diplomacy in Burundi', *IPI Global Observatory*, 18 December, <https://theglobalobservatory.org/2015/12/burundi-african-union-maprobu-arusha-accords/>, accessed 20.11.2017.
Williams, P.D. 2016. 'Special Report, Part 2: The AU's less coercive diplomacy on Burundi', *IPI Global Observatory*, 16 February, <https://theglobalobservatory.org/2016/02/burundi-nkurunziza-african-union-maprobu/>, accessed 20.11.2017.
Williams, P.D. 2017a. 'A new African model of coercion? Assessing the ECOWAS mission in the Gambia', *IPI Global Observatory*, 16 March, <https://theglobalobservatory.org/2017/03/ecowas-gambia-barrow-jammeh-african-union/>.
Williams, P.D. 2017b. *UN Support for Regional Peace Operations: lessons from UNSOA*. New York, NY: International Peace Institute.
Williams, P.D. & A. Boutellis. 2014. 'Partnership peacekeeping: challenges and opportunities in the United Nations–African Union Relationship', *African Affairs* 113: 254–78.
Williams, P.D. & S. Dersso. 2015. *Saving Strangers and Neighbours: advancing UN-AU cooperation on peace operations*. New York, NY: International Peace Institute.

Interviews

Senior AU official, 5 January 2016, Int.
AU official, 4 February 2016, Int.