

International Journal of Geopolitics and Governance

ijgg.eanso.org

Volume 4, Issue 1, 2025

Print ISSN: 2790-9549 | Online ISSN: 2790-9557

Title DOI: <https://doi.org/10.37284/2790-9557>



EAST AFRICAN
NATURE &
SCIENCE
ORGANIZATION

Original Article

Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent

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Article DOI: <https://doi.org/10.37284/ijgg.4.1.2992>

Date Published: **ABSTRACT**

13 May 2025

Keywords:

*Africa,
Italy,
Piano Mattei,
Rule of Law,
Security.*

The objective of this paper underscores the need for the Piano Mattei to have significant focus on advancing the rule of law - eradicating arbitrariness in governance, judicial reforms, security sector reforms, support for Non-governmental organisations (NGOs) legal aid initiatives, encouraging accountability, and tackling the wild spread of politically motivated restiveness in Africa. This is a desktop research that also included direct encounters with two experts on international cooperation between Africa and Europe, as well as information from a conference presentation made in Rome by the researcher. The limited availability of scholarly and credible professional knowledge on the Piano Mattei was a challenge for this research. Considering the above objective for this paper, the following were key findings: The need to train more rule of law and security professionals, as well as provide easy access to such training, even in Italy. The urgency is in making access to justice less political and more concerned with offering equal and affordable services, especially for the common people. Each African state's remunerations for legal practitioners, the police, and the military personnel should be adequately enhanced. Also, it is necessary for some aspects of the Piano Mattei to be guided by the African Union Agenda 2063 framework; for example, Aspirations 3 and 4 of the Agenda 2063. One of the findings, as Mutua observes, is that, "focus should be placed on the meaning and practical effect of the rule of law and not just talking about its importance or necessity in Africa."¹ A further key finding, as Mbaku observes is that "for the full operationalization of the rule of law in a country, the laws must not be externally imposed on the people. They must be those that the people understand, respect, and are able and willing to obey."² This paper also found that migration may not actually be the problem but the legal management of migration. Finally, the need to have "adequate background analyses of African challenges and the genuine necessity for equal partnerships between individual African states and the Republic of

¹ Mutua, M. (2016). Africa And The Rule Of Law: The problematic rebirth of liberalism in Africa and why the rule of law must be reconsidered to achieve sustainable development, <https://ssrn.com/abstract=2805734>.

² Mbaku, J. (2018). Rule of Law, State Capture, and Human Development in Africa, American University International Law Review, Volume 33 Issue 4, Article 4, <https://digitalcommons.wcl.american.edu/auilr/vol33/iss4/4>.

Italy.”³ The implication of the above findings is that advancing the rule of law and security in Africa (through judicial reforms, security sector reforms, as well as government’s support for legal aid initiatives of non-governmental organizations), requires a human-centered approach to development cooperation on the continent which seeks to promote the genuine welfare of the people rather than promoting political propagandas.

APA CITATION

Uyang, M. A. (2025). Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent. *International Journal of Geopolitics and Governance*, 4(1), 116-129. <https://doi.org/10.37284/ijgg.4.1.2992>

CHICAGO CITATION

Uyang, Moses A. 2025. “Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent”. *International Journal of Geopolitics and Governance* 4 (1), 116-129. <https://doi.org/10.37284/ijgg.4.1.2992>

HARVARD CITATION

Uyang, M. A. (2025), “Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent”, *International Journal of Geopolitics and Governance*, 4(1), pp. 116-129. doi: 10.37284/ijgg.4.1.2992.

IEEE CITATION

M. A., Uyang “Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent”, *IJGG*, vol. 4, no. 1, pp. 116-129, May. 2025.

MLA CITATION

Uyang, Moses A. “Pragmatically Advancing The Rule of Law and Security in Africa, Paramount for The Successful Implementation of Italy's Piano Mattei (Mattei Plan) on the Continent”. *International Journal of Geopolitics and Governance*, Vol. 4, no. 1, May. 2025, pp. 116-129, doi:10.37284/ijgg.4.1.2992

INTRODUCTION

All eyes on Africa, a continent filled with human and natural resources, yet still struggles in terms of significant development, but for a few nations on the continent that continue to make bold strides towards meaningful development. Underdevelopment, developing, and lack of development are all manmade. For some, this is a serious problem, while for others, the latter is a cause for enriching themselves, their families, and allies. Africa’s highest continental governing body – The African Union, has, through the years, made attempts towards promoting regional and global partnerships to stir development for the good of Africa and her citizens as well as for each partner involved. Success in the progress of the African Union has been gradual but firm in terms of looking out for efficient possibilities. With the 55 states in Africa most likely to be influenced by the decisions

of the African Union, particularly through the operational activities of the African Union Commission (the day-to-day operational arm of the African Union), continental instruments like the “Agenda 2063: The Africa We Want” serves as an invaluable framework outlining pathways for Africa’s development either internally or through recognized global partnerships.

To get practical, impactful results for development on the continent, practical actions are needed, unless the above document is simply good intentions, paper, and words. The website of the African Union describes the Agenda 2063 as: “Africa’s blueprint and master plan for transforming Africa into the global powerhouse of the future. It is the continent’s strategic framework that aims to deliver on its goal for inclusive and sustainable development and is a concrete manifestation of the pan-African drive for unity, self-determination, freedom, progress and

³ Muliro, A. (2024). Rethinking Piano Mattei: Can Italy truly forge a genuine partnership? Society for International Development (SID), <https://www.sidint.org/sid-blogs/rethinking-piano-mattei>.

collective prosperity pursued under Pan-Africanism and African Renaissance.” The website further notes that, “as an affirmation of their commitment to support Africa’s new path for attaining inclusive and sustainable economic growth and development African heads of state and government signed the 50th Anniversary Solemn Declaration during the Golden Jubilee celebrations of the formation of the OAU /AU in May 2013. The declaration marked the re-dedication of Africa towards the attainment of the Pan African Vision of *an integrated, prosperous and peaceful Africa, driven by its citizens, representing a dynamic force in the international arena* and Agenda 2063 is the concrete manifestation of how the continent intends to achieve this vision within 50 years from 2013 to 2063.”⁴

Aspirations 3 and 4 of the Agenda 2063 are particularly valuable in relation to the argument of this paper. ASPIRATION 3 calls for: “‘an Africa of good governance, democracy, respect for human rights, justice and the rule of law’. This Aspiration has the goals of Africa being by 2063, ‘a continent where democratic values, culture, practices, universal principles of human rights, gender equality, justice and the rule of law are entrenched; and having capable institutions and transformative leadership in place at all levels.’ On the other hand, ASPIRATION 4 calls for: ‘a peaceful and secure Africa’. This Aspiration has as its goals by 2063: ‘an entrenched and flourishing culture of human rights, democracy, gender equality, inclusion and peace; Prosperity, security and safety for all citizens; and putting in place Mechanisms to promote and defend the continent’s collective security and interests’”⁵

The Republic of Italy, as a potentially reliable partner for Africa, has its keen eyes on the continent of Africa. With the current strong calls by the government of Giorgia Meloni, Italy’s Prime Minister, for mutually beneficial relations between

countries in Africa and Italy, the onus rests on Italy to get into action through broader consultations with the different African nations and through consulting continental instruments like the African Union Agenda 2063. The latter will no doubt be greatly relevant for the success of Italy’s Piano Mattei (Mattei Plan) in Africa. Importantly, a much-needed entry point into Africa for the implementation of the Piano Mattei and its eventual success will be mutually beneficial joint efforts between the respective African nations and Italy in practically advancing adherence to the rule of law and tackling the issue of insecurity in Africa. No true development cooperation initiative will achieve responsible success in arbitrariness and chaos.

The state of respect for the rule of law and the regular situations of insecurity in Africa are development areas on the continent not be overlooked. Promoting the rule of law as well as peace and security in Africa is not a luxury but a necessity, as would possibly be said for any nation globally. The absence of the latter may often create avenues for general societal disorder while also encouraging acts of restiveness. Clarity is important for a crucial government strategic plan like the Piano Mattei; especially in the areas of governance and security, as these are two fundamental drivers for meaningful development for nations in Africa and the Republic of Italy.

METHODOLOGY

This desktop research used primary and secondary sources in its attempt to respond to the objective of this paper. The latter was carried out through online searches from scholarly publications as well as from local and international news media outlets. The researcher also relied on his experience serving in a major continental African youth platform, including his understanding of some aspects of politics in Africa. There were conversations with two experts on international cooperation between Africa and

⁴ African Union. Agenda 2063: The Africa We Want, <https://au.int/en/agenda2063/overview>.

⁵ African Union Commission, (2015). Agenda 2063: The Africa We Want, https://au.int/en/Agenda2063/popular_version.

Europe; their point of view contributed to forming the argument of this paper. The researcher further consulted the presentation (*Europe-Italy-Africa: the future we want, Mattei Plan: Success cases to scale and critical issues to address*) he made on the Piano Mattei to some Italian government officials as well as to some international Non-governmental organisations (NGOs) at the 2024 international conference. Data from all the above was relevant in shaping the thoughts in this paper. The limited availability of scholarly and credible professional knowledge on the Piano Mattei was a challenge for this research.

KEY FINDINGS

Considering the above objective for this paper, the following were key findings:

- The need to train more rule of law and security professionals, as well as provide easy access to such training, even in Italy.
- The urgency is in making access to justice less political and more concerned with offering equal and affordable services, especially for the common people.
- Each African state's remunerations for legal practitioners, the police, and the military personnel should be adequately enhanced. They should be provided with not just financial support but emotional, psychological, and physical care. These are important because the above-mentioned groups are vital stakeholders for the success of the rule of law and improved security of a nation.
- Also, it is necessary for some aspects of the Piano Mattei to be guided by the African Union

Agenda 2063 framework; for example, Aspirations 3 and 4 of the Agenda 2063.

- One of the findings, as Mutua observes is that “focus should be placed on the meaning and practical effect of the rule of law and not just talking about its importance or necessity in Africa.”⁶
- A further key finding, as Mbaku observes is that “for the full operationalization of the rule of law in a country, the laws must not be externally imposed on the people. They must be those that the people understand, respect, and are able and willing to obey.”⁷
- This paper also found that migration is not the problem, but the legal management of migration is, as argued by an International legal expert and professor during a 2024 Global Migration and Rule of Law Conference held in Rome, Italy.
- Finally, the need to have “adequate background analyses of African challenges and the genuine necessity for equal partnerships between individual African states and the Republic of Italy.”⁸

LITERATURE REVIEW

Italy's Piano Mattei: An Overview

Every political government globally will often seek to impress its citizens either for good or for the sake of politicking. It is almost common knowledge that for a long while, the relationship between Africa and Europe has always been considered unbalanced. With Italy's Piano Mattei comes an enthusiastic move for mutual and respectful relations between countries in Africa and the Republic of Italy. Italy cannot make the mistake of overlooking the vast

⁶ Mutua, M. (2016). Africa And The Rule Of Law: The problematic rebirth of liberalism in Africa and why the rule of law must be reconsidered to achieve sustainable development, <https://ssrn.com/abstract=2805734>.

⁷ Mbaku, J. (2018). Rule of Law, State Capture, and Human Development in Africa Rule of Law, State Capture, and Human Development in Africa, American University International Law

Review, Volume 33 Issue 4, Article 4, <https://digitalcommons.wcl.american.edu/auilr/vol33/iss4/4>.

⁸ Muliro, A. (2024). Rethinking Piano Mattei: Can Italy truly forge a genuine partnership? Society for International Development (SID), <https://www.sidint.org/sid-blogs/rethinking-piano-mattei>.

opportunities in Africa, and each partner African nation, as well, cannot overlook the important contribution to development that Italy is capable of offering to them. What is this Piano Mattei?

Italy's Ministero dell'Università e della Ricerca (2020) notes that, "the Mattei Plan for Africa is Italy's strategic plan for diplomacy, development cooperation and investment to strengthen and renew ties with the continent. The Plan includes both the development of new projects and active support for initiatives already underway, sharing the phases of elaboration, definition and implementation with African states, with the aim of bringing real added

value to the local population. This Ministry identified for the first phase, a series of pilot countries: *Egypt, Tunisia, Algeria, Morocco, Ivory Coast, Mozambique, Republic of Congo, Ethiopia and Kenya*.⁹ While it is a welcome idea for Italy to invest in Africa, it is necessary for the latter to have priority investments which will focus on the actual needs of the partner African state involved. A generalised strategic plan may not produce valuable results, as each country in Africa has diverse needs that each of these nations may consider as important for the development of the country and for the good of its citizens.

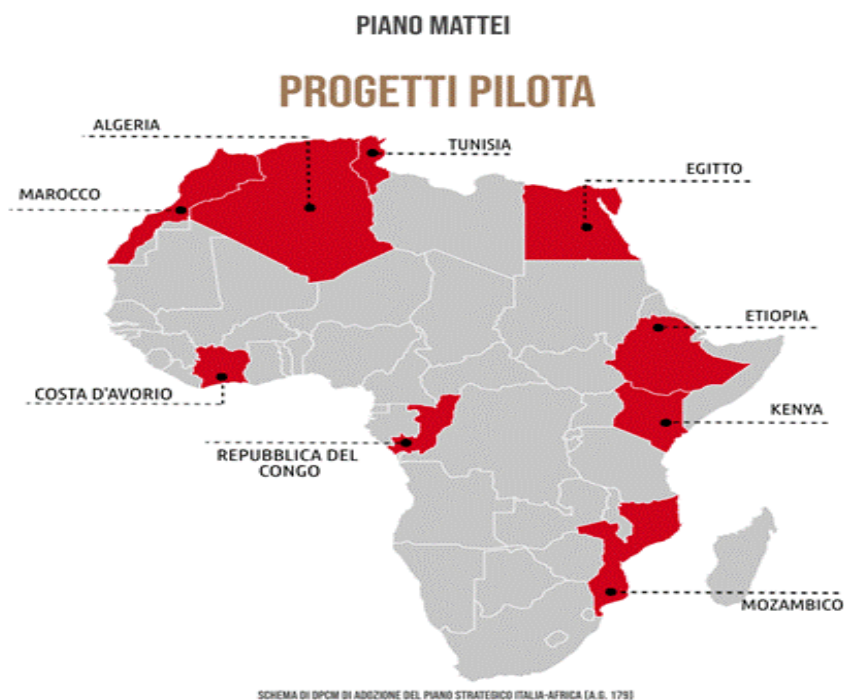


Image Source: Servizio Studi, Camera dei Deputati, rielaborazione dati A.G. 179

Development Cooperation

More so, Cerami (2024) observes that "many aspects of the Mattei Plan are still being defined and that it is still evolving (p. 114). Cerami also notes

that the Italian Agency for Development Cooperation (AICS) was established by the Italian law on international cooperation (Law No. 125/2014). And that Law 125 indicates the goals of cooperation as including the eradication of poverty,

⁹ Ministero dell'Università e della Ricerca, (2020). Piano Mattei Ricerca e Alta Formazione Cos'è il piano Mattei,

<https://www.mur.gov.it/it/piano-mattei-ricerca-e-alta-formazione>.

the reduction of inequalities, the protection of civil rights and personal dignity – including gender equality and equal opportunity – as well as the prevention of conflict and support for peace processes.”¹⁰ The latter is in agreement with the argument of this paper which seeks to make contribution to the evolving Plan by underscoring the need for the Plan to have a major focus on promoting the rule of law and security in Africa in order to facilitate the successful implementation of the Piano Mattei in Africa. For Fattibene and Manservigi (2024), the Mattei Plan has the potential to strengthen Italy’s development and international partnership cooperation policy ten years after the approval of Law 125/2014. They further note that the Plan will have an initial funding of 5.5 billion euros in grants, credits or guarantees. And that, 3 billion euros will be taken from the National Climate Fund (under the responsibility of the Ministry of Environment and managed by the Public Development Bank Cassa Depositi e Prestiti, CDP), whereas 2.5 billion euros will come from the development cooperation budget.”¹¹

Cerami claims that the Mattei Plan has brought Africa back as a top priority of Italy’s foreign policy and that although energy security and addressing the root causes of migration have been seen as the main political drivers of this initiative, the Mattei Plan should aim to strengthen Italy’s development cooperation and international partnership policy (pp. 115, 116)”¹² As a response to the call by Cerami above, strengthening Italy’s development cooperation and international partnerships will first find a strong root in collaborative efforts with

individual African states in addressing the issue of a lack of respect for the rule of law and the problem of insecurity.

Migration and Security

According to Treccarichi (2023), the Mattei Plan “has become central to the policies and words of the Meloni government with a focus on gas and migrants. While the latter is made reference to, Treccarichi does not seem to understand the whole idea of the Mattei Plan. He notes that, “there is no more detailed news on the Plan, even if Giorgia Meloni has referred to it since her inauguration speech. Why is it so much talked about? Where does the government start and where does it want to go with the Mattei Plan in Africa and the Mediterranean, in order?” Treccarichi goes on to claim that “since her inaugural speech at the Chamber of Deputies, Prime Minister Giorgia Meloni has referred to a Mattei Plan for Africa and the Mediterranean, calling it “a virtuous model of collaboration and growth between the European Union and African nations, also to counter the worrying spread of Islamist radicalism, especially in the sub-Saharan area.”¹³ Finally, in a 2023 article by an independent editorial project known as *Atlas of Wars and Conflicts in the World* founded by Raffaele Crocco, it writes that, “the Mattei Plan is a plan that Italian Prime Minister Giorgia Meloni has described as a ‘model of non-predatory cooperation in which both partners must be able to grow and improve’. And that, in theory, the aim of the project (Mattei Plan) is to achieve total independence from Russian gas, but there are serious concerns that it is also about reducing immigration to Italy.”¹⁴ Both

¹⁰ Cerami, C. (2024). Could The “Mattei Plan” Be Reinvented For Africa? A Historical Perspective. *Il Politico*, 89(2(261)), 100–119. <https://www.jstor.org/stable/48803083>.

¹¹ Fattibene, D., Manservigi, S. (2024). The Mattei Plan for Africa: A Turning Point for Italy’s Development Cooperation Policy? Istituto Affari Internazionali, <https://www.iai.it/en/pubblicazioni/c05/mattei-plan-africa-turning-point-italys-development-cooperation-policy>.

¹² Cerami, C. (2024). Could The “Mattei Plan” Be Reinvented For Africa? A Historical Perspective. *Il Politico*, 89(2(261)), 100–119. <https://www.jstor.org/stable/48803083>.

¹³ Treccarichi, C. (2023). What is the Mattei Plan for Africa, the Meloni government’s strategy between gas and migrants, <https://www.today.it/economia/piano-mattei-governo-meloni-africa-gas-cosa-e.html>.

¹⁴ Atlas of Wars and Conflicts in the World, (2023). Italy’s “Piano Mattei”: what it is and what the Italian Government is trying to achieve, <https://www.atlasofwars.com/italys-piano-mattei-what-it-is-and-what-italian-government-is-trying-to-achieve>

Italy and countries in Africa benefit when immigration is legal and when there is peace and security. Immigration is a natural course and one of the ways through which the Earth sustains itself and its inhabitants. It is cyclical, generational and will always change its directions.

Piano Mattei and the European Union

Fattibene and Manservigi (2024) once again state that, “the Mattei Plan will initially consist of nine pilot projects in Algeria, Democratic Republic of Congo, Egypt, Ethiopia, Ivory Coast, Kenya, Morocco, Mozambique and Tunisia, focusing on five key pillars – education and training, agriculture, health, energy and water, with a first follow up mission in East Africa already planned for March 2024. The Plan aims to build a new form of partnership with African countries, via an ‘incremental approach’ where key goals and targets are co-designed with the partners, and that will be rolled out in synergy with ongoing European initiatives such as *Team Europe Initiatives* and the *Global Gateway*, as well as with other international partners such as the United States of America or the Gulf States. Fattibene and Manservigi go on to claim that, the Mattei Plan has raised many expectations in Italy, Africa, and the European Union.”¹⁵ The Plan extending beyond Italy to the European Union shows Italy’s readiness to standardize the Piano Mattei nevertheless; care should be taken not to Europeanize a plan that is supposed to be one that is mutual for cooperation with Africa.

RULE OF LAW, INSECURITY, AND THE SUCCESS OF ITALY’S PIANO MATTEI IN AFRICA

Consolidating resources to build or develop a more sustainable Africa requires pragmatic actions that will positively impact the life of the continent and

its citizens. While achieving this will not be a walk in the park, the committed concrete steps taken to try to provide solutions to the everyday issues of the common citizens might bring about considerable relief for the people and their nation, in the present and in the future. Governance in Africa will keep on improving with the right leaders, the right mindset, and a willing citizenry. This notwithstanding, governance in most parts of the continent is no stranger to authoritarian regimes, lack of transparency, zero accountability, politically motivated crises, and corruption. The government of Italy’s Piano Mattei will need to understand the real issues on the ground in the various African states for its implementation to achieve any form of success that will be genuinely mutually beneficial for the respective African states and Italy.

Frameworks or mechanisms like the African Union’s *Agenda 2063: The Africa We Want*, for example, Aspiration 3: “an Africa of good governance, democracy, respect for human rights, justice and the rule of law”, and Aspiration 4: ‘a peaceful and secure Africa’¹⁶ as well as the Italian Agency for Development Cooperation (AICS) “‘Law No. 125/2014 which indicates the goals of cooperation as including the eradication of poverty, the reduction of inequalities, the protection of civil rights and personal dignity – including gender equality and equal opportunity – as well as the prevention of conflict and support for peace processes’”,¹⁷ are necessary references for the implementation of the Piano Mattei in Africa.

In recent times, Botswana has often been hailed as a somewhat successful country when one considers the country’s struggling past. According to Cook and Sarkin (2010), “in the last decade, the debate over Botswana’s achievements has flourished.

¹⁵ Fattibene, D., Manservigi, S. (2024). The Mattei Plan for Africa: A Turning Point for Italy’s Development Cooperation Policy? Istituto Affari Internazionali, <https://www.iai.it/en/publicazioni/c05/mattei-plan-africa-turning-point-italys-development-cooperation-policy>.

¹⁶ African Union Commission, (2015). *Agenda 2063: The Africa We Want*, https://au.int/en/Agenda2063/popular_version.

¹⁷ Cerami, C. (2024). Could The “Mattei Plan” Be Reinvented For Africa? A Historical Perspective. *Il Politico*, 89(2(261)), 100–119. <https://www.jstor.org/stable/48803083>.

Those who applaud Botswana as ‘the African Miracle’ including scholars such as: Abdi Samatar, Daron Acemoglu, Simon Johnson, James A. Robinson, J. Clark Leith, and Stephen Lewis, as well as former president of Botswana, Quett Masire, who recently published his memoirs, point to its political stability, regular elections, consistent economic growth, and sound investment policies”, as factors of Botswana’s success (p. 463).” Notwithstanding the above, Cook and Sarkin (2010) go on to note that “although Botswana is considered one of Africa’s most successful multiparty democracies, the system contains political practices and laws that are decidedly undemocratic. For example, the constitution provides the President with unrestrained powers, authorising him to make many decisions without input. He has direct control over the police, the information and broadcasting sector, the Directorate on Corruption and Economic Crime, and the public service (p. 474).”¹⁸ Although the government of Italy remains focused on initiating the Piano Mattei, a strategic strength for the plan’s success in Africa might be undoubtedly based on respect for the rule of law and adequate security in each of the countries particularly considered for the implementation of Italy’s Piano Mattei.

Mutua (2016) believes that, “the emerging clamour for devolution as a legal and constitutional device to address official impunity and create less opacity and accountability in smaller units embeds the rule of law as one of its key weapons. In an era where social media makes each citizen an ‘eye of the people’, access to timely information and official documents permits the audit of the state by the public. However, such an audit is not possible if the government is not open and subject to the law. Mutua continues as he argues that the ability of

marginalised communities to participate in politics and economic development depends on access to information. So is the delivery of services, access to justice, and health care. He notes that individuals and communities are able to mobilise themselves for political action, or planning for development, if they can freely organise. And that, dialogue with, or protest against, local and central authorities is not possible without the rule of law (p. 7).” On his part, Mbaku (2018) holds the opinion that, “a country cannot fully maintain the rule of law if the majority of its citizens do not voluntarily accept and respect the law. He notes that, if the majority of citizens in a country do not accept and respect the law, the forces of law and order (e.g., the police and the judiciary) will find it very difficult to perform their jobs. Mbaku is convinced that for the full operationalisation of the rule of law in a country, ‘the majority of citizens must voluntarily accept and respect the law (p. 827).’¹⁹ The thought of Mutua on citizens’ access to information as well as Mbaku’s argument on citizens’ voluntary respect and acceptance of the law are important factors to understand in order to evaluate the presence or absence of the rule of law and order in country. Mbaku asks: ‘But, how can African countries make certain that a majority of their citizens voluntarily accept and respect the law? First, the laws chosen must be ‘relevant to the lives of the people whose behaviours the laws are expected to regulate, reflecting their values.’ Second, the laws must not be externally imposed on the people. They must be those that the people understand, respect, and are able and willing to obey.’ ‘The third way that an African country can garner support for its laws and institutions is to make certain that the process by which the people design and enact laws is open and transparent’ (p. 828).’²⁰

¹⁸ Cook, A. and Sarkin, J. (2010). Is Botswana the Miracle of Africa? Democracy, the Rule of Law, and Human Rights Versus Economic Development, *Transnational Law & Contemporary Problems*, Vol. 19, 2010, <https://ssrn.com/abstract=2123116>.

¹⁹ Mbaku, J. (2018). Rule of Law, State Capture, and Human Development in Africa Rule of Law, State Capture, and Human

Development in Africa, *American University International Law Review*, Volume 33 Issue 4, Article 4, <https://digitalcommons.wcl.american.edu/auilr/vol33/iss4/4>.

²⁰ Mbaku, J. (2018). Rule of Law, State Capture, and Human Development in Africa Rule of Law, State Capture, and Human Development in Africa, *American University International Law*

Looking at the above, Mutua and Mbaku both clearly show the relevance of the people and the role they play in making real development work. This is why the Piano Mattei may not want to overlook the people in its effort to promote sustainable development in Africa.

In addition, Mutua (2016) holds that “the rule of law cannot be exported to Africa ready-made. He points to the core values of the rule of law as: integrity, transparency, accountability, equity, equality, access, and participation; and that, no sustainable development which gives citizenship meaning and every citizen a sense of belonging and allows a culture of justice is possible without them. Mutua claims that, the rule of law is meaningless without each of these core values which must be addressed in the following ways: devolution of power and resources, transparency, equity and social justice, culture of governance, women and citizenship, women laborers and migration, land ownership, access, and reform, equal development relationship between Africa and the world (p. 12). He argues that the judiciary remains beholden to powerful and vested interests in politics and the economy. Power is still concentrated within very few hands, regions, or groups (p. 5).”²¹ Could one possibly claim that the more politically aware the general citizenry become the less power is concentrated in a few hands, regions, or groups and those in power held accountable for the actions or inactions in regards to state governance? *“Over time, there was realization that the rule of law understood in a more liberating idiom would play a key role. Thus, its centrality in the rethinking and practice of social reconstruction, nation-building, spurring economic development, and good government never went away. For him, the reason is that Africans understand, and do not*

*want to imagine, let alone live in, a society devoid of the rule of law. It is the meaning and practical effect of the rule of law, not its importance or necessity, that remains a terrain of contest (Mutua, p. 8).”*²²

According to Prentice, Bosna, and Yul (2024), “from a GREEN Power perspective, Italy supports African nations like Morocco, South Africa, and Ethiopia in building photovoltaic and wind power plants to obtain clean energy. To achieve the success of the Mattei plan, it must be supported and ratified by the European Union, strengthening the credibility of the Italian strategy and increasing financial and infrastructural resources. Strengthening diplomatic activity in the Sahel region, one of the world's most armed conflicts, terrorism, drug dealing, and human trafficking, could finally stabilize the region (p. 6)”²³ For Prentice et al., the need for adequate security in Africa for example, is vital in achieving the success of the Piano Mattei. This cannot be oversimplified if indeed the aim of the plan is to promote mutual development between the respective African nations and the Republic of Italy. Also, Lobasso (2021) claims that, “Italy’s participation in international missions in Africa, such as the European Union Training Mission (EUTM) and Capacity Building Mission (EUCAP) in Somalia, among others, is assisting host nations in the fight against terrorism, piracy and organized crime. He further opines that, “the promotion of educational modules by Italian universities in Africa in the fields of good governance, inter/intra-institutional relations, urban-rural dialogue, the rule of law and the management of electoral processes are

Review, Volume 33 Issue 4, Article 4, <https://digitalcommons.wcl.american.edu/auilr/vol33/iss4/4>.

²¹ Mutua, M. (2016). AFRICA AND THE RULE OF LAW: The problematic rebirth of liberalism in Africa and why the rule of law must be reconsidered to achieve sustainable development, <https://ssrn.com/abstract=2805734>.

²² Mutua, M. (2016). Africa And The Rule Of Law: The problematic rebirth of liberalism in Africa and why the rule of

law must be reconsidered to achieve sustainable development, <https://ssrn.com/abstract=2805734>.

²³ Prentice, M., Bosna, U., Yul, K. (2024). Mediterranean Security: Italian, United States, NATO, and North African National Interests From A Geopolitical Perspective, <https://digitalcommons.liberty.edu/cgi/viewcontent.cgi?article=1473&context=hsgconference>.

admirable contributions of Italy in Africa (p. 4).”²⁴ Without doubt, the above claims by Lobasso can be a guide towards ensuring the success of the *Piano Mattei* in Africa. Nevertheless, one may hope for the latter’s success only if Lobasso’s claims are indeed in place and are mutually beneficial to the African nations involved and to the Republic of Italy.

The Italian Institute for International Political Studies (ISPI) (2023) wonders, “What are the challenges for Italy? What are the priorities for the *Piano Mattei*? First of all, there is a structural matter: the resilience of states. The Libyan experience has made Italy aware that when there is a lack of solid-state governance, it is very difficult to come to an agreement with militias, armed groups and others that have taken their place. Chaos run by armed actors without any legitimacy and engaged in illicit trafficking must be avoided. A more structured policy should therefore aim at defending the resilience of sub-Saharan states: without them, there are no actors with whom to interface with proper accountability, nor any possibility of planning development in the long term. For the ISPI, the *Piano Mattei* should develop a policy to support the stability of states in terms of security cooperation, law enforcement collaboration, intelligence exchanges, and military cooperation, provided it is preventive in nature. A good example is the current cooperation with Niger, which should, however, be deepened and extended to other states.”²⁵

As the ISPI observes above, Italy’s cooperation with Niger is often seen as a likely benchmark for relating with other states in Africa. While this might be an important approach, there is a need to understand the diversities therein in Africa and that

no two states in Africa can be related to in the same way. For Madouni (2022), “the issue of security in Africa is considered one of the most polarising topics in international relations, which includes the state of insecurity and instability due to military coups and ethnic and civil conflicts. It has tended to include current issues with regional and international repercussions in the short and long term. It gives particular importance to the Sahel region and the Horn of Africa due to the nature of their composition and their geopolitical impact, which necessitated an investigation of the two cases of the growth of illegal immigration and terrorism and the extent of their interrelationship in influencing international security (p. 17). Madouni argues that “numerous African nations have experienced political instability, frequently resulting from military coups, unemployment, and ethnic tensions. Displacement has been observed in certain regions of the African continent, specifically in the Sahel countries and the Horn of Africa. The emergence of transnational terrorist organisations has heightened the threat of extremism and terrorism, posing a significant challenge to global security (p. 15). He concludes that “political instability and repression in many regions of Africa over the years have prompted many individuals and groups to seek alternatives and better places. Authoritarian regimes and violence also facilitated the admission of illegal migrants to Europe. Moreover, the absence of democracy and freedom in most countries still pushes individuals and groups to migrate in any way possible (p. 16).”²⁶

Madouni’s conclusions are surely important points of departure in understanding some of the major causes of migration on the continent. Humans are naturally wired to seek comfort, safety, as we might

²⁴ Lobasso, F. (2021). Italy and Africa: “Value Oriented Diplomacy” in Action. Istituto Affari Internazionali (IAI), <https://www.iai.it/sites/default/files/iaicom2124.pdf>.

²⁵ Italian Institute for International Political Studies (ISPI) (2023). The ‘Piano Mattei’: A Proposal to Manage Migration and Its Governance Structure, <https://www.ispionline.it/en/publication/the-piano-mattei-a-proposal-to-manage-migration-and-its-governance-structure-138312>.

²⁶ Madouni, A. (2022). Africa, the expelling continent. Issues of illegal migration and terrorism, and influence on international security, *Rivista di Studi Politici*, Trimestrale dell’Istituto di Studi Politici “S. Pio V”, Anno XXXIV, ottobre-dicembre 2022, p. 15, Editrice APES, <https://www.rivistadistudipolitici.it/wp-content/uploads/2023/09/APES-Rivista-Studi-Politici-2022-4.pdf>.

have come across in Abraham Maslow's famous hierarchy of needs. The Italian Institute for International Political Studies (ISPI) (2023) states that, "the stability of governance systems in Africa is one of the central themes in policies aimed at managing migration flows towards Europe. And that, African states must become real partners in their development. The ISPI notes that, the *Piano Mattei* rolled out by the current Italian government is based on a long-term outlook"²⁷ The *Piano Mattei* has great potential for success in Africa if genuinely implemented in mutually beneficial collaborations with individual African nations and in reference to their particular needs. To maintain a pragmatic impact of the *Piano Mattei* in Africa, challenges faced in each of these African nations should not be exaggerated or overly simplified.

In the opinion of Muliro (2024), "At its core, the *Piano Mattei* fundamentally misunderstands migration. It treats the African movement as a problem to be controlled rather than a complex socio-economic phenomenon rooted in more profound systemic challenges. Migration is not a tap that can be simply turned off through economic intervention; it is a dynamic reflection of global inequality, economic disparity, and the fundamental human desire for opportunity. He goes on to observe that, "the initiative appears to have been designed with minimal input from African stakeholders, a sentiment captured in the remarks of AU Commission Chair Moussa Faki."²⁸ More so, in April 2024, during the Global Migration and Rule of Law Conference held in Rome, Italy, one of the speakers, an international legal expert, argues that, migration is not the problem but the legal management of migration is.

Sura (2024) points out that "on January 29, 2024, Rome hosted the pivotal Italy-Africa Summit, marking a significant step by the Italian government to fortify its relationships with African nations. With a good number of high-profile African presence in this latter Summit, "the Italy-Africa Summit, the first international event in Italy during its G7 presidency, was an opportunity for the government of Giorgia Meloni to elaborate on the Italian "Piano Mattei". Named after Enrico Mattei, the erstwhile President of the Italian Energy Public Company ENI, Italy's state-owned energy entity, the plan is aimed at fostering development across Africa in several key areas (among these, education and training, agriculture, health, and water) through the implementation of both public and private investment."²⁹ While the above key areas are undoubtedly very important, this paper is of the view that without a conscious mutual and respectful collaboration between Italy and African nations in advancing the rule of law and security in Africa, for example through judicial reforms, security sector reforms, support for non-governmental organizations legal aid providers, the success of the *Piano Mattei* on the continent might possibly make little or no impact.

For Simonelli, Fantappiè, and Goretti (2024), "the January summit shed light on the fact that Italy's 'pivot to Africa' is certainly generating international attention and potentially innovative, but also presents a number of potential shortcomings and drawbacks, both in its narrative and implementation (p.2). They argue that "if the Plan's ambition is really to trigger positive development processes in the medium to long term, involvement must be extended beyond leader-to-leader diplomacy in the partner countries. Italy should move from words to action in its plea for a new equal-to-equal

²⁷ Italian Institute for International Political Studies (ISPI) (2023). The 'Piano Mattei': A Proposal to Manage Migration and Its Governance Structure, <https://www.ispionline.it/en/publication/the-piano-mattei-a-proposal-to-manage-migration-and-its-governance-structure-138312>.

²⁸ Muliro, A. (2024). Rethinking Piano Mattei: Can Italy truly forge a genuine partnership? Society for International

Development (SID), <https://www.sidint.org/sid-blogs/rethinking-piano-mattei>.

²⁹ Sura, G. (2024). The Political and Economic Implications Of "Piano Mattei" for the European Union, Istituto Analisi Relazioni Internazionali (IARI), https://iari.site/2024/03/25/the-political-and-economic-implications-of-piano-mattei-for-the-european-union/#google_vignette.

diplomacy, making sure to establish solid relations with institutional counterparts and diverse segments of the society (p. 4).”³⁰ Scissa (2024) argues that, “the fact that migration seems to be a key goal of the Mattei Plan but is absent from its priorities might then imply that the six pillars are the means through which the Italian government aims to achieve its main objective (p. 4).”³¹

Conclusively, Mbaku (2018) observes that “the United Nations (UN) has been among many international and multilateral organisations that have also been interested in the rule of law debate. Recently, the UN promulgated and published its definition of the rule of law. As stated by the UN, the ‘rule of law’ refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency (p. 197)” Mbaku further states that, “in Africa, and many other countries around the world, the rule of law is an ideal that their citizens seek and hope to achieve—a governance process supported by the rule of law will ultimately enhance the peaceful coexistence of each country’s various population groups, promote inclusive economic growth, adequately constrain state custodians, and minimize opportunistic behaviors, and decrease contributions

to state capture (p. 822). For him, without an independent judiciary, it would not be possible for an African country to deal effectively with grand corruption and other behaviours that contribute to state capture. Hence, African countries that seek to minimise chances of state capture must make sure that they have judiciaries that are independent of the other branches of government (p. 829).”³²

CONCLUSION AND RECOMMENDATIONS

The practical efforts put in advancing the rule of law and security in Africa are a compulsory significant task for the continent and its leaders. For other well-meaning global partners with a genuine interest in Africa, the continent is always ready to welcome development cooperation partners. Italy’s Piano Mattei is an initiative that will no doubt benefit both the Republic of Italy and the different African states entered into partnerships. A stable, transparent, accountable, and legal government, as well as a secure Africa, is non-negotiable for the successful implementation of the Piano Mattei in Africa. The interests and works of Italy is steadily on the rise in Africa; a careful exploration for best ways to make her development cooperation operational and successful in Africa will be no luxury but the task of researchers, politicians, diplomats, and all who mean well for Italy and her mutually beneficial and respectful relations with Africa.

This paper recommends the need for involving grassroots actors in understanding and making attempts to address the root causes of insecurity and lack of respect for the rule of law in most states across Africa. Also, one way to evaluate the successes or failures of any development cooperation investment will be to look at the

³⁰ Simonelli, F., Fantappiè, M.L., and Goretti, L. (2024). The Italy-Africa Summit 2024 and the Mattei Plan: Towards Cooperation between Equals? Istituto Affari Internazionali (IAI), <https://www.iai.it/en/pubblicazioni/c05/italy-africa-summit-2024-and-mattei-plan-towards-cooperation-between-equals>.

³¹ Scissa, C. (2024). Italy’s Migration Policies Amidst Climate Change: An Assessment, <https://www.iai.it/en/pubblicazioni/c>

05/italys-migration-policies-amidst-climate-change-assessment.

³² Mbaku, J. (2018). Rule of Law, State Capture, and Human Development in Africa Rule of Law, State Capture, and Human Development in Africa, American University International Law Review, Volume 33 Issue 4, Article 4, <https://digitalcommons.wcl.american.edu/auilr/vol33/iss4/4>.

progress and the quality of human security, economic security, and social security of the people. The latter will be good tools to mirror the successes or failures of Italy's Piano Mattei. It may be helpful for Italy to get familiar with the operations of the African Continental Free Trade Area (AfCFTA), an important project of the African Union's Agenda 2063 development framework. Guided by the AU Agenda 2063 legal framework, the government of Italy can also work with the African Continental Free Trade Area (AfCFTA) which is *one of the Flagship Projects of Agenda 2063 Africa's development framework which seeks to boost intra-African trade as a key initiatives whose implementation would promote and attain sustainable and inclusive socio-economic development, gender equality and structural transformation of the State Parties*³³. This could be possible first, by the Italian government having strong and committed government representations in each of the partner African countries and at the African Union Commission Headquarters in Addis Ababa as well as other representation at the AfCFTA Secretariat headquartered in Accra, Ghana to discuss and negotiate potential opportunities. Still with the intention of ensuring that the implementation of the Piano Mattei succeeds in Africa, the government of Italy can also work with the African Union Department of Political Affairs, Peace and Security (PAPS), as well as, the African Union Office of the Legal Counsel (OLC). For example, the Legal Counsel of the African Union, Prof. Hajer Gueldich, was present in Rome as a Speaker during the Global Migration and the Rule of Law Conference held at the Pontificia Università Gregoriana in April, 2025, where she spoke on opportunities to strengthen domestic and regional migration policies as a counterweight to the anti-immigration bias that undermines opportunities for human flourishing. It would be helpful if there were

Italian government participation in a conference like this or to regularly, in collaboration with other African partners, organise events and programs that bring together African and Italian representatives to involve in interactions that will promote mutual development.

Finally, Italy may like to collaborate with organizations like: the African Legal Support Facility of the African Development Bank Group, International Development Law Organization (IDLO), 'the only global intergovernmental organization exclusively devoted to promoting the rule of law to advance peace and sustainable development. Currently present in 90 countries globally',³⁴ The African Centre of Excellence for Access to Justice (ACE-AJ), 'a continent-wide network of African civil society organizations working to promote access to justice, universal human rights, the rule of law and legal aid for marginalized and poor communities',³⁵ Importantly and above all, the Republic of Italy may need to form mutual bonds with government agencies; security and the judiciary of each African state where the focus of the Piano Mattei is.

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³³ African Union, The African Continental Free Trade Area (AfCFTA), <https://au.int/en/african-continental-free-trade-area>

³⁴ International Development Law Organization (IDLO), <https://www.idlo.int/about-idlo/about-idlo>.

³⁵ The African Centre of Excellence for Access to Justice, <https://accesstojustice.africa/>.

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